

State of California  
FISH AND GAME COMMISSION

MINUTES, MEETING OF MARCH 5-6, 1998

<u>ITEM</u>	<u>PAGE</u>
1. DEPARTMENT BRIEFING ON ITS 1998-99 BUDGET AND STATUS OF ITS REORGANIZATION .....	2
2. RECEIPT OF DEPARTMENT ANNUAL REPORT ON WINTER-RUN CHINOOK SALMON .....	3
3. REQUEST OF DONALD HADLEY, CITY OF OCEANSIDE, FOR COMMISSION CONSIDERATION TO AMEND SECTION 122, TITLE 14, CCR, RE: RESTRICTING THE PLACEMENT OF LOBSTER TRAPS WITHIN A 3/4-MILE RADIUS FROM THE OCEANSIDE HARBOR LIGHT "3" .....	4
4. RECEIPT OF PUBLIC COMMENTS ON DEPARTMENT'S NOVEMBER 1997 DRAFT INFORMATIONAL DOCUMENT ON CALIFORNIA'S ABALONE RESOURCE AND DISCUSSION REGARDING REQUIRED STUDIES AND PREPARATION OF THE ABALONE MANAGEMENT PLAN MANDATED BY SB 463 (THOMPSON) ..	6
5. REQUEST OF MICHAEL PACKARD, ARROYO GRANDE, FOR COMMISSION CONSIDERATION TO AMEND SECTION 120.7, TITLE 14, CCR, RE: PROVIDING PREFERENCES TO DISPLACED COMMERCIAL ABALONE DIVERS IN THE COMMERCIAL SEA URCHIN DIVING PERMIT LOTTERY .....	8
6. PUBLIC FORUM .....	10
7. REQUEST OF ROY BURCH, LOS OSOS, TO APPEAL DEPARTMENT DENIAL OF HIS APPLICATION FOR A PINK SHRIMP PERMIT .....	11
8. REQUEST OF JEFFERY LEE COX, IMPERIAL BEACH, FOR REINSTATEMENT OF HIS SUSPENDED COMMERCIAL LOBSTER PERMIT .....	13
9. CONSIDERATION OF SUSPENSION OF THE TRAPPING LICENSE OF ROBERT J. COLLA, VENTURA .....	16
10. CONSIDERATION OF ACCEPTANCE OF STIPULATED COMPROMISE SETTLEMENT AGREEMENTS OR THE POSSIBLE SUSPENSION OF COMMERCIAL HERRING PERMITS FOR RAY HONEA, BURLINGTON, WASHINGTON, AND PETER C. SAN FILLIPPO, PETALUMA .....	17
11. RECEIPT OF DEPARTMENT LEGISLATIVE REPORT .....	20
12. RECEIPT OF DEPARTMENT INFORMATIONAL ITEMS .....	21

<u>ITEM</u>	<u>PAGE</u>
13. RECEIPT OF COMMISSION INFORMATIONAL ITEMS .....	21
14. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS .....	22
15. COMMISSION UPDATE ON ITS STRATEGIC PLANNING PROCESS AND RECEIPT OF PUBLIC COMMENTS RE: SUGGESTED STRATEGIC PLAN CONTENTS .....	24
16. REQUEST FOR RECONSIDERATION OF WHITE SEABASS FISHERY MANAGEMENT PLAN DEVELOPED PURSUANT TO SECTION 7020 OF THE FISH AND GAME CODE .....	25
17. CONSIDERATION OF ADOPTION OF AN ALLOCATION POLICY FOR THE HARVEST OF KLAMATH RIVER FALL CHINOOK SALMON .....	29
18. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 27.80, TITLE 14, CCR, RE: OCEAN SALMON FISHING REGULATIONS .....	31
19. CONSIDERATION OF EMERGENCY ACTION TO AMEND SEASON CLOSING DATE FOR STEELHEAD FISHING IN NORTH COAST RIVERS .....	33
20. UPDATE BY THE NATIONAL MARINE FISHERIES SERVICE RE: MARINE MAMMAL PREDATION ON SALMONID POPULATIONS, OTHER FISH POPULATIONS AND IMPACTS ON COASTAL ECOSYSTEMS OF THE WEST COAST .....	40
21. REQUEST OF MICHAEL MCHENRY, HALF MOON BAY, TO DISCUSS THE LONG-TERM VIABILITY OF COMMERCIAL SQUID FISHERY .....	41
22. REQUEST OF JOHN D. FENNER, SACRAMENTO, FOR COMMISSION CONSIDERATION TO AMEND SECTIONS 4.00-4.30, TITLE 14, CCR, RE: USE OF SACRAMENTO BLACKFISH AS LIVE BAIT .....	42
23. DISCUSSION OF PROPOSALS FOR CHANGES IN THE 1998-2000 MAMMAL HUNTING AND TRAPPING REGULATIONS .....	46
24. CONFIRMATION OF COMMISSION'S DECEMBER 4, 1997, EMERGENCY ACTION TO AMEND SECTION 7.50(b)(30), TITLE 14, CCR, TO REOPEN FISHING IN BUTT CREEK AND BUTT VALLEY RESERVOIR POWERHOUSE OUTFALL, PLUMAS COUNTY .....	49
25. ADOPTION OF AMENDMENT TO SECTION 5.51, TITLE 14, CCR, RE: NORTHERN PIKE .....	49

<u>ITEM</u>	<u>PAGE</u>
26. REQUEST TO PUBLISH NOTICE OF INTENT TO AMEND SECTION 7.50(b), TITLE 14, CCR, RE: SPORT SALMON FISHING REGULATIONS FOR THE KLAMATH-TRINITY RIVER BASIN .....	50
27. REQUEST TO PUBLISH NOTICE OF INTENT TO AMEND SECTION 7.50(b), TITLE 14, CCR, RE: COHO SALMON FISHING REGULATIONS .....	51
28. REQUEST OF SUZIE KIRBY, CURATOR OF ANIMALS, AMERICAN WILDERNESS EXPERIENCE, ONTARIO, FOR AUTHORIZATION TO IMPORT AND POSSESS THREE BLACK-TAILED PRAIRIE DOGS AND ONE OPOSSUM FOR EXHIBITION AND EDUCATIONAL PURPOSES .....	52
29. REQUEST OF SANDY BRICK, CURATOR OF TROPICAL PACIFIC EXHIBITS, LONG BEACH AQUARIUM OF THE PACIFIC, FOR AUTHORIZATION TO IMPORT AND POSSESS BLACKTIP REEF SHARK ( <i>Carcharhinus melanopterus</i> ), SANDBAR SHARK ( <i>Carcharhinus plumbeus</i> ) AND AMERICAN EEL, ( <i>Anguilla rostrata</i> ) FOR EXHIBITION AND EDUCATIONAL PURPOSES .....	53
30. REQUEST OF BENAY KARP, TARZANA, FOR AUTHORIZATION TO IMPORT AND POSSESS CORVIDAE AND STURNIDAE FOR EXHIBITION, FILMMAKING AND EDUCATIONAL PURPOSES .....	56
31. REQUESTS OF JIM GIBSON, POLLOCK PINES AND ADAM WEINER, PLACERVILLE, FOR AUTHORIZATION TO POSSESS CROTALIDAE, VIPERIDAE AND CROCODILIA FOR EXHIBITION, EDUCATIONAL AND BREEDING PURPOSES .....	57
32. DEPARTMENT REQUEST FOR AUTHORIZATION TO TRANSFER FEE TITLE OF 0.55± ACRES OF SOUTH FORK OF THE EEL RIVER FISHING ACCESS AREA, HUMBOLDT COUNTY, TO CALTRANS TO FACILITATE A CURVE CORRECTION ON STATE ROUTE 254 .....	57
33. REQUEST OF DIANA FRIELING, SANTA BARBARA, FOR AUTHORIZATION FOR A SHELTERING PERMIT TO RESCUE FIVE FALLOW DEER .....	58
34. ANNOUNCEMENT OF FUTURE MEETINGS .....	58

State of California  
FISH AND GAME COMMISSION

MINUTES, MARCH 5-6, 1998

Pursuant to the call of the President, the Commission met at Hubbs-Sea World Research Institute, 2595 Ingraham Street, San Diego, California, on March 5, 1998. The meeting was called to order at 10:05 a.m. by President Thieriot.

Persons present:

FISH AND GAME COMMISSION

Richard Thieriot	President
Ted Weggeland	Member
Frank D. Boren	Member
Douglas B. McGeoghegan	Member

COMMISSION STAFF

Robert R. Treanor	Executive Director
Ronald J. Pelzman	Assistant Executive Director
Sandy J. Daniel	Executive Secretary

OFFICE OF THE ATTORNEY GENERAL

Randall Christison	Deputy Attorney General
--------------------	-------------------------

DEPARTMENT OF FISH AND GAME

Jacqueline E. Schafer	Director
Al Petrovich	Deputy Director, Policy
Tim Farley	Chief, Inland Fisheries Division (IFD)
DeWayne Johnston	Interim Marine Regional Manager
Mike Grima	Acting Chief, Wildlife Protection Division (WPD)
John Duffy	Senior Biologist, Marine Region

The following persons were also present and heard:

Don Handley	Director of Harbor and Beaches, City of Oceanside
Hal Williams	Lobster Sport Fisherman
Don Thompson	California Abalone Association
Steve Rebeck	Concerned Citizen
Michael Packard	Commercial Abalone Diver
Bob Shea	Commercial Abalone Diver
Paul Weakland	Commercial Fisherman
Steve Benavides	Abalone Action Alliance
Don Gilbert	Aquaculturist
Jeffrey Cox	Commercial Lobster Fisherman
Raymond Wood	Attorney for Jeffrey Cox

Rex Finney	Commercial Lobster Fisherman
William Iverson	Commercial Lobster Fisherman
Gary Martinet	Commercial Lobster Fisherman
Ray Williams	Commercial Lobster Fisherman
Gary Iverson	Commercial Lobster Fisherman
Roy Burch	Commercial Fisherman
Floyd Carley	Californian's for Ferret Legalization
Jeanne Carley	Californian's for Ferret Legalization
R.H. Foster	Commercial Hoop Fisherman
John Freitas	Commercial Hoop Fisherman
Corey Sanden	Commercial Lobster Hoopnetter
Paul Freitas	Commercial Lobster Hoopnetter
Florence Lambert	The Elephant Alliance
Terrence Mines	Commercial Fisherman

President Thieriot introduced members of the Commission, its staff, the Directorate and Randall Christison of the Attorney General's Office. He indicated that Commissioner Weggeland would be joining the meeting in about an hour.

President Thieriot presented Past President McGeoghegan with his commemorative Commission silver belt buckle.

The Department requested that Item Number 1 be skipped at this time and heard when Commissioner Weggeland arrived. Item Number 2 was heard at this time.

1. DEPARTMENT BRIEFING ON ITS 1998-99 BUDGET AND STATUS OF ITS REORGANIZATION.

Summary of Issue

This item is scheduled for Director Schafer to discuss the Department's proposed budget for FY 1998-99 and her plans for reorganization of the Department. The Commission should be aware that Senator Burton removed Senator Costa from the Senate Budget Subcommittee, which hears the Department's budget, and replaced him with Senator Hayden. The Subcommittee now consists of Senator Kopp as Chairman and Senators Sher and Hayden as members.

Action

Director Schafer reported that the Governor's proposed budget for the Department was \$206.1 million which was an increase of \$8.3 million (+4.2%) over the current 1997-98 Fiscal Year budget and supported 42 additional temporary help personnel years (PYs) plus 38 additional regular PYs which was a 4 percent increase in total PYs. She stated that the proposed budget contains two major initiatives that will both meet watershed improvement objectives, and enrich marine and nearshore ecosystems through the improvement of reef fisheries and the creation of a database for coastline and ocean floor mapping. Director Schafer pointed out that significantly, this budget also includes appropriate new funding for the

Department's current costs of document review and consultation to reduce and mitigate the impacts of development projects on fish and wildlife resources, so that the Fish and Game Preservation Fund is stabilized and available for future hunting and fishing activities funded by license buyers. She discussed key items contained in the proposed budget including: Ocean and Coastal Initiative - Marine Initiative proposes \$1.013 million plus staff and Nearshore Ecosystem Database proposes \$2.557 million plus staff; Maritime Information Partnership Project proposes \$1,940,000; Watershed Initiative proposes \$8 million plus staff; and the Central Valley Fisheries Restoration proposes \$11.715 million plus staff. Additionally, Director Schafer explained the proposed budget included a \$10.5 million funding realignment from the Fish and Game Preservation Fund to the Natural Resources Infrastructure Fund, which is part of the Resources Trust Fund, for the purpose of preserving and protecting the natural and recreational resources of the State.

Director Schafer then explained the Department's reorganization status, which included creating a Marine Region headquartered in the Monterey Bay area that will safeguard the State's complex and diverse marine ecosystem.

President Thieriot asked how much the Department spends on hunting/fishing, commercial fishing and nonconsumptive areas. Director Schafer indicated that the new time reporting system now being implemented would answer those types of questions.

2. RECEIPT OF DEPARTMENT ANNUAL REPORT ON WINTER-RUN CHINOOK SALMON.

Summary of Issue

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, and the Department has been providing an annual report since that time. This item is scheduled to receive the Department's Annual Status Report regarding winter-run chinook salmon. The Department will be prepared to summarize its report at the Commission's March 5, 1998, meeting. A discussion of the report will be scheduled for the Commission's April 2, 1998, meeting.

The Department's memo dated February 20, 1998, provides the following information:

"Inland Fisheries Division staff has prepared the enclosed report summarizing management and recovery actions during the last year for the State-listed Sacramento River winter-run chinook salmon (*Oncorhynchus tshawytscha*). (Report will be provided at the March 5 meeting.) The report was prepared with the assistance of staff from the Department's regions and divisions as well as staff from the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, the U.S. Bureau of Reclamation, and CALFED Bay-Delta Program.

"Department personnel will be available at the meeting to verbally summarize the report and answer questions."

## Action

Executive Director Treanor introduced the item. IFD Chief Farley provided the Department's report highlighting the following items: 1) estimated run size was 841 fish; 2) enlarging fish ladders to make them more efficient; 3) completion of the temperature control device at Shasta Dam; 4) treatment plant at Iron Mountain Mine has been adequate; 5) Glenn-Colusa Irrigation District diversion fish screen design has been completed; 6) continued research to genetically distinguish runs of chinook salmon; 7) captive brood stock program spawned over 150 adults resulting in 180,000 eggs; and 8) monitoring activities.

Commissioner Boren suggested further communications through the Strategic Planning efforts, or with constituents involved, to set a philosophical goal of where we want the winter-run chinook salmon to be in five years from now.

Executive Director Treanor noted there would be a discussion item at the Commission's April 2 meeting to address any additional questions the Commissioners might have.

3. REQUEST OF DONALD HADLEY, CITY OF OCEANSIDE, FOR COMMISSION CONSIDERATION TO AMEND SECTION 122, TITLE 14, CCR, RE: RESTRICTING THE PLACEMENT OF LOBSTER TRAPS WITHIN A 3/4-MILE RADIUS FROM THE OCEANSIDE HARBOR LIGHT "3".

## Summary of Issue

Mr. Donald Hadley, Director of Harbor and Beaches, City of Oceanside, requests Commission consideration to amend Section 122, Title 14, CCR, to restrict the placement of lobster traps within a 3/4-mile radius from the Oceanside Harbor Light "3". In a letter dated December 3, 1997, Mr. Hadley provides the following information:

"On behalf of the City of Oceanside Harbor District Department of Harbor and Beaches, I am requesting your assistance regarding a safety issue at the entrance to Oceanside Harbor.

"During this year's lobster season, our staff received several complaints about lobster traps, buoys and lines being placed at the approach to the Oceanside Harbor entrance. On October 6, 1997, the Harbor Police staff observed nine (9) such traps, buoys and lines anchored in a line between the channel whistle buoy and the entrance itself. The buoys are a navigational and safety hazard for any vessel attempting to enter the Harbor. The traps are outside the 750-foot limit as addressed in Section 122 of Title 14 of the Fish and Game Commission Regulations.

"The placement of traps in the area of the approach needs to be restricted to aid navigation and the safety of vessels and their occupants.

"Oceanside Harbor is prone to shoaling, swells and breaking wave actions, especially in the fall and winter seasons. A significant period of this time coincides with lobster fishing season. It can be challenging to enter the Harbor at times and becomes even more aggravated with the presence of the traps.

"The entrance is a shared-use with the U.S. Marine Corps Base Camp Pendleton for access of their craft into the Del Mar Basin. Oceanside Harbor has 950 berths, of which 900 are regular slip renters, including the U.S. Coast Guard Cutter Point Hobart, Helgren's Sportfishing landing, large charter vessels and numerous commercial fishing vessels. Fifty (50) slips serve visiting boaters, which number over 2,500 vessels each year.

"Enclosed are several letters we have received concerning this hazard. They are only a sampling. A solicitation of letters would certainly evoke a significant number of support letters addressing the existing concern.

"After reviewing possible solutions, we find the most effective would be to restrict a radius to our entrance. The restriction would be a 3/4-mile radius from the Oceanside Harbor Light."3"

"This action would protect vessels entering or departing Oceanside Harbor, going north or south adjacent to the shoreline, or vessels departing west for off-shore waters.

"We are anxious to begin whatever action is necessary according to appropriate processes in order to alleviate this hazardous element in the Harbor entrance.

"Please contact me at your earliest convenience. Thank you for your consideration."

Commissioners were provided with copies of referenced material.

#### Department Recommendation

"The Commission has adopted similar closures to trap setting in the spiny lobster fishery around the entrance to Newport Bay and Dana Point Harbor (Subdivision 122(o), Title 14, CCR) to reduce the likelihood of boat propeller entanglement with buoy lines.

"The Department has spoken with Mr. Donald Hadley, Director of Harbor and Beaches for the City of Oceanside, and with Mr. John Guth, President of the Southern California Lobster and Trapfishermen's Association (Association), regarding this issue.

"While generally understanding of the Harbor District's need for an open access navigation channel, the Association had some concerns about the specific boundaries of the closure, and has discussed them with the Harbor District. It is our understanding that the two parties have agreed to alternate boundaries that will provide a safe navigation channel with minimum impact to the lobster fishing industry, therefore the matter could be scheduled for Commission action."

#### Action

Executive Director Treanor introduced and summarized the item.

Mr. Handley provided background information and indicated that trap buoys are a navigational and safety hazard and requested an amendment restricting the placement of lobster traps in the approach to Oceanside Harbor entrance. He stated that the amendment would provide an adequate safe approach and establish a minimal restricted area that can be reasonably identified by commercial fishermen and other vessels transiting the area.

The commercial lobster fishermen present were in concurrence with the proposed amendment.

It was then:

MOVED BY MR. MCGEOGHEGAN, SECONDED BY MR. BOREN, THAT THE FISH AND GAME COMMISSION HEREBY APPROVES THE REQUEST OF DONALD L. HADLEY, DIRECTOR OF HARBOR AND BEACHES, CITY OF OCEANSIDE, FOR THE COMMISSION TO AUTHORIZE ITS STAFF TO PUBLISH NOTICE OF COMMISSION INTENT TO AMEND SECTION 122, TITLE 14, CCR, REGARDING RESTRICTING THE PLACEMENT OF LOBSTER TRAPS WITHIN A 3/4-MILE RADIUS FROM THE OCEANSIDE HARBOR LIGHT "3".

PASSED UNANIMOUSLY.

Commissioner Boren commented whether the Commission should be involved in navigation and safety issues. Deputy Director Petrovich indicated it would be appropriate in this case as it dealt with the prosecution of a fishery.

4. RECEIPT OF PUBLIC COMMENTS ON DEPARTMENT'S NOVEMBER 1997 DRAFT INFORMATIONAL DOCUMENT ON CALIFORNIA'S ABALONE RESOURCE AND DISCUSSION REGARDING REQUIRED STUDIES AND PREPARATION OF THE ABALONE MANAGEMENT PLAN MANDATED BY SB 463 (THOMPSON).

#### Summary of Issue

The Commission, at its November 7, 1997, meeting in Redding, received the Department's Draft Informational Document (D.I.D.) on the California Abalone Resource. At that time, the Commission directed staff to schedule an agenda item for its February 1998 meeting to receive public comments on the document. This item is scheduled for receipt of public comments on the Department's November 1997 D.I.D. on California's Abalone Resource and discussion regarding required studies and preparation of the Abalone Management Plan mandated by SB 463 (Thompson).

The D.I.D. was originally written as an environmental document to be used when the Commission confirmed its emergency regulations closing the take of sport and commercial harvest of red abalone south of San Francisco. With the passage of SB 463, the Commission no longer needed to confirm its emergency regulations.

SB 463 provides authority to the Commission to consider reopening the sport and commercial harvest of abalone south of San Francisco after the Department conducts certain studies and develops an Abalone Management Plan which the Commission approves.

Commissioners were provided with a copy of SB 463 and a letter dated February 10, 1998, from Mr. Don Thompson, California Abalone Association. Commissioners have already received a copy of the Draft Informational Document at the November 7, 1997, meeting. If you wish another copy, please contact the Commission office. A copy will be available at the March 5, 1998, meeting.

#### Action

Executive Director Treanor introduced and summarized the item. John Duffy provided the Department's overview of the document. He stated that one of the provisions of SB 463 was that the Legislature approve a Budget Change Proposal for \$450,000, effective July 1, 1998, for preparation of a comprehensive abalone recovery and management plan.

Don Thompson provided the following comments on the document: 1) what is the status of the resource; 2) need criteria to determine status; 3) address information not covered in the document; 4) relies too heavily on harvest refugia; 4) preservationist approach; 5) going farther in wrong direction; 6) harvest refugia eliminates the need for science; 7) need a more proactive approach; and 8) learn from experiences from other fisheries such as the herring fishery. He spoke about two areas of concern not addressed in the document: 1) the reduction in permits and efforts; and 2) the creation of a voluntary mechanism to leave fishery.

Steve Rebeck supported the Individual Transferable Quota (ITQ) system which is a transferable share of a total allowable catch allocated to individual fishermen or fishing firms. He discussed the incentive to preserve a resource by owning the right to access the fishery, but do not "own" the fishery. He thought the environmental document was good, but was concerned about the management plan with emphasis on harvest refugia.

Michael Packard suggested that former commercial abalone divers participate in Department surveys. He supported the total allowable catch and ITQ and opposed the reduction in number of permits. He expressed concerns regarding the lack of sea otter containment by the USFWS and the Department.

Bob Shea supported the use of commercial fishermen in Department surveys and commented that a lack of law enforcement was the cause for the decline of abalone. Mr. Shea inquired about diving in Cortez Bank, 40 miles west of San Clemente Island. He stated that there was a tremendous amount of white abalone in deep waters.

Deputy Director Petrovich reported that it was not legal to take, possess or land abalone at Cortez Bank.

Paul Weakland contended that outplanting led to the decline of the abalone. He requested information on the location of the transects and swim surveys, as they were not included in the document.

Steve Benavides supported and agreed with the report. He pointed out that the report reflected the need to know more of what's happening underwater and supported harvest refugia.

Don Gilbert commented that the resource was declining in the early 1970's and action should have been taken then.

Executive Director Treanor asked if anyone else from the audience wished to speak on the item, and there was no response.

5. REQUEST OF MICHAEL PACKARD, ARROYO GRANDE, FOR COMMISSION CONSIDERATION TO AMEND SECTION 120.7, TITLE 14, CCR, RE: PROVIDING PREFERENCES TO DISPLACED COMMERCIAL ABALONE DIVERS IN THE COMMERCIAL SEA URCHIN DIVING PERMIT LOTTERY.

#### Summary of Issue

Mr. Michael Packard, Arroyo Grande, requests Commission consideration to amend Section 120.7, Title 14, CCR, regarding providing preferences to displaced commercial abalone divers in the commercial sea urchin diving permit lottery. In a letter received in the Commission office on February 17, 1998, Mr. Packard provides the following information:

"This letter is being written to request adding a topic to the next F&G Commission's meeting agenda.

"The topic pertains to abalone permit holders that do not hold urchin permits. As I'm sure you are aware of there is a drawing held each year for issuance of new urchin permits. The criteria for entering the drawing is that you must have held a urchin tender's license in the past.

"I feel that the 15 abalone permit holders that don't have urchin permits should have priority in the drawing due to the fact that they have large capital investments in a diving operation with specialized boats that can only be used if and when the abalone fishery opens again. The abalone closure caused severe financial impact to all abalone divers, but the few divers without urchin permits were literally put out of business.

"This proposal would not add any additional urchin permits than already would be issued. The drawing would be made from a pool made up of the fifteen abalone divers that do not hold urchin permits.

"I hope you will add this important issue to your agenda at the March meeting where it could be discussed in more detail."

### Department Recommendation

"Mr. Packard is asking the Commission to allow 15 former commercial abalone divers to enter the drawing pool for future sea urchin diving permits, while excluding the currently entitled applicants, commercial sea urchin crew member permit holders.

"Sea urchin permits must be renewed annually. Existing Commission regulation provides that new sea urchin diving permits are issued on the basis of one new permit being issued for each 10 permits that are not renewed, until the number of permits is less than 300. At that time, new permits will be issued one for each non-renewed one. New permits are issued by drawing from among applicants that have held a valid sea urchin crewmember permit in the two immediately preceding permit years.

"This regulation was adopted as part of the sea urchin fishery management program to ensure that new permittees would have recent applicable experience in the sea urchin fishery before they obtained a sea urchin diving permit.

"While the Department sympathizes with the plight of commercial abalone divers who are now under a moratorium that prohibits the commercial harvest of abalone, this proposal would displace the people who have been working as crew members in the sea urchin fishery from the drawing for any available sea urchin diving permits.

"Based on the formula used, it would require that 150 of the 466 1997-98 sea urchin diving permit holders leave the fishery to accommodate the 15 divers Mr. Packard represents. Five new permits were issued last year, and two were issued in 1996. Given similar rates of attrition, it could take several years for 15 former abalone divers to enter the sea urchin fishery. During that time, current sea urchin crew member permittees would be denied the opportunity to enter the fishery.

"Therefore, we recommend denial of Mr. Packard's request."

### Action

Executive Director Treanor summarized the item.

Michael Packard explained his personal commercial diving history and that he had put his life savings into the abalone fishery. He requested the 15 former commercial abalone divers be provided preference and allowed to enter the lottery for any available sea urchin diving permit.

Don Thompson indicated that Senator Thompson's staff advised them to go to the Commission for relief and request a provision to allow displaced abalone divers preference to enter the commercial sea urchin diving permit lottery.

Paul Weakland commented there was no goal for recovery of the abalone fishery and no criteria perimeters for creating a recovery goal. He did not believe this was a cure for the problem, but only allowing them another chance.

Marine Regional Manager Johnston recommended taking this matter to the Director's Sea Urchin Advisory Committee.

Commissioner Boren indicated that he would not vote to publish notice, but did not support going to the Director's Sea Urchin Advisory Committee.

Several motions were made, but died for a lack of a second.

It was then:

MOVED BY MR. THIERIOT, SECONDED BY MR. WEGGELAND, THAT THE FISH AND GAME COMMISSION HEREBY TABLES THE REQUEST OF MICHAEL PACKARD UNTIL THE DEPARTMENT PROVIDES ADDITIONAL BACKGROUND INFORMATION.

AYES: COMMISSIONERS THIERIOT, WEGGELAND, MCGEOGHEGAN  
NAYS: COMMISSIONER BOREN

MOTION PASSED.

Steve Rebuck emphasized that the ITQ approach could preclude this problem.

Commissioner McGeoghegan requested the Department prepare a report of commercial fishery closures causing displacement of fishermen, and if any financial compensation was provided.

6. 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

Executive Director Treanor introduced the item.

Captain Hal Williams spoke on the new restriction on the number of sportfishing lobster hoop nets which a sport fisherman can deploy. He supported 5 hoop nets per person, a limit of 10 per boat, and a reduction in the daily bag limit, if necessary.

Bob Shea spoke on several items and requested a rebate on his commercial abalone license prorated for the period that it was not used. He commented that the Director's Abalone Ad Hoc Committee was not recognized by the Commission and the committee had available funds that could be used to pay abalone divers to help the Department of Fish and Game conduct surveys.

Floyd and Jeanne Carley requested that the Commission not appeal the ruling by the San Diego County Superior Court regarding legalization of ferrets, but to again consider their request.

R.H. Foster opposed the new restrictions of the lobster sportfishing regulations requiring the use of only 2 hoop nets per person/10 per boat and recommended 5 hoop nets per person/10 per boat.

John Freitas also opposed the new restriction of lobster sportfishing regulations and recommended 7 hoop nets per person/14 per boat.

Corey Sanden opposed the new restriction of lobster sportfishing regulations and suggested 5 hoop nets per person/10 per boat.

Paul Freitas opposed the new restriction of lobster sportfishing regulations.

Florence Lambert spoke about the need of the Commission to strengthen its regulations regarding confinement of elephants and the inhumane conditions of elephants.

Paul Weakland requested compensation for displaced commercial abalone divers, a rebate for the unused months of their abalone diving permit and a target date for reopening the commercial abalone fishery.

Terrence Mines complained about the commercial lobster fishery being a limited entry fishery and wanted the commercial lobster fishery reopened to more fishermen. He requested data from the Department on why commercial lobster fishery is closed access.

7. REQUEST OF ROY BURCH, LOS OSOS, TO APPEAL DEPARTMENT DENIAL OF HIS APPLICATION FOR A PINK SHRIMP PERMIT.

Summary of Issue

Mr. Roy Burch, Los Osos, requests an opportunity to appeal the Department's denial of his application for a Pink Shrimp Permit. In a letter faxed to the Commission office on February 5, 1998, Mr. Burch provides the following information:

"I am the owner-operator of the fishing trawler RESTLESS C II. I have maintained a personal commercial fishing license since 1969, along with various commercial boat licenses and permits. I am currently involved in the groundfish trawl fishery and have a federal limited-entry permit for that fishery.

"The Pacific Fisheries Management Council has drastically cut our quotas for 1998. Unfortunately, this has resulted in a hardship on me. I cannot make enough money to maintain my fishing boat. Unforeseen at the time, in the beginning of 1997 I decided not to renew my pink shrimp permit which I now regret. I am asking the review panel to please reinstate my pink shrimp permit. Enclosed is a copy of my current license and permits."

Commissioners were provided with copies of the current license and permits.

#### Department Recommendation

"Pursuant to Section 8842 of the Fish and Game Code (FGC), beginning September 28, 1994, nontransferable pink shrimp trawl permits were issued in two categories. To qualify for a Pink Shrimp Trawl Individual Permit, an applicant must have possessed a valid Shrimp and Prawn Trawl Permit prior to or during the 1993-94 permit year. To qualify for a Pink Shrimp Trawl Vessel Permit, the applicant must be the registered owner of a vessel that landed pink shrimp on or before March 31, 1994. Additionally, beginning with the 1995-96 permit year, a pink shrimp trawl permit can only be issued to applicants who possessed a valid Pink Shrimp Trawl Permit (Individual or Vessel) in the immediately preceding permit year.

"Section 8842 of the FGC also requires each permittee to renew his/her pink shrimp trawl permit each year in order to be eligible to renew the following year, but there are no landing requirements which must be met. A pink shrimp permit may be purchased at any time during the permit year, including the last day of the permit year (March 31).

"Mr. Burch's letter of December 27, 1997, indicated that he has a federal groundfish trawl fishery limited entry permit. Beginning March 1998, the Pacific Management Fisheries Council will drastically reduce the quotas for dover sole, thornyheads, and trawl-caught sable fish. According to Mr. Burch, this reduction will result in a severe financial hardship and he may be unable to maintain his trawl vessel.

"Mr. Burch was eligible for a Pink Shrimp Trawl Individual Permit because he held a valid 1986-87 Shrimp and Prawn Trawl Permit. According to Department of Fish and Game records, Mr. Burch's most recent Pink Shrimp Trawl Individual Permit was valid for the 1994-95 permit year which expired March 31, 1995. This permit was issued on March 31, 1995, which was the last day of the permit year. Landing records show Mr. Burch last participated in the pink shrimp fishery in April 1987.

"Because this is a restricted entry fishery that requires annual renewal to maintain eligibility and does not have minimum landing requirements, Mr. Burch should have renewed his permit annually if he intended to resume fishing at a later date. The Fish and Game Commission has been consistent in denying reinstatement to previous fishermen who voluntarily allowed their eligibility to lapse and then attempted reinstatement at a later date. Because it appears Mr. Burch voluntarily allowed his permit to lapse, the Department recommends his request for reinstatement of his expired Pink Shrimp Trawl Individual Permit be denied."

Action

Executive Director Treanor summarized the item.

Roy Burch provided documentation on his financial status and requested reinstatement of his pink shrimp permit based on a hardship situation.

There was dialogue between the Commission and the Department whether or not this was a resource issue. Deputy Director Petrovich stated it was a resource issue relative to the bycatch of groundfish in the trawls, and the Department recommended denial of the pink shrimp permit because he let the permit lapse voluntarily based on of the reduced groundfish quota set by the Pacific Fishery Management Council.

WPD Acting Chief Grima pointed out that the Commission has been consistent in dealing with expired permit matters.

It was then:

MOVED BY MR. BOREN, SECONDED BY MR. WEGGELAND, THAT  
THE FISH AND GAME COMMISSION HEREBY DENIES THE REQUEST OF  
ROY A. BURCH, LOS OSOS, FOR REINSTATEMENT OF HIS PINK SHRIMP PERMIT.

PASSED UNANIMOUSLY.

8. REQUEST OF JEFFERY LEE COX, IMPERIAL BEACH, FOR REINSTATEMENT OF HIS SUSPENDED COMMERCIAL LOBSTER PERMIT.

Summary of Issue

On February 4, 1998, Mr. Raymond Wood, Attorney for Mr. Jeffery Cox, contacted the Commission office and indicated that because of storm-related problems with AMTRAK, Mr. Cox would probably miss the February 5 meeting. On February 5, 1998, Mr. Cox contacted the Commission office and requested that this matter be re-scheduled for the March 5, 1998, meeting in San Diego due to transportation problems with AMTRAK. On February 5, 1998, the Commission decided not to postpone the matter because the commercial lobster fishery was still ongoing and suspended Mr. Cox's commercial lobster permit for three (3) years. The Commission did note that if Mr. Cox wanted to appear at the March 5 meeting to request reinstatement, the Commission would consider his request. Commissioners were provided with a copy of the Commission's after meeting letter dated February 11, 1998, which also provides the findings for its February 5, 1998, action.

The following is the background information the Department provided for the February 5 meeting. The Department requests that the Commission consider the suspension of the commercial lobster permit of Mr. Jeffery Lee Cox, Imperial Beach, for a period of one year from February 5, 1998, through February 5, 1999, or other such time period as the Commission deems appropriate. A certified letter was sent to Mr. Cox notifying him of the possible action to be taken by the Commission.

The Department's request is predicated on the fact that on November 5, 1997, Mr. Cox pled guilty in the San Diego Municipal Court of a violation of Section 9002(a) of the Fish and Game Code, willfully disturbing a trap of another and Fish and Game Code Section 2002, unlawful possession of lobster taken in violation of the Fish and Game Code. As background, on March 7, 1997, Mr. Cox, a commercial lobster fisherman in the San Diego area, was found to be in possession of one lobster from the trap belonging to Rex Finney. The lobster had been marked with a pit tag and placed in Finney's trap. On March 27, 1997, Mr. Cox was found to have lobster traps in the water eight days after the close of the lobster season, which had closed on March 19, 1997. Mr. Cox was also observed on March 27, 1997, with lobster traps on his boat and on April 8, 1997, one of the traps was identified as being the property of commercial fisherman Ray Williams. Mr. Cox has no prior convictions.

The Commission's authority to take this action is pursuant to Section 7857(b)(2) of the Fish and Game Code.

Commissioners were provided with a copy of the Commission's letter dated January 14, 1998; the Department's request dated January 8, 1998; the citation; the arrest report; the court record; and information provided by San Diego area fishermen.

#### Action

Executive Director Treanor summarized the item.

Mr. Raymond Wood, attorney for Mr. Cox, discussed the prior convictions. Mr. Wood indicated that Mr. Cox was willing to plead guilty and abide by any type of probation status. He believed that the three year suspension was too severe for the crime and requested a reduction of the suspension. He contended that the Commission must base its decision on the record and not statements made by other fishermen.

President Thieriot asked legal counsel if the Commission had the authority to consider letters received from the public. Deputy Attorney General Christison explained the due process requirements and indicated that it would be appropriate to consider other matters of mitigation or aggravation.

WPD Acting Chief Grima explained the situation and indicated that Mr. Cox had been under surveillance by the Department for stealing other fishermen's traps and lobsters.

Rex Finney reported that Mr. Cox had threatened him and his family. He claimed that Mr. Cox cut off several of his traps in retribution for being involved in action against Mr. Cox and contended that Mr. Cox has been stealing lobsters for years and the one lobster he was convicted of possessing was only an indicator of his crimes. Mr. Finney requested the Commission maintain the three year commercial lobster permit suspension and requested the Commission also suspend his commercial fishing license.

William Iverson reported that he had several personal problems with Mr. Cox relating that he had seen him cut off other fishermen's gear and he had rammed his vessel. He recommended suspending Mr. Cox's commercial fishing license.

Gary Martinet related personal contacts and threats by Mr. Cox.

Ray Williams also recommended suspension of Mr. Cox's commercial fishing license.

Gary Iverson contended that Mr. Cox tries to intimidate other fishermen and their personal safety could be jeopardized if Mr. Cox continues to be on the water.

President Thieriot asked if Mr. Cox's commercial fishing privileges could be suspended or revoked at this time. Mr. Treanor indicated that suspension or revocation of his commercial fishing license would need to be agendized for a future meeting as Mr. Cox had not been notified of that possible action by the Commission.

It was then:

MOVED BY MR. MCGEOGHEGAN, SECONDED BY MR. BOREN, THAT THE FISH AND GAME COMMISSION HEREBY DENIES THE REQUEST OF JEFFERY LEE COX, IMPERIAL BEACH, FOR REINSTATEMENT OF HIS SUSPENDED COMMERCIAL LOBSTER PERMIT WHICH REMAINS SUSPENDED FOR A PERIOD OF THREE YEARS FROM FEBRUARY 6, 1998, THROUGH FEBRUARY 5, 2001.

PASSED UNANIMOUSLY.

Commissioner Boren indicated that the commercial fishermen are stewards of the marine resources, who need to be rewarded and the irresponsible fishermen need to be weeded out.

There was discussion regarding whether to schedule an item to consider a suspension/revocation of Mr. Cox's commercial fishing license.

WPD Acting Chief Grima reported that there was a case pending against Mr. Cox and as soon as it was adjudicated, the disposition would be brought to the Commission and that would be the appropriate time to consider suspension/revocation of Mr. Cox's commercial fishing license.

It was then:

MOVED BY MR. BOREN, SECONDED BY MR. WEGGELAND, TO AGENDIZE THE ISSUE OF SUSPENSION/REVOCAION OF MR. COX'S COMMERCIAL FISHING LICENSE FOR THE APRIL 1998 MEETING.

AYES: COMMISSIONERS BOREN, WEGGELAND  
NAYS: COMMISSIONERS MCGEOGHEGAN, THIERIOT

THE MOTION DID NOT PASS.

9. CONSIDERATION OF SUSPENSION OF THE TRAPPING LICENSE OF  
ROBERT J. COLLA, VENTURA.

Summary of Issue

The Department requests that the Commission consider the suspension of the trapping license of Robert J. Colla, Ventura, for a period of three years from March 6, 1998, through March 5, 2001, or other such time period as the Commission deems appropriate. A certified letter was sent to Mr. Colla notifying him of the possible action to be taken by the Commission.

The Department's request is predicated on the fact that on May 20, 1997, Mr. Colla pled guilty in the Ventura Municipal Court for a violation of Section 4004(d) of the Fish and Game Code, no person shall set or maintain traps which do not bear a number or other identifying mark registered to the Department. Mr. Colla was fined \$135.00, required to pay a restitution fee of \$100.00 and his snare was forfeited to the Department.

As background, a warden monitored an unnumbered, leg-hold snare for a period of two weeks. During this time, it was reset once. On December 21, 1996, licensed trapper Robert J. Colla removed the snare from the tree and began to carry it to his car. The warden stopped Mr. Colla and questioned him. Mr. Colla stated that the snare was his, and that he placed it in the field one week prior.

Mr. Colla also has a prior violation on December 17, 1983, for a violation of Section 4004(e) of the Fish and Game Code, failure to visit and remove all animals from traps at least once daily. He was sentenced to 30 days jail (suspended), fined \$100.00, 30 days summary probation and nine leg-hold traps were forfeited.

The Commission's authority to take this action is pursuant to Section 12156 of the Fish and Game Code.

Commissioners were provided with a copy of the Commission's letter dated February 11, 1998; the Department's request dated July 28, 1997; the citation; the arrest report; the court record and background information regarding his prior violation.

Action

Executive Director Treanor introduced the item. Mr. Treanor noted that Robert Colla was not present, and reported that a certified letter had been sent to him notifying him of the possible action to be taken by the Commission. WPD Acting Chief Grima read the Department's proposed findings which recommended a three year suspension. He indicated that a three year suspension was consistent with trappers having prior violations.

It was then:

MOVED BY MR. BOREN, SECONDED BY MR. MCGEOGHEGAN, THAT  
THE FISH AND GAME COMMISSION HEREBY SUSPENDS THE TRAPPING  
LICENSE OF ROBERT J. COLLA, VENTURA, FOR A PERIOD OF THREE YEARS OR

UNTIL MARCH 5, 2001, PURSUANT TO THE FOLLOWING FINDINGS:

1. Robert Colla pled guilty on May 20, 1997, in the Ventura Municipal Court to a violation of Section 4004(d) of the Fish and Game Code, no person shall set or maintain traps which do not bear a number or other identifying mark registered to the Department.
2. The Department of Fish and Game believes, and the Commission adopts the view, that the requirement to obey the laws for setting and maintaining traps is of utmost importance in the proper management of the resource.
3. In making this determination, the Commission also considered Mr. Colla's previous violation on December 17, 1983, of Section 4004(e) of the Fish and Game Code, failure to visit and remove all animals from traps at least once daily.
4. Section 12156 of the Fish and Game Code, authorizes the Commission to consider revoking or suspending a trapping license for a violation of the trapping regulations. Mr. Colla's actions warrant the suspension of his trapping license for three years.
5. Mr. Colla did not appear at the meeting to present mitigating evidence sufficient to dissuade the Commission from suspending his trapping license for three years. Mr. Colla must take responsibility for failing to obey all trapping laws and regulations because of the important public policy involved.

PASSED UNANIMOUSLY.

10. CONSIDERATION OF ACCEPTANCE OF STIPULATED COMPROMISE SETTLEMENT AGREEMENTS OR THE POSSIBLE SUSPENSION OF COMMERCIAL HERRING PERMITS FOR RAY HONEA, BURLINGTON, WASHINGTON, AND PETER C. SAN FILLIPPO, PETALUMA.

Summary of Issue

The Department requests that the Commission suspend the commercial herring permits of Mr. Ray Honea, Burlington, Washington, and Peter C. San Fillippo, Petaluma. Certified letters have been sent to both individuals notifying them of the possible action to be taken by the Commission.

A. Ray Honea, Burlington, Washington

Summary of Issue

The Department requests that the Commission suspend Mr. Honea's commercial herring permit for the 1998-99 season, or other such time period as the Commission deems appropriate. As background, Mr. Honea pled guilty on June 13, 1997, in the Marin County

Municipal Court to a violation of Section 163(f)(2)(A), Title 14, CCR, using a gill net over the legal limit of 65 fathoms. Mr. Honea was sentenced to one year probation, fined \$1,635.00, and his fish (1,908 pounds) and net were forfeited to the Department.

Pursuant to Section 163.5, Title 14, Mr. Ray Honea, was sent a Stipulated Compromise Settlement Agreement for \$5,200.00 to pay a monetary penalty in lieu of receiving a suspension of his commercial herring permit. Commissioners were provided with a copy of Section 163.5, Title 14, CCR.

The Commission's authority to take this action is pursuant to Section 163.5(f)(2)(B)7.

Commissioners were also provided with a copy of the Commission's letter dated February 3, 1998; the Stipulated Compromise Settlement Agreement; the Department's request dated October 8, 1997; the citation; the arrest report and the court record.

As of February 25, 1998, the Commission office has not received Mr. Honea's signed agreement and/or check.

#### Action

Executive Director Treanor introduced the item, noted that a certified letter had been sent to Ray Honea notifying him of the possible action to be taken by the Commission. Mr. Treanor noted that a letter had been received from Ilson New, on behalf of Mr. Honea, suggesting a payment schedule of \$2700 on or before July 15, 1998, payment of the \$2500 balance on or before December 15, 1998, and a written guarantee of payment by Ilson New.

WPD Acting Chief Grima indicated that the Department would agree to the Stipulated Compromise Settlement Agreement, but requested that full payment be made before the next herring season.

It was then:

MOVED BY MR. BOREN, SECONDED BY MR. MCGEOGHEGAN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE PROVISIONS OF SECTION 163.5, TITLE 14, CCR, HEREBY ENTERS INTO A STIPULATED COMPROMISE SETTLEMENT AGREEMENT WITH RAY HONEA, BURLINGTON, WASHINGTON, TO PAY A MONETARY PENALTY OF \$5,200.00 RATHER THAN AN IMPOSITION OF A SUSPENSION OF HIS COMMERCIAL HERRING PERMIT, SUBJECT TO THE FOLLOWING TERMS and CONDITIONS:

1. A payment of \$2,700.00 on or before July 15, 1998.
2. A payment of the Balance of \$2,500.00 on or before December 1, 1998.
3. A written guarantee of payment by Ilson W. New.

PASSED UNANIMOUSLY.

B. Peter C. San Fillippo, Petaluma

Summary of Issue

The Department requests that the Commission suspend Mr. Peter C. San Fillippo's commercial herring permit for the 1998-99 season, or other such time period as the Commission deems appropriate. As background, Mr. Peter C. San Fillippo pled guilty on May 29, 1997, in the Marin County Municipal Court to a violation of Section 163(f)(2)(A), Title 14, CCR, using a net measuring greater than 65 fathoms. Mr. Peter C. San Fillippo was sentenced to one year probation, fined \$1,100.00 and his fish (2,838 pounds) and gill net were forfeited to the Department.

Pursuant to Section 163.5, Title 14, Mr. Peter C. San Fillippo, was sent a Stipulated Compromise Settlement Agreement for \$5,000.00 to pay a monetary penalty in lieu of receiving a suspension of his commercial herring permit. Commissioners were provided with a copy of Section 163.5, Title 14, CCR.

The Commission's authority to take this action is pursuant to Section 163.5(f)(2)(B)7.

Commissioners were also provided with a copy of the Commission's letter dated February 3, 1998; the Stipulated Compromise Settlement Agreement; the Department's request dated October 8, 1997; the citation; the arrest report and the court record.

As of February 25, 1998, the Commission office has not received Mr. San Fillippo's signed agreement and/or check.

Action

Executive Director Treanor introduced the item, noted that a certified letter had been sent to Peter San Fillippo notifying him of the possible action to be taken by the Commission. Mr. Treanor reported that Mr. San Fillippo's father had contacted the Menlo Park Office, but the Commission office had not received the signed Stipulated Compromise Settlement Agreement for \$5,000 and Mr. San Fillippo was not present. He then indicated that the Commission's normal action in this matter would be to suspend his permit per the Department's recommendation for the 1998-1999 season. WPD Acting Chief Grima read the Department's proposed findings.

It was then:

**MOVED BY MR. BOREN, SECONDED BY MR. MCGEOGHEGAN, THAT  
THE FISH AND GAME COMMISSION HEREBY SUSPENDS THE COMMERCIAL  
HERRING PERMIT OF PETER C. SAN FILLIPPO, PETALUMA, FOR THE 1998-99  
HERRING SEASON PURSUANT TO THE FOLLOWING FINDINGS:**

1. Peter San Fillippo pled guilty on May 29, 1997, in the Marin County Municipal Court to a violation of Section 163(f)(2)(A), Title 14, California Code of Regulations (CCR), using a gill net over the legal limit of 65 fathoms.

2. The Department of Fish and Game believes, and the Commission adopts the view, that the requirement to obey the laws for setting and operating nets is of utmost importance in the proper management of the herring resource.
3. Section 163(i), Title 14, CCR, and Section 7857(b)(2) of the Fish and Game Code, authorizes the Commission to cancel, suspend or revoke a herring permit for a violation committed by the permittee or others acting under the permittee's control or entitlement of the permit.
4. Mr. San Filippo's actions (using a gill net over the legal limit) warrant the suspension of his herring permit for the 1998-99 herring season.
5. Mr. San Filippo did not appear to present mitigating evidence sufficient to dissuade the Commission from suspending his commercial herring permit privileges for the 1998-99 herring season. Mr. San Filippo must take responsibility for failing to obey all herring permit regulations because of the public policy involved.

PASSED UNANIMOUSLY.

11. RECEIPT OF DEPARTMENT LEGISLATIVE REPORT.

Summary of Issue

This item is scheduled to afford the Department an opportunity to discuss bills which would impact the Department and/or the Commission. The Department will discuss its Legislative Report and respond to any questions the Commission may have at the March 5, 1998, meeting. The Department's Legislative Report will be provided at the meeting.

Action

Director Schafer briefed the Commission on two bills recently introduced: 1) AB 2227 (Honda) which prohibits the Fish and Game Commission from adopting regulations that ban the importation of live turtles or bullfrogs into California for use as food; and 2) AB 2544 (Bordonaro) which provides that a commercial fishing license or permit issued by the Department for the 1997-98 fishing season only, which has not been revoked or suspended, shall not expire until July 1, 1998, and would also provide that the annual fee for a commercial fishing license or permit for the 1998-99 fishing season shall be paid on or before July 1, 1998.

Director Schafer provided Comprehensive Wetlands Program calendars to the Commissioners.

12. RECEIPT OF DEPARTMENT INFORMATIONAL ITEMS.

Summary of Issue

This item is set aside to afford the Department an opportunity to present the Commission with informational items.

Action

In response to Commissioner Boren's request at the February meeting, the Department provided a handout regarding restoration activities within the Klamath and Trinity River Basin.

13. RECEIPT OF COMMISSION INFORMATIONAL ITEMS.

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.

Action

President Thieriot spoke about the following items: 1) supported a mid-week meeting schedule for the future, never meeting on a Monday or Friday (Tim Farley suggested other options for evenings or weekend meetings); 2) asked if there should be a quota or limited entry for the commercial rockfish fishery; 3) asked about the peer review process and status report on the spring-run chinook salmon; and 4) proposed a special hearing in San Francisco regarding the live turtles and bullfrog issue.

Commissioner Boren suggested that the Commission adopt a regulation for the election of its officers and passed out draft language. Mr. Boren provided alternative language for subsection (b) in the draft language and requested the item be agendaized for the Commission's April meeting.

Proposed Draft Language:

660. Election of Commission Officers:

It is the intent of the commission to provide protection from external influences of its operation and administration and decision-making processes. The commission finds that the choice of its president and vice president should be free of external influences. The commission further finds the selection of officers by seniority advances this goal.

(a) The president and vice president of the commission shall be elected annually, for a one-year term. The election shall take place at the February meeting, to take effect immediately. The president shall be the most senior member and the vice president shall be the next most senior member. Where the member declines to serve as president or vice president the next most senior member shall be elected to that office.

(b) Seniority shall be the time served in his or her current term. In the case of two members of the same time of service in the current term, the member with the longer total time of service shall be the senior member.

(c) No member shall serve more than two consecutive terms. Where such a member has served two consecutive terms the next most senior member shall be elected to that office, and the next most senior member shall be deemed the next in seniority.

Commissioner Boren also suggested that the Commission consider developing a regulation to allow the Commission not to list a species, if it is listed by the Federal Government, i.e. U.S. Fish and Wildlife or the National Marine Fisheries Service, and the Commission makes a determination that the listing adequately protects the species, thus eliminating dual jurisdiction.

#### 14. RECEIPT OF LEGAL COUNSEL INFORMATIONAL ITEMS.

##### Summary of Issue

This item is scheduled for the Commission's Legal Advisor 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

Deputy Attorney General Christison provided an informal opinion on the issue of inhumane treatment of animals in a live animal market. He spoke about Sections 203.1 and 2116.5 of the Fish and Game Code, and reported that in his opinion, humane treatment was not under the Commission's jurisdiction. Regarding holding a special hearing in San Francisco, Deputy Attorney General Christison stated that he would be calling the aides of the legislators to discuss his findings and indicate that there wasn't a need for a special hearing in San Francisco.

There being no further business, the Fish and Game Commission meeting recessed at 6:00 p.m. to reconvene on March 6, 1998, at 8:30 a.m.

State of California  
FISH AND GAME COMMISSION

Minutes, March 5-6, 1998

Pursuant to the call of the President, the Commission met at Hubbs-Sea World Research Institute, 2595 Ingraham Street, San Diego, California, on March 6, 1998. The meeting was called to order at 8:40 a.m. by President Thieriot.

Persons present:

FISH AND GAME COMMISSION

Richard Thieriot	President
Mike Chrisman	Member
Ted Weggeland	Member
Douglas B. McGeoghegan	Member

COMMISSION STAFF

Robert R. Treanor	Executive Director
Ronald J. Pelzman	Assistant Executive Director
Sandy J. Daniel	Executive Secretary

OFFICE OF THE ATTORNEY GENERAL

Randall Christison	Deputy Attorney General
--------------------	-------------------------

DEPARTMENT OF FISH AND GAME

Jacqueline E. Schafer	Director
Al Petrovich	Deputy Director, Policy
Tim Farley	Chief, Inland Fisheries Division (IFD)
DeWayne Johnston	Interim Marine Regional Manager
Mike Grima	Acting Chief, Wildlife Protection Division (WPD)
Terry Mansfield	Chief, Wildlife Management Division (WMD)
Ken Mayer	Wildlife Management Division
Doug Updike	Wildlife Management Division

The following persons were also present and heard:

Jeff Feldner	Oregon Fish & Wildlife Commission
Don McIsaac	Oregon Fish & Wildlife Commission
Marv Cooper	Klamath River Basin Task Force
Zeke Grader	Pacific Coast Federation of Fishermen's Assoc.
Hal Cribbs	Klamath River Basin Task Force
Jim Edmondson	CalTrout
Paul Weakland	Commercial Fisherman

Bob Fletcher  
David Ptak  
Tom Raftican  
Richard Glenn  
Rod McInnis  
Irma Lagomarsino  
Michael McHenry  
John Borman  
Al Smith  
Tim Sullivan  
Tom Jurkavich  
Gray Hartley  
Dr. J. Rod McGinnis  
Wayne Long  
Wayne Raupe  
John Scruggs

Sportfishing Association of California  
California Fisheries & Seafood Institute  
United Anglers of So. California  
San Diego Oceans Foundation  
National Marine Fisheries Service  
National Marine Fisheries Service  
Commercial Squid Fisherman  
Suncoast Calamari Processor, Inc.  
Commercial Squid Fisherman  
Commercial Squid Fisherman  
Squid Seiners of San Pedro  
Squid Light Boats  
CBH/SAA  
Multiple Use Managers, Inc.  
California Bowmen Hunters  
CBH/SAA

President Thieriot introduced members of the Commission, its staff, the Directorate and Randall Christison of the Attorney General's Office.

15. COMMISSION UPDATE ON ITS STRATEGIC PLANNING PROCESS AND RECEIPT OF PUBLIC COMMENTS RE: SUGGESTED STRATEGIC PLAN CONTENTS.

Summary of Issue

This item is scheduled to receive public comments on the Commission's Strategic Planning process. Also, this item will be used for an update by the Commission to the public regarding its planning process and any important dates or upcoming activities.

Commissioners were provided with a copy of a letter that was faxed to the Commission office on February 4, 1998, from Mr. Charles Bucaria, Federation of Fly Fishers.

Action

Commissioner Chrisman provided an update on the Commission's strategic planning process. He indicated the next step was to hold Focus Group Meetings throughout the state and briefly outlined the types of questions that would be asked. He stated that the final product would be in the form of a white paper, including a mission, vision, priorities, timelines, and achievable goals which would become part of an ongoing review process by the Commission.

Tim Farley added that the intent was to culminate the focus group process by August.

Jim Edmondson provided a handout which included Washington State's process and proposed the need for public involvement was very important. He summarized the following options: 1) abolishing the Commission; 2) making no change to the Commission; and 3) a comprehensive Commission. He commented that a comprehensive Commission was viewed

by the public to improve access and responsiveness between government and the public, management of wildlife doesn't respond to arbitrarily drawn political boundaries nor term limits, management needs to be sheltered from political influence, and implementing a fully comprehensive Commission would be an improvement in wildlife management.

Hal Cribbs also supported the need to involve the public and to look into the future 20-30 years. He suggested the following: 1) look at interface between regulators/regulated public with standards and goals to move ahead; 2) look at funding for the Department and how to accomplish a strategic plan; 3) Legislative approach to bring the strategic plan together; 4) interface with other agencies; and 5) adequate staffing to provide information to the public.

Paul Weakland recommended placing the Public Forum earlier on the agenda and did not support changing the Mission of the Commission.

Jeff Feldner commented that Oregon was also undergoing strategic planning and extended an invitation to the Commissioners to interact with Oregon Commissioners in future meetings.

Executive Director Treanor asked if anyone else from the audience wished to speak on the item, and there was no response.

16. REQUEST FOR RECONSIDERATION OF WHITE SEABASS FISHERY  
MANAGEMENT PLAN DEVELOPED PURSUANT TO SECTION 7020 OF THE  
FISH AND GAME CODE.

Summary of Issue

Since legislation has not been passed or even introduced to implement the Commission's March 8, 1996, action, Mr. Robert C. Fletcher has requested the Commission reconsider its action approving the amended White Seabass Management Plan. In January 1998, Past President McGeoghegan authorized the scheduling of Mr. Fletcher's request. A copy of the plan is inserted in the front of your folder.

The following is a brief history of the Commission's action at its March 8, 1996, meeting:

"As background, the Commission originally received the Department's White Seabass Fishery Management Plan at its August 24, 1995, meeting in Long Beach. The plan was developed pursuant to Section 7020 of the Fish and Game Code. The Commission received public comments from Mr. Jim Paulk, Dr. Richard Glenn and Dr. Larry Allen at its August 24 meeting who all indicated that the plan did not go far enough and a recovery plan needed to be formulated. Dr. Allen stated there was a need to identify areas critical for white seabass and aspects of its life history that need to be studied.

"Pursuant to the statutes, the Commission considered adoption of the plan and any regulations required to implement the plan. The Department highlighted areas that

need legislative actions. The Department's original report recommended that legislation be introduced which would remove part of the Commission's authority and provide the Director of the Department of Fish and Game with the authority to adopt regulations (both sport and commercial) for the management of white seabass.

"The Commission scheduled receipt of additional public comments for its November 2, 1995, meeting. At the conclusion of the November 2, 1995, meeting in San Diego, the Commission directed the Department to amend the plan to provide for the Commission as the entity to regulate both the sport and commercial fisheries, and then to meet with the interested parties and resubmit the plan to the Commission for consideration.

"In a memo dated February 22, 1996, the Department provided the following information:

"The White Seabass Subpanel (WSB Subpanel) of the Director's Marine Resources Advisory Committee (DMRAC) met with the Department on February 16, 1996, to discuss the Commission's recent revisions to the Draft Plan. After a great deal of discussion regarding the recent revision to the Draft Plan, the WSB Subpanel unanimously requested that the Department ask the Commission, on behalf of the Subpanel, to postpone any action on the Draft Plan until a meeting of the WSB Subpanel and a Subcommittee of the Commission can be held to discuss the issue. In this regard, the principal spokesperson for the WSB Subpanel on this issue, Mr. Robert C. Fletcher, will be unable to attend the Commission's March 8, 1996, meeting to represent the Subpanel.

"Therefore, the Department is requesting that the Commission remove consideration of the Draft Plan from the March 8, 1996, agenda and schedule a Subcommittee meeting with selected members of the WSB Subpanel on a day during the latter part of April.

"At the Commission's March 8, 1996, meeting, President McGeoghegan asked if legislation was required to implement the proposed management plan. Deputy Director Petrovich responded that enabling legislation would be required, whether the authority was given to the Department or the Commission. He stated that the intent was for a pilot study to get away from bifurcated management and was patterned after the Pacific Fishery Management Council which had responsibility for both recreational and commercial fishing.

"President McGeoghegan stated that the Commission was not willing to abrogate the right to manage sportfishing and would seek legislation to maintain policy oversight including the portion of the program that dealt with commercial white seabass fishing.

"Director Schafer stated that all the bills for the current session had already been submitted to the Legislature, but there were a number of commercial fishing bills that perhaps could be amended. She pointed out that the Department would need to seek approval from the Resources Agency and the Governor's office for any additional legislation.

"President McGeoghegan indicated that if approved, the Commission would pursue legislation at the earliest available opportunity. The following motion was made to adopt the amended plan:

"It was then:

**"MOVED BY MS. PHARES, SECONDED BY MR. DUTTON, THAT THE FISH AND GAME COMMISSION HEREBY ADOPTS THE DEPARTMENT OF FISH AND GAME'S AMENDED WHITE SEABASS FISHERY MANAGEMENT PLAN, DEVELOPED PURSUANT TO SECTION 7020 OF THE FISH AND GAME CODE.**

**PASSED UNANIMOUSLY.**

"In response to Director Schafer's request, Commissioner Phares was named the contact person on this issue.

"Commissioner Boren expressed concern about the multi-responsibility, accountability issue and the adversarial situation between the recreational and commercial fishermen. He believed that Commissioner Phares and someone from the commercial fishing industry and the Legislature should discuss the concepts. He indicated that he would rather give up jurisdiction than see the white seabass resource decrease."

A copy of a letter from Mr. Tom Raftican, President, United Anglers of Southern California, was provided to the Commissioners.

#### Department Recommendation

"The President of the Sportfishing Association of California (SAC) wants the White Seabass Fisheries Management Plan (Plan) revised to give the Director commercial and recreational regulatory authority for white seabass rather than the Commission as currently reflected in the Plan.

"As background, in late 1995, the Department drafted a White Seabass Fishery Management Plan (draft Plan), with assistance from outside fisheries scientists, economists, and stakeholders. The preparation of this draft plan was mandated by statute, according to AB 2121 (Chap. 738, Stats. 1993) sponsored by fisheries stakeholders. The Department submitted the draft Plan to the Fish and Game Commission on July 7, 1995, and the Legislature on August 10, 1995. The original draft Plan consolidated authority for regulating recreational and commercial white seabass fisheries under the Director of the Department (this was consistent with an informal agreement reached between recreational and commercial fisheries stakeholders during enactment of AB 2121).

"Following Commission review of the draft Plan, and public testimony provided at the Commission's October and November 1995 public meetings, the Commission directed the Department to revise the draft Plan so the Commission would have regulatory

authority for white seabass fisheries. The Department revised the draft Plan as directed and the Commission adopted the final Plan in March 1996. The Commission directed revisions to the Plan (to assume all regulatory authority for white seabass) countered the wishes of some fisheries stakeholders and, therefore, implementing legislation required to transfer regulatory authority for white seabass from the Legislature to the Commission has not been enacted. Also, funding to support the costs of implementing the plan has not been identified.

"This year Senator Dede Alpert (D-Coronado) has introduced SB 1392 which would authorize the Plan to be implemented. We expect the issue of regulatory authority to also be a subject of discussion among the legislators as SB 1392 moves through the legislative process."

### Action

Executive Director Treanor summarized the item.

Bob Fletcher provided background information and urged the Commission to rescind its earlier action and then adopt the original draft of the White Seabass Fisheries Management Plan. He explained that the original users' agreement authorizes the Commission to adopt the fishery management plan and also approve any amendments to the plan, but provides the Director with regulatory authority over the commercial and recreational white seabass fishery.

Executive Director Treanor noted that the Commissioners had been provided with a letter from United Anglers supporting Mr. Fletcher's request for reconsideration and a copy of the current draft White Seabass Management Plan.

David Ptak, Tom Raftican and Richard Glenn supported Mr. Fletcher's request for the Commission to adopt the initial White Seabass Management Plan. They believed it was a unique opportunity for a consensus between recreational and commercial fishermen.

Commissioner McGeoghegan summarized the background information. He asked that based on recent trends in legislation giving the Commission more responsibility in commercial fisheries, what was the potential resource risk to white seabass if no change was made today?

Mr. Fletcher indicated that risks are minimal and status quo was not benefitting the marine resources. He stated that there needs to be a better way of managing fisheries.

In response to President Thieriot's question, Deputy Director Petrovich stated the white seabass fishery was depressed and there were many restrictions, both recreational and commercial.

President Thieriot supported leaving the language as is, because it provides stability and allows the Commission to be more flexible and more quickly to protect the resource.

Commissioner Chrisman sees it as a turf issue and would like the Commission to have a more hands on approach. He indicated he liked the suggestions from the industry and what is in the best interest for the resource.

Commissioner Weggeland indicated there were a number of different choices but the primary responsibility was to protect the resource.

Commissioners McGeoghegan and Thieriot agreed to make no change in the White Seabass Fishery Management Plan.

**17. CONSIDERATION OF ADOPTION OF AN ALLOCATION POLICY FOR THE HARVEST OF KLAMATH RIVER FALL CHINOOK SALMON.**

**Summary of Issue**

The Department, at the Commission's December 5, 1997, meeting in Long Beach, briefed the Commission regarding the regulation process and the different entities involved in developing the regulations, including the quota allocation for the Klamath River System. In recent years, the regulatory process normally began in February of each year with the Pacific Fishery Management Council (PFMC) adopting regulations at its April meeting. The Commission adopts its sport ocean salmon regulations at its April meeting and then receives public comments on proposed regulation changes to the Klamath River Basin at its April and May meetings, with adoption in June. However, based on the Commission's efforts the past two years regarding allocation issues for the in-river sport fishery, the Commission has indicated it will adjust its Klamath River Basin regulation schedule to an earlier time schedule this year.

As the Commission may recall, it has received a request from the Klamath River Basin Task Force to allocate the non-tribal Klamath River Fall Chinook one-third for in-river, one-third for ocean recreational and one-third for commercial; therefore, on December 5, 1997, the Commission discussed its proposed schedule for consideration of its 1998 regulation changes. The Commission appointed a subcommittee to hold two informational meetings in the Weaverville and Eureka area to receive public input on the proposed allocation issue and seasonal changes in the regulations. Since the Klamath Management Zone includes ocean waters in Southern Oregon, the Commission also contacted the State of Oregon to receive its recommendations for the coming year. The subcommittee report was provided to the Commission at its February 6, 1998, meeting in Sacramento. The Commission also received additional public comments at the February 6 meeting. The Commission should adopt its "policy on allocation" at its March 6, 1998, meeting in San Diego. The following week (March 10) a Commission representative will inform the PFMC of the Commission's proposal so the PFMC can consider it during its regulatory process.

A copy of the Klamath River Basin Fall Chinook Salmon Harvest and Spawner Escapement report was provided to the Commissioners. Commissioners were also provided with a copy of the Department's "Background Information for Fish and Game Commission 1998 Allocation Hearings" which was provided to the public at the subcommittee meetings on January 23 and 24.

### Department Recommendation

"The Department held its annual Salmon Fishery Informational Meeting in Santa Rosa February 24. At the meeting Executive Director Robert Treanor reaffirmed the intent of the Commission to adopt subject policy at its March 5-6 meeting. Klamath River salmon management was a frequent topic in the discussions (summary attached).

"The Klamath Fishery Management Council met February 25-27 to review 1998 Klamath River salmon ocean abundance projections and begin discussions regarding 1998 allocations of Klamath River fall chinook to ocean and river fishing groups.

"The 1998 projections for ages 3 and 4 fish are 78 and 85 percent, respectively, of comparative 1997 projections (report attached). Based on these projections, the allowable catch (preliminary) in the river sport fishery under various allocation options would be 1,600 (15%), 2,100 (20%), or 3,300 (33%). The 1997 quota was 3,500 adults (15% allocation plus 300 fish surplus from ocean fisheries) of which 1,900 was allocated to the lower river (below Coon Creek). The lower river fishery in 1997 began August 6 and was closed due to quota attainment on September 3. Thus, under the status quo allocation (15%) and fishing regulations, a very short fishing season in the lower river in 1998 could be anticipated.

"At the meeting, concern was expressed that the upper river catch exceeded its 1997 subquota of 1,600 adults by 50 percent (2,400 total), and that the fixed-season regulation for adult chinook in the Trinity River (28 days guaranteed depending on area) will cause the quota to again be exceeded. Klamath and Trinity River fishing regulations will be considered under a separate agenda item for adoption at your June meeting. Region 1 is developing 1998 river fishing regulation options, including a fixed-season option for the lower and upper river fisheries. The Trinity River regulations may need to be reconsidered depending on the Commission allocation policy for the Klamath River sport fishery."

### Action

Executive Director Treanor introduced and summarized the item. He reported that as part of the handout material, the following letters had been received from: 1) the Port Manager and Fisheries Advisor for the Brookings area; 2) the Mayor of the City of Monterey asking that the allocation issue remain the same as the past two years of 15 percent for the in-river allocation; 3) the Pacific Coast Federation of Fishermen's Associations in opposition to the proposed change; and 4) the letter addressing increased funding needed for salmon resources and extending the punch card system for sport salmon fishing with money allocated for salmon restoration programs. Mr. Treanor also indicated that letters were received from individuals in the Brookings, Oregon, area requesting no change.

Jeff Feldner, Oregon Fish and Wildlife Commission, stated that Oregon viewed this as a very serious issue and he introduced Dr. Don McIsaac, Chairman Klamath Fishery Management Council. Dr. McIsaac recommended adopting a status quo allocation to the Klamath River sport fishery for 1998. He commented that if California elected to increase the

catch share for the in-river sport fishery, he recommended California to specify which California fisheries should be reduced to accommodate the increase. He discussed alternative options to limit fishing seasons and bag limits.

Marv Cooper recommended splitting the allotment at Coon Creek and returning to a 1/3:1/3:1/3 split.

Zeke Grader urged no change in allocation and that there was not enough fish for everybody. He suggested the Commission could pursue the following: 1) look for ways to stretch out the season in the Klamath River; 2) need more accurate counts; 3) seek Legislation to allow commercial fishing in the Sacramento River; 4) expand the amount of Klamath River fish and to increase flow requirements in the Trinity River to begin rebuilding stocks; 5) critical need to have a plan in place for the Klamath River; and 6) request funding from Congress.

Hal Cribbs supported a fair and equitable distribution of the resource, marking of all hatchery fish, habitat restoration and a 1/3:1/3:1/3 allocation.

There was considerable discussion between the Commissioners, the Department and the public.

Executive Director Treanor asked if anyone else from the audience wished to speak on the item, and there was no response.

It was then:

MOVED BY MR. MCGEOGHEGAN, SECONDED BY MR. CHRISMAN, THAT THE FISH AND GAME COMMISSION HEREBY ADOPTS AN ALLOCATION POLICY FOR THE IN-RIVER HARVEST OF KLAMATH RIVER FALL CHINOOK SALMON TO BE 15-20 PERCENT OF THE AVAILABLE NON-TRIBAL ALLOCATION.

PASSED UNANIMOUSLY.

18. RECEIPT OF PUBLIC TESTIMONY ON PROPOSED CHANGES TO SECTION 27.80, TITLE 14, CCR, RE: OCEAN SALMON FISHING REGULATIONS.

#### Summary of Issue

The Commission, at its February 6, 1998, meeting in Sacramento, authorized its staff to publish notice of Commission intent to amend Section 27.80, Title 14, CCR, regarding ocean salmon fishing regulations. That legal notice has been published. The adoption hearing is scheduled for April 2, 1998, in Long Beach, or if necessary, by teleconference call later in April after the PFMC has adopted its regulations.

The Department's proposal can be summarized as follows:

"Overall, 1997 spawning escapement of Sacramento River fall-run chinook (king) salmon is among the higher runs for this decade. In contrast, those fish that spawn

outside of hatcheries or originate in the San Joaquin River continue to be significantly depressed. Furthermore, Klamath River chinook abundances continue to be substantially lower than historical levels. In addition, ocean salmon fishing south of Point Arena (in Mendocino County) for 1997, early 1998 (prior to May 1), and afterward has been and is expected to be significantly curtailed because of concern for the endangered winter-run chinook salmon of the Sacramento River. Fish from the Klamath River basins are managed through a cooperative system of State, Federal, and tribal management agencies. Coho (silver) salmon stocks in California and southern Oregon have been listed as threatened under the Federal Endangered Species Act. Consequently, restrictions that occurred for the 1997 season (especially south of Point Arena in Mendocino County) may be expected to continue in one form or another for the 1998 ocean salmon fishing season to aid in their restoration.

"Based on the foregoing, the PFMC is likely to adopt fairly restrictive management recommendations for recreational ocean salmon fisheries in Federal waters (3 to 200 miles offshore) off the states of Washington, Oregon, and California for 1998. The various alternatives the PFMC will examine in the process of adopting the management options on March 13, 1998 for public review may include:

- "1. Minimum size of salmon that may be retained;
- "2. the number of rods anglers may use (e.g., one, two, or unlimited);
- "3. the type of bait and/or terminal gear that may be used (e.g., amount of weight, hook type, and type of bait or no bait);
- "4. the number of salmon that may be retained per angler-day or period of days;
- "5. allowable fishing dates and areas; and
- "6. the overall number of salmon that may be harvested, by species and area.

"The final regulation recommendations will be made by the PFMC on April 11, 1998. 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; otherwise preemption of State regulatory authority by the Secretary of Commerce may occur."

Commissioners were provided with a copy of the Pre-publication of Notice Statement. This meeting is to receive public comments on the proposed regulations.

#### Action

Executive Director Treanor summarized the item and asked if anyone from the audience wished to speak on the item, and there was no response. Mr. Treanor indicated that if the Commission wished, the Department was available to summarize the proposed

regulations. He noted this item will be on the April meeting agenda to receive public comments and consider adoption at the April 21 teleconference meeting.

**19. CONSIDERATION OF EMERGENCY ACTION TO AMEND SEASON CLOSING DATE FOR STEELHEAD FISHING IN NORTH COAST RIVERS.**

**Summary of Issue**

**STATEMENT OF PROPOSED EMERGENCY REGULATORY ACTION**

Emergency Action to Amend Subsections (a) and (c) of Section 7.00 and Subsections (b) (2), (3), (18), (21), (22), (27), (47), (63), (65), (66), (69), (70), (72), (73), (102), (107), (113), (130), (133), (145), (146), (150), (154), (188), (193) and (200) of Section 7.50, Title 14, California Code of Regulations, Re: Steelhead Sport Fishing Restrictions in Northern and Central California

**I. Statement of Facts Constituting the Need for Emergency Regulatory Action**

Many California steelhead populations are currently depressed far below historic levels, to the extent that in some areas they have already been Federally listed as threatened or endangered. Populations which are currently unlisted may be listed in future Federal actions. Consequently, in late 1997, the Department advised the Commission that additional fishing restrictions were necessary if the fish populations were to be maintained at levels which can safely support fishing.

On December 5, 1997, in response to these Department recommendations, the Commission adopted additional fishing restrictions for all anadromous streams in the North Central and North Coast Districts except for the Eel River below the east end of Cock Robin Island, all of the Klamath River system, and streams or stream sections which at that time had equally restrictive or more restrictive regulations. The specific new restrictions were to be as follows:

- bag limits restricting take to two trout (steelhead) but no more than one trout (steelhead) over 22 inches total length,
- an eight-inch minimum size limit to minimize the harvest of juvenile salmonids, and
- a restriction allowing only barbless hooks, to minimize the mortality of fish which are hooked and released.

The above regulation changes were submitted to the State Office of Administrative Law (OAL) as part of OAL rulemaking file number 97-1223-03s. The current regulations as shown attached to this Statement of Facts Constituting the Need for Emergency Action were drafted with the assumption that the December 5 regulations adopted by the Commission will be approved by OAL.

Also on December 5, in response to a public recommendation, the Commission proposed to extend the recently adopted new restrictions to include steelhead in all anadromous waters of the Klamath River system. These proposed changes were described in the Commission's "Notice of Proposed Changes in Regulations of the Fish and Game Commission" regarding

Section 7.50 (b) (91.1), Title 14, California Code of Regulations (Ron Pelzman, Assistant Executive Director, December 9, 1997) as published in the California Regulatory Notice Register 97, No. 51Z.

Subsequently, the Department examined the adequacy of current and proposed restrictions in the "Strategic Plan for Management of Klamath Mountain Province Steelhead Trout (California Bioregion)" and the "Strategic Plan for Management of Northern California Steelhead (California Bioregion)," prepared by the Department's Inland Fisheries Division for the National Marine Fisheries Service, Southwest Region. Among other findings in these reports, the Department concluded that measures more restrictive than those currently proposed would be beneficial in accelerating rebuilding of steelhead in coastal rivers included in areas designated by the National Marine Fisheries Service as the Klamath Mountains Province and the Northern California Evolutionarily Significant Units (ESU's). These ESU's include all California coastal rivers north of, and including Russian Gulch, in Sonoma County.

The Department believes that this resource matter now requires more urgent attention, and is, therefore, requesting that the Commission take emergency action, on February 6, 1998, to adopt certain additional restrictions for these waters. The Department is requesting that these emergency changes obviate and replace the proposed changes described in the Commission's December 9 Notice.

With the exception of the Klamath River main stem, the lower Trinity River main stem and the Smith and Mad rivers, as well as several smaller parts of other coastal streams, Department is proposing the following additional restrictions in anadromous rivers and streams north of Russian Gulch (Sonoma County).

- Year-around closures to all fishing in steelhead spawning and rearing areas.
- Closures to all fishing of most other central and northern California anadromous waters during the period from March 14 to the fourth Saturday in May. Steelhead smolts are more vulnerable to take during their spring emigration, and these closures will prevent the incidental hooking of these emigrating fish.
- New open fishing seasons from the fourth Saturday in May through March 14 (except for waters which already have more restrictive seasons) and reductions of bag limits to zero.
- During the period from the fourth Saturday in May through October 31 the Department is proposing to restrict fishing methods to the use of only artificial lures with barbless hooks (use of bait prohibited). This will allow fishing for other species, but minimize the mortality of the few steelhead (mostly juveniles) which are incidentally hooked and released during this period.
- During the period from November 1 through March 14, the Department is proposing to restrict fishing methods to the use of only barbless hooks. The restriction to only barbless hooks will reduce the mortality of adult steelhead which are hooked and released, but will continue to allow the use of bait by anglers targeting adult steelhead.

The Department is proposing new regulations for the Klamath River main stem below Iron Gate Dam and the Trinity River main stem below the South Fork Trinity River which differ from those proposed for other waters. They will continue to allow year-around fishing. They will require the use of barbless hooks, but they will allow anglers to use bait. The Department is recommending these allowances to continue to provide for a limited harvest of salmon and a catch and release fishery for adult and half-pounder steelhead. The retention of hatchery steelhead is also allowed.

For the Smith River, the proposed new regulations will allow the retention of hatchery steelhead and the retention of one wild steelhead per day, no more than five wild steelhead per year.

For the Mad River, the proposed new regulations will allow the retention of hatchery steelhead.

The proposed new regulations will not affect non-anadromous waters, such as the Trinity River above Lewiston Dam, the Shasta river and tributaries above Dwinnell Dam, and the Klamath River above Iron Gate Dam (which, except as otherwise provided, will continue to allow the take of five trout per day, 10 in possession).

Certain other changes are proposed for simplification and clarification.

## **II. Alternatives**

The Commission has determined that no alternative considered would be more effective in carrying out the purpose of which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

## **III. Economic Impact of Proposed Regulatory Action:**

The Commission has assessed the potential for significant adverse economic impact that might result from the proposed regulatory action and has made the following determinations relative to the required statutory categories:

(a) **Economic Impact on Businesses:** No negative impact is anticipated. The proposed new regulations are more restrictive than the current regulations. They generally consist of bag limit reductions, fishing gear restrictions, and closures to fishing in steelhead rearing areas. However, catch and release fishing will still be allowed in many waters where adult steelhead fishing is currently allowed. Furthermore, they are designed to facilitate long-term preservation of northern California steelhead populations and the opportunity for anglers to enjoy them, which are at risk under current regulations.

Though it is possible that businesses dependent on anglers may experience some unknown, minor economic impact as a result of the proposed regulations, the long-term economic viability of these businesses is tied to the long-term viability of fisheries. The proposed regulations are crafted to focus on the long-term health of the steelhead resource, but, at the same time, allow for some angling. The primary alternative to the proposed action, closure of all streams to all fishing, could have severe economic impact on some angling-dependent businesses.

- (b) Economic Impact on Private Persons: None.
- (c) Adversely Impact the Ability of California Businesses to Compete with Businesses in Other States: No.
- (d) Impact the Creation or Elimination of Jobs or Businesses or the Expansion of Businesses in California: No.
- (e) Adverse Fiscal Impact on Public Agencies, Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (f) Involve Nondiscretionary Costs/Savings to Local Agencies: No.
- (g) Mandate Programs on Local Agencies or School Districts: No.
- (h) Impose Costs to Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: No.
- (i) Affect Housing Costs: No.

**IV. Plain English Policy Statement:**

It has been determined that the adoption/amendment of these regulations will not affect small businesses in the ways identified in subsections (a)(1)-(4) of Section 4, Title 1, CCR.

**V. Authority and Reference:**

The Fish and Game Commission proposes this emergency action pursuant to the authority vested by Section 240 of the Fish and Game Code and to implement, interpret, or make specific Section 240 of said Code.

**VI. Section 240 Finding:**

Pursuant to Section 240 of the Fish and Game Code, the Commission made the finding that the adoption of this regulation is necessary for the immediate preservation of the public peace, health and safety, or general welfare.

Informative Digest (Plain English Overview)

Many California steelhead populations are currently depressed far below historic levels, to the extent that in some areas they have already been Federally listed as threatened or endangered. Populations which are currently unlisted may be listed in future Federal actions.

The Department has examined the adequacy of current and proposed restrictions in the "Strategic Plan for Management of Klamath Mountain Province Steelhead Trout (California Bioregion)" and the "Strategic Plan for Management of Northern California Steelhead (California Bioregion)," prepared by the Department's Inland Fisheries Division for the National

Marine Fisheries Service, Southwest Region. Among other findings in these reports, the Department concluded that more restrictive measures would be beneficial in accelerating rebuilding of steelhead in coastal rivers included in areas designated by the National Marine Fisheries Service as the Klamath Mountains Province and the Northern California Evolutionarily Significant Units (ESU's). These ESU's include all California coastal rivers north of, and including Russian Gulch, in Sonoma County.

The Department is, therefore, requesting that the Commission take emergency action, on February 6, 1998, to adopt certain additional restrictions for these waters. The Department is requesting that these emergency changes obviate and replace the proposed changes described in the Commission's December 9 Notice.

With the exception of the Klamath River main stem, the lower Trinity River main stem and the Smith and Mad rivers, as well as several smaller parts of other coastal streams, the Department is proposing the following additional restrictions in anadromous rivers and streams north of Russian Gulch (Sonoma County).

- Year-around closures to all fishing in steelhead spawning and rearing areas.
- Closures to all fishing of most other central and northern California anadromous waters during the period from March 14 to the fourth Saturday in May. Steelhead smolts are more vulnerable to take during their spring emigration, and these closures will prevent the incidental hooking of these emigrating fish.
- New open fishing seasons from the fourth Saturday in May through March 14 (except for waters which already have more restrictive seasons) and reductions of bag limits to zero.
- During the period from the fourth Saturday in May through October 31 the Department is proposing to restrict fishing methods to the use of only artificial lures with barbless hooks (use of bait prohibited). This will allow fishing for other species, but minimize the mortality of the few steelhead (mostly juveniles) which are incidentally hooked and released during this period.
- During the period from November 1 through March 14, the Department is proposing to restrict fishing methods to the use of only barbless hooks. The restriction to only barbless hooks will reduce the mortality of adult steelhead which are hooked and released, but will continue to allow the use of bait by anglers targeting adult steelhead.

The Department is proposing new regulations for the Klamath River main stem below Iron Gate Dam and the Trinity River main stem below the South Fork Trinity River which differ from those proposed for other waters. They will continue to allow year-around fishing. They will require the use of barbless hooks, but they will allow anglers to use bait. The Department is recommending these allowances to continue to provide for a limited harvest of salmon and a catch and release fishery for adult and half-pounder steelhead. The retention of hatchery steelhead is also allowed.

For the Smith River, the proposed new regulations will allow the retention of hatchery steelhead and the retention of one wild steelhead per day, no more than five wild steelhead per year.

For the Mad River, the proposed new regulations will allow the retention of hatchery steelhead.

The proposed new regulations will not affect non-anadromous waters, such as the Trinity River above Lewiston Dam, the Shasta river and tributaries above Dwinnell Dam, and the Klamath River above Iron Gate Dam (which, except as otherwise provided, will continue to allow the take of five trout per day, 10 in possession).

Certain other changes are proposed for simplification and clarification.

#### Department Recommendation

"This is to alert the Commission that the Department intends to recommend modification of the emergency action on subject taken on February 6, to extend the fishing season from mid-March to the end of March. This action is based on recommendations from the public and to bring California regulations into conformance with those recently adopted by Oregon. A statement constituting the need for emergency action, together with regulatory language, is currently being prepared by Inland Fisheries Division staff."

The Department provided the following supplemental information dated March 3, 1998:

"In response to a public recommendation, the Department is requesting March 6 emergency Commission action to substitute a March 31 fishing season closing date for the March 14 date adopted for most northern and central California coastal rivers on February 6.

"The shorter fishing closure (April 1 through late May) will provide more angling opportunity. It will provide protection for juvenile salmonids which is similar to that provided by the March 15 through late May closure adopted February 6. The longer fishing season will also make the new regulations consistent with those for the Eel and Mattole rivers in California and most southern Oregon coastal streams.

"Several other modifications to the February 6 action are also recommended for clarity and consistency, including:

- "1) a bait prohibition on the Klamath River mainstem and Trinity River below the South Fork;
- "2) a hook size limitation on the Trinity River mainstem above the South Fork between the fourth Saturday in May and October 31;
- "3) a 22-inch minimum size for wild steelhead on the Smith River;

"4) April and May closures in sections of the Eel, Van Duzen, Noyo and South Fork Trinity; and

"5) a bait prohibition on Stone Lagoon.

"The Department is also requesting that the February 6 emergency action, as amended March 6, be extended so that the February 6 and March 6 emergency actions have identical expiration dates pursuant to Government Code Section 11346.1(e) (120 days approval by OAL and filing with the Secretary of State).

"The required Statement of Facts Regarding the Need for Emergency Action is enclosed."

Commissioners were provided with a copy of the Statement of Facts Regarding the Need for Emergency Action.

#### Action

Executive Director Treanor introduced and summarized the item.

IFD Chief Farley reported that the Commission adopted a package of emergency regulations at its February meeting on steelhead dealing primarily with the North Coast and one of the public recommendations was to modify a closure date from March 14 to March 31 which would provide two additional weeks of fishing opportunity and still provide protection to downstream migrant steelhead smolts. Mr. Farley indicated they had discussed the issues with National Marine Fisheries Service and Oregon Department of Fish and Wildlife and recommended the Commission adopt the public recommendation. Mr. Farley reported that five additional modifications were also recommended in this emergency action including the following: 1) bait prohibition on the Klamath River mainstem and Trinity River below the South Fork; 2) hook size limitation on the Trinity River mainstem above the South Fork between the fourth Saturday in May and October 31; 3) 22-inch minimum size for wild steelhead on the Smith River; 4) April and May closures in sections of the Eel, Van Duzen, Noyo and South Fork Trinity; and 5) bait prohibition on Stone Lagoon.

Director Schafer indicated that this action was related to the National Marine Fisheries Service's proposal to possibly list steelhead trout in both the Klamath Mountain Province and Northern California ESU's.

Jim Edmondson concurred with Mr. Farley's comments and requested the following of the Commission: 1) adopt the Department's recommendations; 2) keep this item on the Commission's agenda for the subsequent meetings through the 120-day emergency regulation period, and if necessary longer; and 3) host a workshop inviting the National Marine Fisheries Service, the Department and the public to engage in a constructive dialog to solidify understanding, consistency and support.

Mr. Farley commented that if a public workshop was agreed to, it should occur before the June adoption of the regulations.

Rod McInnis indicated that an idea of a workshop was reasonable and the public should have the opportunity to hear any discussion between the agencies. He stated that NMFS had a public meeting scheduled for the evening of March 7 in Eureka to discuss the progress of discussions/agreements between the State of California and NMFS.

It was then:

**MOVED BY MR. CHRISMAN, SECONDED BY MR. MCGEOGHEGAN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY VESTED BY SECTIONS 200, 202, 205, 215, 220, 240 and 315 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SECTIONS 200, 205, 206 AND 215 OF SAID CODE, HEREBY AMENDS SECTIONS 7.00 AND 7.50, TITLE 14, CCR, REGARDING KLAMATH RIVER SYSTEM SPORT FISHING RESTRICTIONS. (NOTE: THE REGULATORY LANGUAGE WILL BE INCLUDED AS AN APPENDIX IN THE COMMISSION OFFICE MASTER MINUTES.)**

**PASSED UNANIMOUSLY.**

Note: Audio tape is included as part of the Rulemaking file.

20. UPDATE BY THE NATIONAL MARINE FISHERIES SERVICE RE: MARINE MAMMAL PREDATION ON SALMONID POPULATIONS, OTHER FISH POPULATIONS AND IMPACTS ON COASTAL ECOSYSTEMS OF THE WEST COAST.

#### Summary of Issue

This item is scheduled to provide an opportunity for the National Marine Fisheries Service (NMFS) to update the Commission regarding its Draft Report to Congress which transmitted its recommendations for addressing the impacts of California Sea Lions and Pacific Harbor Seals on Salmonids (Salmon and Steelhead) and West Coast Ecosystems. The Commission has been very interested in this process as it has received considerable public testimony regarding the devastating impact sea lions and seals have on our dwindling salmonid resources. NMFS has provided some grant money to conduct research on acoustic studies to scare sea lions and seals away from the commercial passenger fishing vessels.

Commissioners were provided with a copy of the NMFS draft report to Congress.

#### Action

Rod McInnis introduced Irma Lagomarsino who provided a briefing on the National Marine Fisheries Service's actions to resolve potential impacts with California sea lions and harbor seals on salmonids and west coast ecosystems. She indicated that California sea lion and Pacific harbor seal populations on the West Coast are increasing while many salmonid populations are decreasing. She stated that salmonid populations that are depressed and declining, especially those that are listed or proposed to be listed under the ESA, can be negatively impacted by expanding pinniped populations and attendant predation. Ms. Lagomarsino indicated that increasing California sea lion and Pacific harbor seal

populations and their expanding distribution are negatively impacting commercial and recreational fishing, damaging private property, and posing public safety threats.

Zeke Grader agreed with NMFS's findings, but stated there needs to be better control of sea lions and harbor seals for salmon recovery. Mr. Grader indicated that there needs to be a way developed to keep pinnipeds away from the mouths of rivers and that man-made structures have created better conditions for prey upon salmon populations. He noted that there may be a need for some kind of take provisions.

Paul Weakland spoke about concerns with sea otter predation on the abalone and crab fisheries.

Bob Fletcher spoke about non-lethal deterrent methods, which he was within weeks of such testing. Mr. Fletcher commented that the Commission needs to stay involved in this issue.

\*\*\*\*\*

On behalf of the Commission and staff, President Thieriot presented Robert C. Cole, Senior Warden/Pilot, with a resolution honoring him upon his retirement.

\*\*\*\*\*

21. REQUEST OF MICHAEL MCHENRY, HALF MOON BAY, TO DISCUSS THE LONG-TERM VIABILITY OF COMMERCIAL SQUID FISHERY.

Summary of Issue

Mr. Michael McHenry, Half Moon Bay, requests an opportunity to discuss the long-term viability of the commercial squid fishery. In a letter faxed to the Commission office on January 28, 1998, Mr. McHenry provides the following information:

"Myself & 3 or 4 long-time squid fishermen would like to address a few issues on our California squid resource. We can make it to your San Diego meeting on 5th & 6th of March. Please see if you can schedule us in. Let me know the time & day.

"Subject matter will be the long-term viability of our squid resource & also the sharp downturn of California landings."

Commissioners were provided with a copy of Section 8425 of the Fish and Game Code which gives the Commission authority to adopt regulations for the commercial squid fishery.

Action

Executive Director Treanor introduced the item.

Mike McHenry provided his recommendation and an overview of the squid fishery. He stated that he is concerned that the squid fishery is declining and wants to save it.

John Borman, squid processor, spoke about the need to limit the number of boats to 60 or less. He requested that limited entry be instituted for management of the fishery.

Al Smith, Tim Sullivan, Tom Jurkavich, and Gray Hartley expressed concerns about the welfare of the squid fishery.

Director Schafer reported that the Department had begun to hire staff to prepare the required fishery management plan in accordance with current statutes.

Tim Sullivan pointed out that there's nothing to study now because of the lack of squid.

Mr. McHenry also requested that the Commission consider a reduction fishery for the sardine fishery and inquired why District 10 was closed to reduction of anchovies.

Zeke Grader urged the Director to establish a Squid Advisory Committee and for the Commission to place a number cap on the fishery. He also urged the Department to conduct hearings, institute an immediate cap and moratorium on the fishery.

Paul Weakland supported the effort to review the squid fishery.

It was agreed by the Commission to agendaize this item for its April meeting to continue discussion and receipt of a Department recommendation.

22. REQUEST OF JOHN D. FENNER, SACRAMENTO, FOR COMMISSION CONSIDERATION TO AMEND SECTIONS 4.00-4.30, TITLE 14, CCR, RE: USE OF SACRAMENTO BLACKFISH AS LIVE BAIT.

Summary of Issue

At the Commission's February 5, 1998, meeting, the Department requested additional time to obtain further information regarding possible amendments to sections 4.00-4.30, Title 14, CCR. Therefore, the Commission put over this item until the March 6, 1998, meeting.

As background, Mr. John D. Fenner, Sacramento, requests Commission consideration to amend sections 4.00-4.30, Title 14, CCR, regarding the use of Sacramento blackfish (*Orthodon microlepidotus*) as live bait.

In a fax dated November 12, 1997, Mr. Fenner provides the following information:

"This letter is to request that Sacramento Blackfish (*Orthodon microlepidotus*) be added to the list of species approved to be sold as baitfish in California.

"I am a partner in a commercial aquaculture facility which is currently registered to grow this species - aquaculture permit #444015-01. We intend to raise these fish for both food use and bait. Being a native species of minnow, it seems to me that this fish would be preferable to fathead minnows and other non-native species of fish for bait

use. However, since no one else is apparently producing this species for bait use, they have not been included in the approved list of species yet.

"Please let me know what steps must be taken to list this species, and what, if any, further information or actions you require from me. I may be contacted during business hours at the numbers on my attached business card. I appreciate your assistance with this matter."

Commissioners were provided with copies of referenced material.

#### Department Recommendation

"The Sacramento blackfish is a large native California minnow which is found in abundance in Clear Lake (Lake County) and the lower Sacramento-San Joaquin River drainage. It is seen occasionally during sampling of numerous other reservoirs of the Valley and North Central Districts. It has been introduced to southern California and western Nevada waters. The species is the subject of a substantial commercial fishery in Lahontan Reservoir, near Fallon, Nevada.

"It is primarily a filter-feeder, and thrives in turbid, slow-moving, nutrient-rich waters typical of the Sacramento-San Joaquin Delta. Blackfish do not normally move into swifter portions of tributaries or foothill reaches of rivers. The blackfish, like the exotic golden shiner (the most widely used live bait species), can be detrimental to game fish populations under certain conditions, through competition for food and space. However, because it does not appear to be as adaptable as the golden shiner, Sacramento blackfish probably would represent less risks than golden shiners.

"The Sacramento blackfish has not been sold commercially as live bait in the past, largely because neither a supply, nor the market, has been developed. Mr. Fenner now has a supply of Sacramento blackfish, and would like to begin developing a market for them.

"Current regulations regarding the use of live fin fish for bait (Title 14, Article 3, Sections 4.00-4.30) already allow the live use of numerous native and exotic species for bait. Allowances differ among the regulation districts. The regulations are most restrictive for waters of the Sierra and North Coast districts, where except for four lakes, no use of live bait is allowed. In the remaining districts (the Valley, South Central, Southern and Colorado districts) numerous exotic and native species are allowed. The allowances for a particular district or portion thereof are based primarily on the species, native or exotic, which have been used historically in an area (and are therefore already established).

"The Department supports approving Sacramento blackfish for bait fish use in waters where the species is known to be abundant; i.e., Clear Lake and the lower Sacramento-San Joaquin River system. The specific delta waters are described in subsections (a)(2)(A)-(C) of Section 4.20, Title 14, CCR.

"However, we are opposed at this time to allowing their use in Valley District reservoirs such as Oroville, Folsom and New Melones, or in other waters of the State. The Initial Statement of Reasons for the necessary regulation changes is enclosed."

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

In a letter dated February 20, 1998, the Department provides the following information:

"This item is carried over from the February meeting, to allow the Department to consider additional information about the distribution of Sacramento blackfish. The Commission also asked the Department for examples where native minnows had been moved to waters where they should not be.

"Introduction of the Sacramento squawfish to the Eel River (Humboldt and Mendocino counties) is a well-known example. The squawfish is a large voracious minnow which is known to prey upon juvenile salmonids. It was introduced to the Eel in the 1980s, presumably by irresponsible anglers, and is now considered to be one of the major factors impeding the restoration of native Eel River salmonid runs.

"The tui chub and the Sacramento hitch are other native minnows which have proven to be harmful to trout fisheries in many California reservoirs. These species can reduce trout survival and growth by competing with juvenile trout for food and space. Indian Creek Reservoir and Hawley Lake (Nevada County) are examples of waters where introduced tui chubs had reduced trout productivity until they were treated to eradicate the tui chubs.

"Recent information on the distribution of the Sacramento blackfish is in Dr. Peter B. Moyle's revised version of Inland Fishes of California (in progress), which Dr. Moyle made available to the Commission in a February 3 letter.

"According to Dr. Moyle Sacramento blackfish are native to low elevation reaches of the Sacramento and San Joaquin rivers and their major tributaries, as well as to Clear Lake (Lake County) and the Pajaro and Salinas rivers. They are present in a few central California reservoirs (e.g., Shasta, Hennessy, Lagoon Valley) but the extent of their distribution in these systems is poorly documented.

"In the San Francisco Bay region it is present in the Delta and in Coyote, Alameda and Walnut Creeks. They have been transported by the California Aqueduct to San Luis Reservoir (Merced Co.) where they are common, and can be expected in any reservoir in southern California which contains water from the aqueduct.

"Since about 1986, they have been present in the lower Santa Ana River below Prado Reservoir.

"Blackfish were introduced into Lahontan Reservoir, Churchill Co., Nevada, around 1964, and presumably from there have spread to the lakes in Stillwater Marsh and the Humboldt River drainage in Nevada."

"The Department's understanding of Sacramento blackfish distribution is consistent with Dr. Moyle's summary. We would add that they are currently absent from the many high-elevation lakes which support the most important trout fisheries of the State. We think it is likely that some of these lakes have the conditions under which Sacramento blackfish—once introduced—would thrive.

"Dr. Moyle also provided the following recommendation regarding Mr. Fenners proposal: 'In my opinion, blackfish are a wonderful animal to use in aquaculture as a food fish but a poor choice for use as a bait fish. If they become an approved bait minnow, they will certainly wind up establishing populations in places where they are not wanted with possible detrimental effects on other fish populations, including rare and threatened species. This has happened repeatedly with other bait minnows. It doesn't matter what restrictions you put on distribution and sale, sooner or later some irresponsible angler will release them in a place where they do not belong.'

"Mr. Fenners request was reviewed by the Department's regional senior fisheries staff and wildlife protection staff. Based on this review, the Department believes that allowing the use of blackfish for bait in waters where they are already abundant would represent no significant additional environmental risk. However, because of the propensity of anglers to transport and use live bait minnows away from the location where they are purchased, the sale of Sacramento blackfish as bait minnows in these areas would increase the likelihood that they will be introduced to waters where they will be detrimental to fisheries. The Department is therefore opposed to approving Sacramento blackfish for sale as bait.

"Discussions of this issue brought out some ambiguities in the current regulations. Therefore, the Department is recommending changes to regulations governing the use of live fin fish for bait, for clarification, and to clearly prohibit the transportation and use of live fin fish away from the area where taken or purchased.

"An Initial Statement of Reasons for the proposed changes is enclosed."

Commissioners were provided with a copy of the Initial Statement of Reasons for the proposed changes.

#### Action

Executive Director Treanor introduced the item and reported that the item was carried over from the Commission's February 5, 1998, meeting in Sacramento. He indicated that at that time, the Department requested additional time to obtain further information regarding possible amendments to Sections 4.00 - 4.30, Title 14, CCR. He noted that the Department's recommendation was part of the Commissioner's handout material. Mr. Treanor stated that the Department was recommending that the Commission not authorize the use of Sacramento blackfish for live bait purposes and upon Mr. Fenner learning of the Department's recommendation, he requested the item be continued to a future meeting to provide him an

opportunity to work with the Department on a compromise. He indicated that the Department has found some areas within the live bait code sections that need clarification and has provided an Initial Statement of Reasons covering those items.

There was no action taken by the Commission.

23. DISCUSSION OF PROPOSALS FOR CHANGES IN THE 1998-2000 MAMMAL HUNTING AND TRAPPING REGULATIONS.

Summary of Issue

To aid the Commission and the audience in following the discussion of the proposals, the Commissioner's were provided with a copy of the Department's latest proposed changes in numerical order for the mammal hunting and trapping regulations and includes those regulations submitted by the public in which the Department either concurs entirely, or in part. This exhibit will also be available to the audience on March 6.

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 6, 1998. In addition to the summary of public recommendations, as required by law, the correspondence is provided which explains the rationale behind the public proposals. The Fish and Game Code mandates that the proposals presented at the February 6 meeting shall be open to the public for discussion and presentation of objections to or in support of such proposals. A copy of the Department's responses to the public's recommendations was provided at the 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 the third meeting, which will be held in Long Beach on April 1, 1998, the Commission will hear and consider any objections to these proposed regulations and, at that time, the Commission will announce the finalized proposed regulations which will be considered for final adoption at its special teleconference meeting in Sacramento on April 21, 1998. No public testimony will be heard at the April 21, 1998, meeting. Regulations adopted by the Commission on April 21 will generally become effective on July 1, 1998.

Commissioners were provided with copies of the Department's summary of proposed regulation changes, Initial Statement of Reasons and the proposed regulation changes in strikeout/underline format, and the Clarification Statement. Correspondence received, since the February 6, 1998, meeting, pertaining to the proposed changes have been summarized and that summary was provided at the meeting. Commissioners were also provided with the timetable for the adoption of the 1998-2000 Mammal Hunting and Trapping Regulations in compliance with NEPA, CEQA, APA and CESA.

Under separate cover, Commissioners have been provided with copies of the Department's environmental documents regarding the proposed hunting and trapping regulations. In addition, copies of these documents will be available at the meeting.

As you will recall, the Commission has published notice of its intent to receive written comments from the public on the associated environmental documents until 5:00 p.m. on March 20, 1998. The public will also be afforded an opportunity to provide oral or written testimony on the draft environmental documents at the Commission's March 6, 1998, meeting. The Commission will also receive public testimony on the proposed regulations at both the March 6 meeting in San Diego and the April 1 meeting in Long Beach.

### Action

Assistant Executive Director Pelzman summarized the item. He reported for the record that the Commission was in the middle of a three-meeting process that commenced February 6 when recommendations for changes in the regulations were received. Mr. Pelzman indicated that today the Commission would be taking testimony on proposed regulatory changes, but would receive no new recommendations. He stated that at the conclusion of this item, by statute, the Commission would announce the regulations it intends to add, amend or repeal. Mr. Pelzman stated that public comments would be received today on three items: 1) any proposed changes found in the numerical listing; 2) any recommendations found in the summary; and 3) the environmental documents.

WMD Chief Mansfield pointed out there were six specific proposals submitted by the public over the last couple of years which are now included in the Department's recommendations. Mr. Mansfield indicated that the Department's proposed changes expand hunting opportunities, are biologically appropriate, redefine some hunt boundaries, and simplify and clarify the regulations. Mr. Mansfield apologized to Dr. J. Rod McGinnis that the Department inadvertently failed to include his proposal to extend the archery bobcat season in the Summary of Public Recommendations.

Dr. J. Rod McGinnis recommended: 1) adopting an archery elk season; 2) allowing a minimum of 25 archery tags for each X zone; 3) establishing a new Jawbone Ridge Hunt; 4) excluding hunting from the definition of camping around wildlife watering places; 5) establishing a preference deer tag drawing system; 6) allowing junior hunters to hunt wild pigs and bobcats without being required to possess tags; 7) extending bobcat season; and 8) extending the A-30 archery season to 16 days with a quota of 100 tags and adjusting A-30 to include all of Zone B-1, and eliminating any overlap with the M-11 muzzle-loading rifle hunt.

Wayne Long opposed reducing the season for the additional G-1 hunt (late season buck hunt for Zone C-4), from 16 days to 9 days. He stated that a shorter season would economically impact the area.

Dr. J. Rod McGinnis thanked the Department for the open communication in response to public proposals. He commented that he understood the need for reductions in the tag quotas but believed that archery hunters are taking a larger tag reduction than rifle hunters.

Wayne Raupe commented that organized archers are some of the leading conservationists in California and when they request a more liberal regulation, it is based on their belief that the habitat and resources can withstand it.

John Scruggs supported Dr. J. Rod McGinnis' proposals.

Mr. Pelzman pointed out that a fax was received from the California Cattlemen's Association opposing extending the M-11 late season hunt and the late season bow hunt in the B-1 zone.

Wayne Long reported on the management of deer and elk on Santa Rosa Island and that all cattle would be removed from the island by the end of May 1998.

Mr. Mansfield commented in response to Dr. J. Rod McGinnis' recommendation, that the Department would review the existing language regarding the waterhole camping issue and report back to the Commission.

It was then:

MOVED BY MR. CHRISMAN, SECONDED BY MR. WEGGELAND, THAT THE FISH AND GAME COMMISSION HEREBY AUTHORIZES ITS STAFF TO PREPARE AND INSERT THE FOLLOWING ANNOUNCEMENT OF COMMISSION PROPOSALS FOR THE 1998-2000 MAMMAL HUNTING AND TRAPPING REGULATIONS WHICH IT INTENDS TO FURTHER CONSIDER AND DISCUSS AT ITS APRIL 1, 1998, MEETING IN LONG BEACH. (NOTE: THE REGULATORY LANGUAGE WILL BE INCLUDED AS AN APPENDIX IN THE COMMISSION OFFICE MASTER MINUTES.)

PASSED UNANIMOUSLY.

### CONSENT CALENDAR

Items 24 through 33 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 each of 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 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. Mr. Treanor noted that Item #24 was postponed to the April 2, 1998, meeting and Item #31 was postponed to a future meeting.

It was then:

MOVED BY MR. MCGEOGHEGAN, SECONDED BY MR. CHRISMAN, THAT THE FISH AND GAME COMMISSION HEREBY APPROVES ITS MARCH 6, 1998, CONSENT CALENDAR, ITEMS 25 THROUGH 30 AND ITEMS 32 AND 33.

PASSED UNANIMOUSLY.

24. CONFIRMATION OF COMMISSION'S DECEMBER 4, 1997, EMERGENCY ACTION TO AMEND SECTION 7.50(b)(30), TITLE 14, CCR, TO REOPEN FISHING IN BUTT CREEK AND BUTT VALLEY RESERVOIR POWERHOUSE OUTFALL, PLUMAS COUNTY.
- 

Summary of Issue

This item will be postponed until the April 2, 1998, meeting in Long Beach.

25. ADOPTION OF AMENDMENT TO SECTION 5.51, TITLE 14, CCR, RE: NORTHERN PIKE.
- 

Summary of Issue

The Commission, at its December 5, 1997, meeting in Long Beach, authorized its staff to publish notice of Commission intent to amend Section 5.51, Title 14, CCR, regarding northern pike. That legal notice has been published. The Commission received public testimony at its December 5, 1997, meeting in Long Beach, as well as its February 6, 1998, meeting in Sacramento. Based on public comments, amendments to the proposed language were made which necessitated the need to solicit public comments on the latest changes for an additional 15 days. This item was, therefore, continued until the Commission's March 6, 1998, meeting.

Department Recommendation

"The Department originally proposed to amend the regulation to clarify that any northern pike taken must be killed before release.

"In response to public recommendations, the Department is now recommending requirements that any northern pike caught by an angler must be killed and kept by the angler in a refrigerated or frozen condition, and that the angler must notify the Department as soon as possible but within 24 hours, by calling the Department's CalTip telephone number (1-888-DFG-CALTIP).

"The modifications to the originally-proposed changes were recommended or supported by Mr. Jerry Giardino, Supervisor, District 4, Siskiyou County; Mr. Tom Farnetti, Supervisor, District 1, Mono County, Mr. William N. Dennison, Chairman, Plumas County Board of Supervisors, Ms. Frances J. Roudebush, Supervisor, District 1,

Plumas County (oral testimony 8/29/97 and 11/7/97); Mr. Richard Dickerson, Supervisor, District 1, Shasta County; Mr. Jim Kranz and Ms. Linda Blum (oral testimony 11/7/97), Plumas County residents, and Ms. LouRene Fitzsimmons and Ms. Laura Ashkin, Portola residents.

"The required Amended Pre-adoption Statement is enclosed."

Commissioners were also provided with a copy of the Pre-publication of Notice Statement.

#### Action

It was then:

MOVED BY MR. MCGEOGHEGAN, SECONDED BY MR. CHRISMAN, THAT THE FISH AND GAME COMMISSION, PURSUANT TO THE AUTHORITY VESTED BY SECTIONS 200, 202, 205, 220 AND 240 OF THE FISH AND GAME CODE, AND TO IMPLEMENT, INTERPRET OR MAKE SPECIFIC SECTIONS 200, 202, 205, 220 AND 240 OF SAID CODE, HEREBY AMENDS SECTION 5.51, TITLE 14, CCR, REGARDING NORTHERN PIKE AS FOLLOWS:

#### **5.51. Northern Pike.**

No northern pike may be possessed at any time. Notwithstanding the provisions of Section 1.87, Title 14, CCR. Any northern pike taken must be killed immediately by removing the head or cutting through the gills and be released immediately into the water where taken.

PASSED UNANIMOUSLY.

26. REQUEST TO PUBLISH NOTICE OF INTENT TO AMEND SECTION 7.50(b), TITLE 14, CCR, RE: SPORT SALMON FISHING REGULATIONS FOR THE KLAMATH-TRINITY RIVER BASIN. (ADOPTION HEARING SCHEDULED FOR JUNE 19, 1998, IN BRIDGEPORT)
- 

#### Summary of Issue

The Department requests that the Commission authorize its staff to publish notice of its intent to amend Section 7.50(b), Title 14, CCR, regarding sport salmon fishing regulations for the Klamath-Trinity River Basin. The adoption hearing is scheduled for the Commission's June 19, 1998, meeting in Bridgeport.

The Pre-publication of Notice Statement will be provided at the Commission meeting.

#### Department Recommendation

"The May 5 adoption date has been changed to June 19 (Bridgeport).

"These are the changes which follow annual estimates of harvestable surplus. This year the following other issues are being considered concomitantly:

- "• Confirmation of the emergency steelhead changes (Agenda Item No. 19); and
- "• Coho salmon fishing regulations (Agenda Item No. 27).

"All of the above may be directly or indirectly related to Klamath River chinook salmon allocation policy (Agenda Item No. 17).

"Because the above issues may involve regulatory changes to the same Title 14 sections and/or subsections, all of the regulatory changes will be addressed in the same Initial Statement of Reasons. This document will be provided to the Commission as soon as possible following the March 6 meeting."

27. REQUEST TO PUBLISH NOTICE OF INTENT TO AMEND SECTION 7.50(b), TITLE 14, CCR, RE: COHO SALMON FISHING REGULATIONS. (ADOPTION HEARING SCHEDULED FOR JUNE 19, 1998 IN BRIDGEPORT)

Summary of Issue

The Department requests that the Commission authorize its staff to publish notice of its intent to amend Section 7.50(b), Title 14, CCR, regarding coho salmon fishing regulations. The adoption hearing is scheduled for the Commission's June 19, 1998, meeting in Bridgeport.

Department Recommendation

"As a separate item, the Department will include amending existing regulations as they relate to coho salmon to conform state regulations to the conservation measures for this species identified by National Marine Fisheries Service pursuant to the Federal Endangered Species Act. An Initial Statement of Reasons will be provided prior to March 10."

The Pre-publication of Notice Statement will be provided at the Commission meeting.

In a memo dated February 25, 1998, the Department provides the following information:

"The May 5 adoption date has been changed to June 19 (Bridgeport).

"These are changes designed to eliminate the take of coho salmon pursuant to their recent federal listing as a threatened species. The following other issues are being considered concomitantly:

- "• Confirmation of the emergency steelhead changes (Agenda Item No. 19); and
- "• Klamath-Trinity salmon sport fishing regulation changes (Agenda Item No. 26).

"Because all of the above issues may involve regulatory changes to the same Title 14 sections and/or subsections, all of the regulatory changes will be addressed in the same Initial Statement of Reasons. This document will be provided to the Commission as soon as possible following the March 6 meeting."

28. REQUEST OF SUZIE KIRBY, CURATOR OF ANIMALS, AMERICAN WILDERNESS EXPERIENCE, ONTARIO, FOR AUTHORIZATION TO IMPORT AND POSSESS THREE BLACK-TAILED PRAIRIE DOGS AND ONE OPOSSUM FOR EXHIBITION AND EDUCATIONAL PURPOSES.

Summary of Issue

Ms. Suzie Kirby, Curator of Animals, American Wilderness Experience, Ontario, requests authorization to import and possess three black-tailed prairie dogs and one opossum for exhibition and educational purposes. In a letter dated January 7, 1998, Ms. Kirby provides the following information:

"We would like to request the addition of 3.0 Black-tailed Prairie dogs (*Cynomys ludovicianus*) and 0.1 Opossum (*Didelphis virginiana*) to our existing Detrimental Species Permit #2589. The prairie dogs are available from a captive population originating at the John Ball Zoo in Grand Rapids, Michigan. The opossum is available from the Opossum Society of the United States. This individual is a rehabilitated animal that will never be a candidate for release back to the wild.

"We feel that both species will contribute to our education programs with a focus on North American wildlife conservation and habitat preservation. We intend to exhibit the Prairie dogs and the Opossum will participate in our educational 'Ambassador' program.

"We currently employ a staff of 11 animal care professionals with over 45 years in the care and management of native and exotic wildlife.

"We have enclosed a \$30.00 application fee for this amendment to our Detrimental Species Permit #2589.

"Please call me if you have any further questions."

In a letter dated January 29, 1998, Ms. Kirby also provides the following information:

"We would like to request a hearing before the Commission, regarding an amendment submitted to the License and Revenue Branch on January 7, 1998, to add 3.0 Black-tailed Prairie dogs (*Cynomys ludovicianus*) and 0.1 Opossum (*Didelphis virginiana*) to our Detrimental Species Permit #2589. We have been informed of the next scheduled meeting on February 5, 1998, at the Resources Building in Sacramento. We would like to be added to the agenda for this meeting.

"We have enclosed copies of the amendment submittal to the License and Revenue Branch. (see above letter from January 7, 1998)

"Please feel free to call me if you have any further questions."

Department Recommendation

"The AWE is an indoor facility that allows visitors to experience the wildness of five distinct regions of California (Redwood Forest, Mojave Desert, High Sierras, Pacific Shore, and Yosemite Valley) by walking through replicated habitats and environments. As a wildlife educator, AWE focuses on developing awareness, knowledge, and responsible behavior concerning wildlife and the environment upon which they depend. Also, AWE has joined with the San Bernardino School Board in developing support programs to complement their school curriculum.

"Therefore, the Department of Fish and Game recommends approval of their request under the following conditions:

- "• Black-tailed prairie dogs must be of male gender only, or if females are possessed, all males must be neutered.
- "• There be no contact by the public with these animals. The Department recognizes wild animals can be presented to the public in a responsible and thoughtful manner resulting in scientific and educational benefits. The Department is concerned that direct public contact with animals increases: the risk to the public; the desire to possess as pets; and the risk to the animal's well being (e.g., disease, escapement, exposure, and stress).
- "• A written public notice be posted explaining the detrimental status of the animals.

"The License and Revenue Branch has contacted the Department of Food and Agriculture and Department of Health Services; these agencies have no objection to AWEs request."

29. REQUEST OF SANDY BRICK, CURATOR OF TROPICAL PACIFIC EXHIBITS, LONG BEACH AQUARIUM OF THE PACIFIC, FOR AUTHORIZATION TO IMPORT AND POSSESS BLACKTIP REEF SHARK (*Carcharhinus melanopterus*), SANDBAR SHARK (*Carcharhinus plumbeus*) AND AMERICAN EEL, (*Anguilla rostrata*) FOR EXHIBITION AND EDUCATIONAL PURPOSES.

Summary of Issue

Ms. Sandy Brick, Curator of Tropical Pacific Exhibits, Long Beach Aquarium of the Pacific, requests authorization to import and possess Blacktip Reef shark (*Carcharhinus melanopterus*), Sandbar shark (*Carcharhinus plumbeus*) and American eel, (*Anguilla rostrata*) for exhibition and educational purposes. In a letter dated February 3, 1998, Ms. Brick provides the following information:

"The Long Beach Aquarium of the Pacific is applying for a Prohibited Species Permit and would like to request a hearing before the Commission. I have enclosed a copy of

the cover letter (see letter below) and application that I sent to Ms. Lori Heier at the License and Revenue Branch. Ms. Heier suggested I send this to you along with a request for the next hearing date. I understand there may be a hearing scheduled in March in Long Beach and was wondering if we could possibly present our case at this time.

"If you have any questions regarding this application, please feel free to contact me. Thank you for your time."

Commissioners were provide with copies of referenced material.

In a letter dated January 27, 1998, Ms. Brick also provides the following information:

"Please find enclosed an application for a 1998 Prohibited Species Permit Application for the Long Beach Aquarium of the Pacific and a check for the necessary fees.

"The Long Beach Aquarium of the Pacific is a private, nonprofit public aquarium which is due to open June 1998. The 156,000 square foot facility houses 47 major exhibits focusing on the marine organisms in the Pacific Ocean. Our exhibit path takes visitors through three distinct areas:

- "1) The North Pacific (from the Japanese Archipelago, around the Aleutians, and south into the U.S. as far as central California).
- "2) The Tropical Pacific (Micronesia).
- "3) Southern California/Baja (Point Conception to the Southern Sea of Cortez).

"The Aquarium's mission, 'To instill a sense of wonder, respect and stewardship for the Pacific Ocean and its inhabitants,' will be accomplished through a combination of state-of-the-art exhibits, and variety of educational and conservation programs. The Aquarium is expected to host about 2 million visitors each year and provide educational experience to an additional 40,000 school children.

"The application enclosed is a request for a Prohibited Species Permit for maintaining two species of sharks, *Carcharhinus melanopterus* and *Carcharhinus plumbeus* and the American eel, *Anguilla rostrata*. The American eels will not be displayed, but are a necessary food source for our snake exhibit, as they are the only food item the snakes will eat. These will be ordered on an as needed basis.

"All of the Long Beach Aquarium of the Pacific's exhibits possess a closed system life support and filtration design, thereby preventing any specimens or associated parasites from accidentally becoming introduced into the environment.

"The sharks will be housed in a 350,000 gallon closed system aquarium. The seawater in the aquarium will be recirculated through a closed life support system, including rapid sand filtration, biological filtration, chemical filtration, and ozonation. Backwash water from this system will be dosed with ozone to sterilize it, then it will be reclaimed.

"Special modification will be made to the *Anguilla* system to provide maximum security. The main tank (5.5' in diameter) will house the eels in freshwater (to prevent any chance of breeding) and will be inserted in another larger tank (8' diameter). This will provide a second tank to hold the animals in case they should escape from the main tank. In addition, we will keep the water level slightly lower than recommended fill height in order to utilize the tank walls as protection from escape. A specially designed lid will be developed that prevent animals from escaping security personnel on staff 24 hours daily.

"I would also like to request a hearing to discuss this application with the Fish and Game Commission. Please let me know when the next available date may be. If you have any questions about this application or require further clarification on the points therein, please do not hesitate to contact me. Thank you for your assistance in this matter."

#### Department Recommendation

"The Long Beach Aquarium of the Pacific is scheduled to open in June 1998. The facility will house 47 major exhibits focusing on the marine organisms in the Pacific Ocean including black-tipped reef shark and sandbar shark. The aquarium's mission 'To instill a sense of wonder, respect and stewardship for the Pacific Ocean and its inhabitants' will be accomplished through a variety of educational and conservation programs. Also, their request for American eel is to utilize them as the food source for the aquarium's sea snakes. Eels are the only food source the sea snakes will accept in captivity.

"The Department of Fish and Game recommends approval of Long Beach Aquarium of the Pacific's request under the following conditions:

- "• The caging requirements must be met prior to obtaining each species.
- "• A closed and appropriate filter discharge system is required.
- "• All necessary precautions are taken to prevent release into the wild.
- "• A sign with an appropriate public notice be posted regarding the detrimental status of each species.
- "• The applicant provides the Department with documentation that she or her employees meets the one-year hands-on experience with each species as set forth in Section 671, Title 14, California Code of Regulations.

"The License and Revenue Branch has contacted the Department of Food and Agriculture and Department of Health Services; these agencies have no objection to this request."

30. REQUEST OF BENAY KARP, TARZANA, FOR AUTHORIZATION TO IMPORT AND POSSESS CORVIDAE AND STURNIDAE FOR EXHIBITION, FILMMAKING AND EDUCATIONAL PURPOSES.

Summary of Issue

Ms. Benay Karp, Tarzana, requests authorization to import and possess Corvidae and Sturnidae for exhibition, filmmaking and educational purposes. In a letter dated February 2, 1998, Ms. Karp provides the following information:

"Enclosed is a copy of the package that I am sending to the Department of Fish and Game for my non native species Corvidae and Sturnidae permit request. My intentions are outlined in my open letter to the Department; please consider this open letter for your purposes as well.

"I hope that after reading my letter as well as my letters of recommendation, you will favorably consider my request for these permits.

"Your time and consideration are appreciated."

Commissioners were provided with copies of referenced material.

Department Recommendation

"Benay's Bird and Animal Rentals is an animal training facility with an emphasis on birds. Ms. Karp trains birds and animals for motion pictures, television, and photography as well as exhibiting for educational purposes.

"The Department of Fish and Game recommends approval of Ms. Karp's request to import and possess White-tailed jay (*Cyanocorax mystacalis*), San blas jay (*Cissilopha san blasiana*), Glossy starling (*Lamprotornis splendidus*), Amethyst starling (*Cinnyricinclus leucogaster*), Pied crow (*Corvus albus*), Superb spreo (*Spreo superbus*), White-necked raven (*Corvus albicollis*), Black magpies (*Platysmurus leucopterus*), Blue magpies (*Urocissa erythrorhyncha*), and Emerald starling, under the following conditions:

- "• There be no contact by the public with the animals, except the public does not include professional actors during the production of movies or commercials. The Department recognizes wild animals can be presented to the public in a responsible and thoughtful manner resulting in scientific and educational benefits; but we are concerned with the potential danger to the public. The Department is also concerned that direct public contact with the animals (e.g., holding, touching, or cuddling) increases the desire to possess the animals for personal use as pets. At the same time, it increases the risk to the animal's well being (e.g., disease, escapement, exposure, and stress).
- "• No breeding is allowed.

- "• The applicant provides the Department with documentation that she or her employees meet the one-year hands-on experience for the species listed above as set forth in Section 671, Title 14, California Code of Regulations.

"The License and Revenue Branch has contacted the Department of Food and Agriculture and Department of Health Services; these agencies have no objection to this request."

31. REQUESTS OF JIM GIBSON, POLLOCK PINES AND ADAM WEINER, PLACERVILLE, FOR AUTHORIZATION TO POSSESS CROTALIDAE, VIPERIDAE AND CROCODILIA FOR EXHIBITION, EDUCATIONAL AND BREEDING PURPOSES.

Summary of Issue

Executive Director Treanor reported that this item was postponed to a future meeting.

32. DEPARTMENT REQUEST FOR AUTHORIZATION TO TRANSFER FEE TITLE OF 0.55± ACRES OF SOUTH FORK OF THE EEL RIVER FISHING ACCESS AREA, HUMBOLDT COUNTY, TO CALTRANS TO FACILITATE A CURVE CORRECTION ON STATE ROUTE 254.

Summary of Issue

The Department requests authorization to transfer fee title of 0.55± acres of the South Fork of the Eel River Fishing Access area, Humboldt County, to Caltrans to facilitate a curve correction on State Route 254.

Department Recommendation

In a memo dated February 13, 1998, the Department provides the following information:

"The DFG requests your authorization to transfer fee title on one parcel. Attached for your information is a location map showing the project area, and a detailed transaction summary:

- "(1) Transfer from DFG to the Department of Transportation (Caltrans): Highway 254-Region One

"The Commission is requested to authorize the DFG to transfer .55-acre of the South Fork of the Eel River Fishing Access area to Caltrans. The Fishing Access area consists of a total of 25 acres. This small, landlocked .55-acre segment will allow Caltrans to construct and complete a curve correction on State Route 254.

"Thank you for your consideration of the DFG's request."

Commissioners were provided with copies of the location map.

33. REQUEST OF DIANA FRIELING, SANTA BARBARA, FOR AUTHORIZATION FOR A SHELTERING PERMIT TO RESCUE FIVE FALLOW DEER.

Summary of Issue

Ms. Diana Frieling, Santa Barbara, requests authorization for a sheltering permit to rescue five fallow deer. Ms. Frieling contacted the Department's License and Revenue Branch and requested a permit to rescue five fallow deer. The Department requested that this matter be scheduled to expedite the permitting process.

Department Recommendation

"The Department of Fish and Game recommends approval of Ms Frieling's request to acquire fallow deer under the following conditions:

- "• Only five animals (one gelded buck, two does and two fawns: one male; one female)
- "• Each male must be neutered by April 1, 1998 by a licensed veterinarian.
- "• No additional animals may be acquired.

"The Department of Food and Agriculture and Department of Health Services have no objections to this request."

34. ANNOUNCEMENT OF FUTURE MEETINGS.

SCHEDULE OF 1998 FISH AND GAME COMMISSION MEETINGS

DATE	LOCATION
April 1* (Discuss Mammal Hunting Recommendations)	City Council Chambers 333 W. Ocean Boulevard, Long Beach
April 2	California State University Auditorium 400 Golden Shore, Long Beach
April 21 (Adopt Mammal Hunting Regulations)	Resources Building 1416 Ninth Street 12th Floor Conference Room Sacramento

May 4	Board of Supervisors Administration Building 2800 W. Burrel, Visalia
May 5 (Mon./Tues)	City Council Chambers 707 W. Acequia Street, Visalia
June 18-19	Memorial Hall Bryant & School Streets Bridgeport
August 6-7	Dance Palace Community Center Corner of 5th and B Street Point Reyes Station
August 27-28	City Council Chambers 1900 Lake Tahoe Boulevard South Lake Tahoe
October 1-2	Monterey Beach Hotel 2600 Sand Dunes Drive Monterey
November 5-6	Yosemite Lodge Yosemite National Park Yosemite
December 3-4	Board of Supervisors Chambers 825 Fifth Street Eureka

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

There being no further business, the Fish and Game Commission meeting was adjourned at 1:45 p.m.

Subsection (a) of Section 7.00, Title 14, CCR, is amended to read:

District/Water	Open Season	Daily Bag and Possession Limit
----------------	-------------	--------------------------------

(a) North Coast District

(1) No trout or salmon may be taken in the North Coast District except as provided in subsection (2), (3); and (4) and (5) below and the Alphabetical List of Waters with Special Regulations.

(2) All lakes and reservoirs except those listed by name in the Special Regulations.	All year.	5 per day 10 in possession
--	-----------	-------------------------------

(3) All streams except those listed by name in the Special Regulations.	<del>Last Saturday in Apr.</del> <u>through Nov. 15</u> Closed to all fishing all year.	2 trout 0 salmon
---	--	------------------

(4) SPECIAL BROOK TROUT BONUS BAG AND POSSESSION LIMIT: UP TO 10 BROOK TROUT PER DAY LESS THAN 8 INCHES TOTAL LENGTH MAY BE TAKEN AND POSSESSED IN ADDITION TO THE OTHER DAILY BAG AND POSSESSION LIMITS SPECIFIED FOR THE NORTH COAST DISTRICT.

(5) <del>Special trout and salmon size and daily bag limit. For all North Coast District anadromous waters, except for waters of the Klamath River system.</del>		Minimum size limit: 8 inches total length. Only barbless hooks may be used. No more than 1 trout or salmon over 22 inches may be taken per day.
--	--	--

Subsection (c) of Section 7.00, Title 14, CCR, is amended to read:

(c) North Central District

(1) All lakes and reservoirs except those listed by name in the Special Regulations.	All year.	5
--	-----------	---

(2) All streams except those listed by name in the Special Regulations.	<del>Last Saturday in April through</del> <u>Nov. 15</u> Closed to all fishing all year.	2
---	---	---

(3) The tidewaters of all streams except those listed by name in the Special Regulations.

All year Closed to all fishing all year. 2

~~(4) Special trout and salmon size and daily bag limit. For all North Central District anadromous streams:~~

~~Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~

~~No more than 4 trout or salmon over 22 inches may be taken per day.~~

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

Subsection(b)(2) of Section 7.50, Title 14, CCR, is amended to read:

(2) Albion River (Mendocino Co.). Also see section 8.00 (c).

(A) Main stem below the confluence of North Fork Albion.

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ 2\* 0  
Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.

Nov. 1 through Mar. 1431. 0 steelhead  
Only barbless hooks may be used. and trout  
2 salmon

~~(B) Main stem above the confluence of North Fork Albion and all Albion River tributaries.~~

~~Closed to all fishing all year.~~

Subsection(b)(3) of Section 7.50, Title 14, CCR, is amended to read:

(3) Alder Creek (Mendocino Co.). Also see section 8.00 (c).

~~(A) Main stem below  
Tramway Gulch.~~

~~All-year. Minimum size limit: 8 inches total length. Only barbless hooks may be used. Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used. 2\* 0~~

~~Nov. 1 through Mar. 1431. Only barbless hooks may be used. 0 steelhead and trout 2 salmon~~

~~(B) Main stem above  
Tramway Gulch and all Alder  
Creek tributaries.~~

~~Closed to all fishing all year.~~

Subsection(b)(18) of Section 7.50, Title 14, CCR, is amended to read:

(18) Bear River (Humboldt Co.) downstream from County Road Bridge at Capetown, excluding tributaries.

~~All-year. Minimum size limit: 8 inches total length. Only barbless hooks may be used. Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used. 2\* 0~~

~~Nov. 1 through Mar. 1431. Only barbless hooks may be used. 0 steelhead and trout 2 salmon~~

Subsection(b)(21) of Section 7.50, Title 14, CCR, is amended to read:

(21) Big Lagoon (Humboldt Co.).

~~All-year. Minimum size limit: 8 inches total length. Only barbless hooks may be used. Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used. 2\* 0~~

~~Nov. 1 through Mar. 1431. Only barbless hooks may be used. 0 steelhead and trout 2 salmon~~

Subsection(b)(22) of Section 7.50, Title 14, CCR, is amended to read:

(22) Big River (Mendocino Co.).  
Also see Section 8.00 (c).

(A) Main stem below the  
confluence of Two Log Creek.

~~All year. Minimum size limit: 8~~ 2\* 0  
~~inches total length. Only~~  
~~barbless hooks may be used.~~  
Fourth Saturday in May  
through Oct. 31. Only artificial  
lures with barbless hooks may  
be used.

Nov. 1 through Mar. 431.  
Only barbless hooks may be  
used.

0 steelhead  
and trout  
2 salmon

~~(B) Main stem above Two Log  
Creek and all Big River  
tributaries:~~

~~Closed to all fishing all year.~~

Subsection(b)(27) of Section 7.50, Title 14, CCR, is amended to read:

(27) Brush Creek (Mendocino  
Co.). Also see section 8.00(c).

(A) Main stem below the  
Lawson bridge.

~~All year. Minimum size limit: 8~~ 2\* 0  
~~inches total length. Only~~  
~~barbless hooks may be used.~~  
Fourth Saturday in May  
through Oct. 31. Only artificial  
lures with barbless hooks may  
be used.

Nov. 1 through Mar. 431.  
Only barbless hooks may be  
used.

0 steelhead  
and trout  
2 salmon

~~(B) Main stem above Lawson  
bridge and all Brush Creek  
tributaries:~~

~~Closed to all fishing all year.~~

Subsection(b)(47) of Section 7.50, Title 14, CCR, is amended to read:

(47) Cottoneva Creek  
(Mendocino Co.). Also see  
section 8.00 (c).

(A) Main stem below the confluence of South Fork Cottoneva Creek.

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ 2\* 0  
Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.

Nov. 1 through Mar. 31. 0 steelhead and trout  
Only barbless hooks may be used. 2 salmon

~~(B) Main stem above the confluence of South Fork Cottoneva Creek and all Cottoneva Creek tributaries.~~

~~Closed to all fishing all year.~~

Subsection(b)(63) of Section 7.50, Title 14, CCR, is amended to read:

(63) Eel River Regulations (Humboldt, Lake, Mendocino and Trinity cos.) Also see Section 8.00(b).

ALL WATERS OF THE EEL RIVER DRAINAGE EXCEPT THOSE LISTED BELOW ARE CLOSED TO ALL FISHING.

(A) Main stem

1. From mouth to east end of Cock Robin Island.

Mar. 1 through Sep. 30, only barbless hooks may be used. 0  
April 1 through fourth Saturday in May, only artificial lures with barbless hooks may be used.

Oct. 1 through Feb. 28. Only artificial lures with barbless hooks may be used. 2\* 0 steelhead and trout  
2 salmon

2. From east end of Cock Robin Island to South Fork Eel River.

Apr. 1 through Sep. 30. Only artificial lures with barbless hooks may be used. 0

Oct. 1 through Mar. 31. Only barbless hooks may be used. 2\* 0 steelhead and trout  
2 salmon

3. From South Fork Eel River to Cape Horn Dam.

Jan. 1 through Mar. 31 and June 1 through Sept. 30. At all times, only artificial lures with barbless hooks may be used.

0

Closed to all fishing Apr. 1 through May 31 and Oct. 1 through Dec. 31.

(B) Van Duzen River.

1. Main stem and tributaries above Eaton Falls, located about 1/2 mile upstream of the mouth of the South Fork (Little Van Duzen) and 2-1/2 miles west of Dinsmore.

Last Saturday in Apr. through Nov. 15.

5

~~2. Main stem and tributaries from Eaton Falls downstream to Highway 36 bridge at Bridgeville (includes the South Fork).~~

~~Closed to all fishing all year.~~

~~3. Main stem from Highway 36 bridge at Bridgeville to mouth.~~

~~Apr. 1~~ Fourth Saturday in May through Sept. 30. Only artificial lures with barbless hooks may be used.

0

Oct. 1 through Mar. 31. ~~Minimum size limit: 8 inches total length.~~ Only barbless hooks may be used.

2\*0 steelhead and trout  
2 salmon

(C) South Fork Eel river from mouth to Rattlesnake Creek.

~~Apr. 1~~ Fourth Saturday in May through Sept. 30. Only artificial lures with barbless hooks may be used.

0

Oct. 1 through Mar. 31. ~~Minimum size limit: 8 inches total length.~~ Only barbless hooks may be used.

2\*0 steelhead and trout  
2 salmon

- (D) Middle Fork Eel River. 0
1. Middle Fork main stem from mouth to Bar Creek. Jan. 1 through May 31 and July 16 through Sept. 30. At all times, only artificial lures with barbless hooks may be used. Closed to all fishing Jun. 1 through July 15 and Oct. 1 through Dec. 31.
  2. Middle Fork tributaries above Indian Dick/Eel River Ranger Station Road. Last Saturday in April through Nov. 15. Maximum size limit: 5  
14 inches total length.
  3. Middle Fork and tributaries above mouth of Uhl Creek. Last Saturday in April through Nov. 15. Maximum size limit: 2  
14 inches total length. Only artificial lures with barbless hooks may be used.
  4. Balm of Gilead Creek and tributaries above falls 1 1/4 miles from mouth. Last Saturday in April through Nov. 15. Maximum size limit: 2  
14 inches total length. Only artificial lures with barbless hooks may be used.
  5. North Fork of Middle Fork and tributaries above mouth of Willow Creek. Last Saturday in April through Nov. 15. Maximum size limit: 2  
14 inches total length. Only artificial lures with barbless hooks may be used.

Subsection (b)(65) of Section 7.50, Title 14, CCR, is amended to read:

(65) Elk Creek (Mendocino Co.). Also see section 8.00 (c).

- (A) Main stem below the confluence of South Fork Elk Creek. ~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ ~~2\*0~~
- Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.
- Nov. 1 through Mar. 1431. 0 steelhead and trout  
used. 2 salmon

~~(B) Main stem above the confluence of South Fork Elk Creek and all Elk Creek tributaries.~~

~~Closed to all fishing all year.~~

Subsection(b)(66) of Section 7.50, Title 14, CCR, is amended to read:

(66) Elk River (Humboldt Co.) downstream from Highway 101 bridge, excluding tributaries.

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ 2\* 0  
Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.

Nov. 1 through Mar. 1431. 0 steelhead  
Only barbless hooks may be used. and trout  
2 salmon

Subsection(b)(69) of Section 7.50, Title 14, CCR, is amended to read:

(69) Freshwater Creek (Humboldt Co.) downstream from bridge at "3 Corners" on the Old Arcata Road, excluding tributaries.

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ 2\* 0  
Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.

Nov. 1 through Mar. 1431. 0 steelhead  
Only barbless hooks may be used. and trout  
2 salmon

Subsection(b)(70) of Section 7.50, Title 14, CCR, is amended to read:

(70) Garcia River (Mendocino Co.). Also see section 8.00 (c).

(A) Main stem below the Eureka Hill Road bridge.

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ 2\* 0  
Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.

Nov. 1 through Mar. 4431.  
Only barbless hooks may be used.

0 steelhead and trout  
2 salmon

~~(B) Main stem above the Eureka Hill Road bridge and all Garcia River tributaries.~~

~~Closed to all fishing all year.~~

Subsection(b)(72) of Section 7.50, Title 14, CCR, is amended to read:

(72) Greenwood Creek (Mendocino Co.). Also see section 8.00 (c).

~~(A) Main stem below the log bridge about 1 1/2 miles east of Highway 1.~~

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used. Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.~~

~~2\* 0~~

Nov. 1 through Mar. 4431.  
Only barbless hooks may be used.

0 steelhead and trout  
2 salmon

~~(B) Main stem above the log bridge about 1 1/4 miles east of Highway 1 and all Greenwood Creek tributaries.~~

~~Closed to all fishing all year.~~

Subsection(b)(73) of Section 7.50, Title 14, CCR, is amended to read:

(73) Gualala River (Mendocino and Sonoma Cos.). Also see section 8.00 (c).

~~(A) Main stem below the confluence of Wheatfield and South Forks.~~

~~All year. Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.~~

~~2\* 0~~

Nov. 1 through Mar. 4431.  
Only barbless hooks may be used. Fishing from a flotation device is prohibited from Nov. 15 through Feb. 28 from the

0 steelhead and trout  
2 salmon

confluence of the North Fork to the Highway 1 bridge. ~~Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~

~~(B) Main stem above confluence of Wheatfield and South Forks and all Gualala River tributaries.~~

~~Closed to all fishing all year.~~

Subsection (b) (91.1) of Title 14, CCR, is amended to read:

(91.1) Klamath River below Iron Gate Dam.

(A) Bogus Creek and tributaries.

~~Last Fourth Saturday in Apr. May through Aug. 31. Only artificial lures with barbless hooks may be used.~~

~~20~~

(B) Klamath River main stem from Iron Gate Dam to 3,500 feet downstream.

~~Closed to all fishing all year.~~

(C) Klamath River main stem from 3,500 feet below Iron Gate Dam to mouth.

All year. Only artificial lures with barbless hooks may be used.

3

No more than 2 hatchery trout or steelhead\*\*. All other trout and steelhead must be immediately released. No more than 2 salmon over 24 inches total length.

EXCEPTION: Below Coon Creek Falls from Jul. 1 through Aug. 31, no more than 1 salmon over 24 inches total length). No more than 4 salmon over 24" in any 7 consecutive days. No more than 8 salmon may be possessed, of which no more than 4 may be over 24" total length.

**SPECIAL FISHING RESTRICTIONS:**

1. NO FISHING IS ALLOWED WITHIN 400 FEET OF ANY U.S. FISH AND WILDLIFE SERVICE OR DEPARTMENT OF FISH AND GAME SEINING OPERATION AND FROM THE ISHI PISHI FALLS ROAD BRIDGE UPSTREAM TO AND INCLUDING ISHI PISHI FALLS FROM AUG. 15 THROUGH NOV.

1. EXCEPTION: MEMBERS OF THE KARUK INDIAN TRIBE LISTED ON THE CURRENT KARUK TRIBAL ROLL MAY FISH AT ISHI PISHI FALLS USING HAND-HELD DIP NETS. ALL OTHER REGULATIONS APPLY.

2. NO FISHING IS ALLOWED FROM SEPT. 15 THROUGH NOV. 15 IN THE KLAMATH RIVER WITHIN 500 FEET OF THE MOUTHS OF THE SALMON, THE SHASTA AND THE SCOTT RIVERS.

3. KLAMATH RIVER SALMON QUOTA RESTRICTIONS: THE 1996 KLAMATH RIVER BASIN ALLOWABLE SPORT CATCH IS 15,700 ADULT (OVER 24-INCH) KING SALMON.

**A. RESTRICTIONS BELOW THE FALLS AT COON CREEK:**

(i) THE KLAMATH RIVER ESTUARY SHALL BE CLOSED TO ALL FISHING DOWNSTREAM OF THE REQUA BOAT RAMP THE DAY AFTER THE ATTAINMENT OF THE ADULT KING SALMON QUOTA BELOW COON CREEK FALLS, THROUGH OCTOBER 14. THE CLOSURE EXTENDS WEST FROM A LINE DRAWN DUE SOUTH FROM THE WEST END OF THE REQUA BOAT RAMP;

(ii) NO PERSON SHALL RETAIN ANY KING SALMON OVER 24.0 INCHES TOTAL LENGTH DURING THE PERIOD BEGINNING WHEN THE DEPARTMENT DETERMINES THAT 45% OF THE KLAMATH RIVER BASIN ALLOWABLE SPORT CATCH HAS BEEN TAKEN BELOW THE FALLS AT COON CREEK AND ENDING ONE HOUR BEFORE SUNRISE ON THE SATURDAY PRECEDING LABOR DAY;

(iii) NO PERSON SHALL RETAIN ANY KING SALMON OVER 24.0 INCHES TOTAL LENGTH AFTER THE DEPARTMENT DETERMINES THAT 50% OF THE ALLOWABLE KLAMATH RIVER BASIN SPORT CATCH HAS BEEN TAKEN; THE DEPARTMENT SHALL INFORM THE COMMISSION, AND THE PUBLIC VIA THE NEWS MEDIA, PRIOR TO ANY IMPLEMENTATION OF THE PROVISIONS OF THIS SUBSECTION; AND

(iv) AFTER ATTAINMENT OF THE ADULT KING SALMON QUOTA BELOW COON CREEK FALLS, AND THROUGH OCTOBER 14, ANGLERS MAY ONLY USE BARBLESS HOOKS AND MAY NOT REMOVE ANY ADULT KING SALMON FROM THE WATER BY ANY MEANS, SUCH AS BY DRAGGING OR PUSHING THE FISH ON SHORE, OR USING A NET OF ANY TYPE.

**B. RESTRICTIONS FROM IRON GATE DAM TO THE FALLS AT COON CREEK:** NO PERSON SHALL RETAIN ANY KING SALMON OVER 24.0 INCHES TOTAL LENGTH FROM IRON GATE DAM NEAR HORN BROOK DOWNSTREAM TO THE FALLS AT COON CREEK COMMENCING 28 DAYS AFTER THE DEPARTMENT DETERMINES THAT 50% OF THE ALLOWABLE KLAMATH RIVER BASIN SPORT CATCH HAS BEEN TAKEN BELOW THE FALLS AT COON CREEK IN ANY YEAR. AFTER ATTAINMENT OF THE ADULT KING SALMON QUOTA ABOVE COON CREEK FALLS, AND THROUGH NOVEMBER 30, ANGLERS MAY ONLY USE BARBLESS HOOKS AND MAY NOT REMOVE ANY ADULT KING SALMON FROM THE WATER BY ANY MEANS, SUCH AS BY DRAGGING OR PUSHING THE FISH ON SHORE, OR USING A NET OF ANY TYPE.

**C. EXCEPTION TO SUBSECTION B. DIRECTLY ABOVE:** KING SALMON OVER 24.0 INCHES TOTAL LENGTH MAY BE TAKEN FROM 3,500 FEET BELOW THE IRON GATE DAM TO THE INTERSTATE 5 BRIDGE WHEN THE DEPARTMENT DETERMINES THAT THE ADULT FALL KING SALMON SPAWNING ESCAPEMENT AT IRON GATE HATCHERY EXCEEDS 8,000 FISH DURING ANY YEAR SUBSECTION B. IS IMPLEMENTED.

<p>(D) Special Regulations Klamath River Tributaries (does not include Trinity River System): Bluff, Clear, Dillon, Elk, Indian and Red Cap creeks and their tributaries and Wooley Creek from South Fork Wooley Creek to mouth of Wooley Creek.</p>	<p><del>Last Saturday in April through November 15. Only artificial lures with barbless hooks may be used.</del> <u>Closed to all fishing all year.</u></p>	<p>0</p>
<p>(E) Salmon River main stem, main stem of North Fork, below Sawyer's Bar Bridge and main stem of South Fork below the confluence of the East Fork of the South Fork.</p>	<p>Nov. 1 through Feb. 28. <u>Only barbless hooks may be used.</u></p>	<p>2 trout 0 salmon</p>
<p>(F) Scott River main stem from mouth to Fort Jones-Greenview bridge.</p>	<p><del>Last Fourth Saturday in Apr.</del> <u>May through Feb. 28. Only barbless hooks may be used.</u></p>	<p>2 trout 0 salmon</p>
<p>(G) Shasta River and tributaries (Siskiyou Co.).</p>		
<p>1. Shasta River and tributaries above Dwinnell Dam.</p>	<p>Last Saturday in Apr. through Nov. 15.</p>	<p>5 per day 10 in possession</p>
<p>2. Shasta River and all tributaries below Dwinnell Dam downstream to the Interstate 5 crossing.</p>	<p><del>Last Saturday in Apr. through Nov. 15.</del> <u>Closed to all fishing all year.</u></p>	<p>2 trout 0 salmon</p>
<p>3. Shasta River from Interstate 5 to 250 feet above the Department of Fish and Game counting weir.</p>	<p>Last <u>Fourth Saturday in Apr.</u> <u>May through Feb. 28. Only barbless hooks may be used.</u></p>	<p>2 trout 0 salmon</p>
<p>4. Shasta River from 250 feet above the Department of Fish and Game counting weir to mouth.</p>	<p>Last <u>Fourth Saturday in Apr.</u> <u>May through Aug. 31 and Nov. 16 through Feb. 28. Only barbless hooks may be used.</u></p>	<p>2 trout 0 salmon</p>

(H) All tributaries of the main stem Klamath, Salmon, Scott and Shasta rivers and parts of the main stems not listed above.

~~Last Saturday in Apr. through Nov. 15. Closed to all fishing all year.~~

2 trout  
0 salmon

(I) Trinity River.

1. Trinity River and tributaries above Lewiston Dam.

Last Saturday in Apr. through Nov. 15.

5 per day  
10 in possession

2. Trinity River from Lewiston Dam to 250 feet downstream from Lewiston Dam.

Closed to all fishing all year.

3. Trinity River from 250 feet below Lewiston Dam to Old Lewiston bridge.

Last Saturday in Apr. through Sept. 15. Only artificial flies with barbless hooks may be used.

0 trout  
0 salmon

4. Trinity River from Old Lewiston bridge to the Highway 299 West bridge at Cedar Flat.

~~Last~~ Fourth Saturday in Apr. ~~May through Mar. 14~~ Oct 31. Only single barbless hooks with a gap between the point and shank between 1/2 and 1 inch may be used. Only barbless multiple hooks with a gap between the point and shank between 1/4 and 1/2 inch may be used. November 1 through March 31. Only barbless hooks may be used.

3

No more than 2 hatchery trout or steelhead \*\* All other trout and steelhead must be immediately released. No more than 2 salmon over 24 inches total length. No more than 4 salmon over 24" in any 7 consecutive days. No more than 8 salmon may be possessed, of which no more than 4 may be over 24" total length.

i) Closed to the take of all king salmon over 24 inches total length Sept. 9 through Sept. 18 and Oct. 29 through Nov. 30. During these closures anglers may only use barbless hooks and may not remove any king salmon over 24 inches total length from the water by any means, such as by dragging or pushing the fish on shore or using a net of any type.

Exception to Subsection i) Directly above: king salmon over 24" total length may be taken from the Old Lewiston Bridge to the mouth of Indian Creek when the Department determines that the adult fall king salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish after Oct. 28.

5. Canyon Creek below above the falls located about one-half mile above the wilderness area boundary.

Last Saturday in April through 02  
Nov. 15. ~~Only artificial lures with barbless hooks may be used.~~

6. Trinity River from the Highway 299 West bridge at Cedar Flat downstream to the Hawkins Bar Bridge (Road to Denny).

~~Last Fourth~~ Saturday in Apr. 3  
~~May through Aug.~~ Oct. 31 and  
Nov. 16 through Mar. 1431.  
Only single barbless hooks with a gap between the point and shank between 1/2 and 1 inch may be used. Only barbless multiple hooks with a gap between the point and shank between 1/4 and 1/2 inch may be used. November 1 through March 31. Only barbless hooks may be used.

No more than 2 hatchery trout or steelhead \*\*. All other trout and steelhead must be immediately released. No more than 2 salmon over 24 inches total length. No more than 4 salmon over 24" in any 7 consecutive days. No more than 8 salmon may be possessed, of which no more than 4 may be over 24" total length.

7. Trinity River from Hawkins Bar Bridge (Road to Denny) to the mouth of the South Fork Trinity.

Last Fourth Saturday in Apr. 3  
May through Mar. 14 Oct. 31.  
Only single barbless hooks  
with a gap between the point  
and shank between 1/2 and 1  
inch may be used. Only  
barbless multiple hooks with a  
gap between the point and  
shank between 1/4 and 1/2 inch  
may be used. November 1  
through March 31. Only  
barbless hooks may be used.

No more than 2 hatchery trout or steelhead \*\*. All other trout must be immediately released. No more than 2 salmon over 24 inches total length. No more than 4 salmon over 24" in any 7 consecutive days. No more than 8 salmon may be possessed, of which no more than 4 may be over 24" total length.

i) Closed to the take of all king salmon over 24 inches total length Sept. 9 through Sept. 30 and Oct. 29 through Nov. 30. During these closures anglers may only use barbless hooks and may not remove any king salmon over 24 inches total length from the water by any means, such as by dragging or pushing the fish on shore or using a net of any type.

8. The main stem Trinity River downstream from the mouth of the South Fork of the Trinity.

All year. Only artificial lures 3  
with barbless hooks may be  
used.

No more than 2 hatchery trout or steelhead \*\*. All other trout and steelhead must be immediately released. No more than 2 salmon over 24 inches total length. No more than 4 salmon over 24" in any 7 consecutive days. No more than 8 salmon may be possessed, of which no more than 4 may be over 24" total length.

i) Closed to the take of all king salmon over 24 inches total length Sept. 9 through Sept. 30 and Oct. 29 through Nov. 30. During these closures anglers may only use barbless hooks and may not remove any king salmon over 24 inches total length from the water by any means, such as by dragging or pushing the fish on shore or using a net of any type.

9. South Fork Trinity River and Hayfork Creek.

9A. South Fork Trinity River downstream from the mouth of Grouse Creek.

Saturday preceding Memorial Day through Mar. 4431. Only artificial lures with barbless hooks may be used. 3 salmon  
0 trout

~~No more than 2 trout~~ No more than 2 salmon over 24 inches total length. No more than 4 salmon over 24" in any 7 consecutive days. No more than 8 salmon may be possessed, of which no more than 4 may be over 24" total length.

i) Closed to the take of all king salmon over 24 inches total length Sept. 9 through Sept. 30 and Oct. 29 through Nov. 30. During these closures anglers may only use barbless hooks and may not remove any king salmon over 24 inches total length from the water by any means, such as by dragging or pushing the fish on shore or using a net of any type.

9B. South Fork Trinity River from the mouth of Grouse Creek to the South Fork Trinity River bridge at Hyampom.

Nov. 1 through Mar. 4431. 3 salmon  
Only artificial lures with barbless hooks may be used. 0 trout

~~No more than 2 trout.~~ No more than 2 salmon over 24 inches total length. No more than 4 salmon over 24" in any 7 consecutive days. No more than 8 salmon may be possessed, of which no more than 4 may be over 24" total length.

9C. South Fork Trinity River main stem above the South Fork Trinity River bridge near Hyampom.

Closed to all fishing all year.

9D. Hayfork Creek main stem, from Highway 3 bridge in Hayfork downstream to the mouth.

Nov. 16 through the Friday preceding the last Saturday in April ~~Mar. 14~~ Mar. 31. Only artificial lures with barbless hooks may be used.

0

~~Last Fourth Saturday in April~~ May through Nov. 15 ~~Oct. 31~~. Maximum size limit: 14 inches total length. Only barbless hooks may be used.

2 trout

0 salmon

10A. North Fork Trinity River main stem above the lower boundary of the Hobo Gulch Campground.

Closed to all fishing all year.

~~10B. North Fork Trinity River downstream from the lower boundary of Hobo Gulch Campground.~~

~~Last Saturday in April through November 15. Maximum size limit: 14 inches total length. Only artificial lures with barbless hooks may be used.~~

2 trout

0 salmon

11A. New River main stem above the confluence with the East Fork.

Closed to all fishing all year.

~~11B. New River downstream from the East Fork of New River.~~

~~Last Saturday in April through November 15. Maximum size limit: 14 inches total length. Only artificial lures with barbless hooks may be used.~~

2 trout

0 salmon

12. All tributaries of the Trinity River not listed above.	<del>Last Saturday in Apr. through Nov. 15. Maximum size limit: 14 inches total length.</del> <u>Closed to all fishing all year.</u>	2 trout 0 salmon
--	---	---------------------

Subsection(b)(102) of Section 7.50, Title 14, CCR, is amended to read:

(102) Little River (Humboldt Co.) downstream from the County Road bridge at Crannell, excluding tributaries.	<del>All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.</del> <u>Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.</u>	2* 0
	<u>Nov. 1 through Mar. 431.</u> <u>Only barbless hooks may be used.</u>	<u>0 steelhead and trout</u> <u>2 salmon</u>

Subsection(b)(107) of Section 7.50, Title 14, CCR, is amended to read:

(107) Mad River and tributaries (Humboldt Co.).

(A) Mad River within a radius of 200 yards of its mouth.	Jan. 1 through July 31. <del>Minimum size limit: 8 inches total length.</del> Only <u>artificial lures with barbless hooks</u> may be used.	2* <u>hatchery trout or steelhead.** All other trout and steelhead must be immediately released.</u> <u>2 salmon, but no more than one salmon over 22 inches total length.</u>
--	--	---

(B) Mad River main stem, from 200 yards above its mouth upstream to the County Road bridge at Maple Creek, excluding tributaries. Also see Section 8.00(b).	<del>All year. Fourth Saturday in May through Mar. 14</del> <u>Oct 31.</u> <del>Minimum size limit: 8 inches total length.</del> Only <u>artificial lures with barbless hooks</u> may be used. <u>Nov 1 through March 31 Only barbless hooks may be used.</u>	2* <u>hatchery trout or steelhead.** All other trout and steelhead must be immediately released.</u> <u>2 salmon, but no more than one salmon over 22</u>
---	---	--

inches total length.

(C) Mad River main stem, from the County Road bridge at Maple Creek to the Highway 36 bridge, excluding tributaries.

~~Last Saturday in Apr. through Nov. 15. Minimum size limit: 8 inches total length. Maximum size limit: 14 inches total length. Only artificial lures with barbless hooks may be used. Closed to all fishing all year.~~

~~2 trout  
0 salmon~~

(D) Mad River main stem from the Highway 36 bridge to Ruth Dam and all tributaries below Ruth Dam.

~~Last Saturday in Apr. May through ~~Nov. 15~~ Oct. 31. Minimum size limit: ~~8 inches~~ total length. Only artificial lures with barbless hooks may be used.~~

~~2 trout  
0 salmon  
No more than 1 trout over 22 inches may be taken per day.~~

(E) Mad River and tributaries above Ruth Dam.

~~Last Saturday in Apr. May through Nov. 15.~~

5 per day  
10 in possession

Subsection(b)(113) of Section 7.50, Title 14, CCR, is amended to read:

(113) Mattole River (Humboldt Co.).

(A) Mattole River main stem from mouth to 200 yards upstream.

Closed to all fishing all year.

(B) Mattole River main stem from 200 yards upstream of mouth to confluence with Stansberry Creek. Also see Section 8.00(b).

Jan. 1 through Mar. 31. Minimum size limit: 8 inches total length. Only artificial lures with barbless hooks may be used.

2 trout  
0 salmon  
No more than 1 trout over 22 inches may be taken per day.  
0

(C) Mattole River main stem from confluence with Stansberry Creek to confluence with Honeydew Creek. Also see Section 8.00(b).

Jan. 1 through Aug. 31. Minimum size limit: 8 inches total length. Only artificial lures with barbless hooks may be used.

2 trout  
0 salmon  
No more than 1 trout over 22 inches may be taken per day.  
0

~~(D) Mattole River above the~~

~~Closed to all fishing all year.~~

mouth of Honeydew Creek and  
all Mattole River Tributaries.

Subsection(b)(130) of Section 7.50, Title 14, CCR, is amended to read:

(130) Navarro River and  
tributaries (Mendocino Co.).  
Also see section 8.00(c).

(A) Main stem below the  
Greenwood Road bridge.

~~All year. Minimum size limit: 8 2\*0  
inches total length. Only  
barbless hooks may be used.~~  
Fourth Saturday in May  
through Oct. 31. Only  
artificial lures with barbless  
hooks may be used.

Nov. 1 through Mar. 1431.      0 steelhead  
and trout  
Only barbless hooks may be      2 salmon  
used.

(B) Main stem above the  
Greenwood Road bridge and  
all tributaries.

~~Closed to all fishing all year.~~

Subsection(b)(133) of Section 7.50, Title 14, CCR, is amended to read:

(133) Noyo River and  
tributaries (Mendocino Co.).  
Also see section 8.00 (c).

(A) Noyo River main stem  
from the mouth to the  
Georgia-Pacific logging road  
bridge one mile east of  
Highway 1.

~~All year. Minimum size limit: 8 2\*0  
inches total length. Only  
barbless hooks may be used.~~  
Fourth Saturday in May  
through Oct. 31. Only  
artificial lures with barbless  
hooks may be used.

Nov. 1 through Mar. 1431.      0 steelhead  
and trout  
Only barbless hooks may be      2 salmon  
used.

(B) Noyo River from the

~~Jan. 1~~ Fourth Saturday in May      2\*0

Georgia-Pacific logging road bridge one mile east of Highway 1 to the confluence with the South Fork Noyo River.

through Oct. 1. ~~Minimum size limit: 8 inches total length.~~ Only artificial lures with barbless hooks may be used.

(C) Noyo River main stem from confluence with the South Fork Noyo River to the Sonoma/Mendocino Boy Scout Council Camp.

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.

~~Nov. 1 through Mar. 31.~~ Only barbless hooks may be used. 0 steelhead and trout  
2 salmon

~~(D) Noyo River main stem above the Sonoma/Mendocino Boy Scout Council Camp and all Noyo River tributaries:~~

~~Closed to all fishing all year.~~

Subsection(b)(145) of Section 7.50, Title 14, CCR, is amended to read:

~~(145) Prairie Creek and tributaries (Humboldt Co.) upstream from confluence with Redwood Creek.~~

~~Last Saturday in Apr. through Sept. 30. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used. 2 trout  
0 salmon  
No more than 1 trout over 22 inches may be taken per day.

Subsection(b)(150) of Section 7.50, Title 14, CCR, is amended to read:

~~(150) Redwood Creek (Humboldt Co.). Also see Section 8.00(b).~~

~~(A) Redwood Creek within a radius of 200 yards of its~~

~~Jan. 1~~ Fourth Saturday in May through July 31. Minimum size 2\* 0

mouth.

~~limit: 8 inches total length:  
Only artificial lures with  
barbless hooks may be used.~~

(B) Redwood Creek, from  
200 yards above the mouth to  
the mouth of Prairie Bond  
Creek.

~~All year. Minimum size limit: 8  
inches total length. Only  
barbless hooks may be used.  
Fourth Saturday in May  
through Mar. 1431. Only  
artificial lures with barbless  
hooks may be used.~~

2\* 0 steelhead  
and trout  
2 salmon

~~(C) Redwood Creek, from  
the mouth of Prairie Creek to  
the mouth of Bond Creek.~~

~~All year. Only artificial lures  
with barbless hooks may be  
used.~~

0

~~(D) Redwood Creek from the  
mouth of Bond Creek to the  
mouth of Lack's Creek.~~

~~Closed to all fishing all year.~~

(E) Redwood Creek main  
stem above the mouth of  
Lack's Creek.

~~Last Saturday in Apr. through  
Nov. 15.  
Only artificial lures with  
barbless hooks may be used.~~

0

Subsection(b)(154) of Section 7.50, Title 14, CCR, is amended to read:

(154) Russian Gulch and  
tributaries (Sonoma Co.). Also  
see section 8.00 (c).

(A) Main stem below the  
confluence of the East  
Branch.

~~All year. Minimum size limit: 8  
inches total length. Only  
barbless hooks may be used.  
Fourth Saturday in May  
through Oct. 31. Only  
artificial lures with barbless  
hooks may be used.~~

2\* 0

Nov. 1 through Mar. 1431.  
Only barbless hooks may be  
used.

0 steelhead  
and trout  
2 salmon

(B) Main stem above the confluence of East Branch and all Russian Gulch tributaries:

Closed to all fishing all year.

Subsection (b)(180) of Section 7.50, Title 14, CCR, is amended to read:

(180) Smith River (Del Norte Co.): Also see Section 8.00(b).

(A) Smith River main stem and Middle Fork downstream from Patrick Creek, excluding tributaries.

~~All year. Fourth Saturday in May through Mar. 1431. Minimum size limit: 8 inches total length. Only artificial lures with barbless hooks may be used from the fourth Saturday in May through Oct. 31. Only barbless hooks may be used from Nov. 1 through Mar. 1431. No more than 5 trout or steel head over 22 inches without an adipose fin clip may be kept per year.~~

2\*, but no more than 1 trout over 22 inches without an adipose fin clip, and no more than 1 salmon over 22 inches total length. All other trout and steelhead must be immediately released.

(B) Smith River, North Fork downstream from Stony Creek, excluding tributaries.

~~All year. Fourth Saturday in May through Mar. 1431. Minimum size limit: 8 inches total length. Only artificial lures with barbless hooks may be used from the fourth Saturday in May through Oct. 31. Only barbless hooks may be used from Nov. 1 through Mar. 1431. No more than 5 trout or steel head over 22 inches without an adipose fin clip may be kept per year.~~

2\*, but no more than 1 trout over 22 inches without an adipose fin clip, and no more than 1 salmon over 22 inches total length. All other trout and steelhead must be immediately released.

(C) Smith River, South Fork downstream from Jones Creek, 1-1/2 miles upstream from the Gasquet-Orleans Road Bridge, excluding tributaries.

~~All year. Fourth Saturday in May through Mar. 4431. Minimum size limit: 8 inches total length. Only artificial lures with barbless hooks may be used from the fourth Saturday in May through Oct. 31. Only barbless hooks may be used from Nov. 1 through Mar. 4431. No more than 5 trout or steel head over 22 inches without an adipose fin clip may be kept per year.~~

2\*, but no more than 1 trout over 22 inches without an adipose fin clip, and no more than 1 salmon over 22 inches total length. All other trout and steelhead must be immediately released.

(D) Smith River, South Fork from the George Tryon bridge upstream to its confluence with Craig Creek.

Closed to all fishing all year.

Subsection(b)(188) of Section 7.50, Title 14, CCR, is amended to read:

(188) Stone Lagoon (Humboldt Co.)

~~All year. Minimum size limit: 16 inches total length. Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.~~

2\* 0

Nov. 1 through Mar. 4431. Only artificial lures with barbless hooks may be used.

0 steelhead and trout  
2 salmon

Subsection(b)(193) of Section 7.50, Title 14, CCR, is amended to read:

(193) Ten Mile River and tributaries (Mendocino Co.). Also see section 8.00(c).

(A) Ten Mile River main stem below the confluence with the Ten Mile River North Fork, and the Ten Mile River North Fork below the confluence with Bald Hill Creek.

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used. Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.~~

2\*0

Nov. 1 through Mar. 1431.  
Only barbless hooks may be used.

0 steelhead  
and trout  
2 salmon

~~(B) Ten Mile River main stem above the confluence with Ten Mile River North Fork, and the Ten Mile River North Fork main stem above the confluence with Bald Hill Creek and all Ten Mile and Ten Mile North Fork tributaries.~~ ~~Closed to all fishing all year.~~

Subsection(b)(200) of Section 7.50, Title 14, CCR, is amended to read:

(200) Usal Creek and tributaries (Mendocino Co.). Also see section 8.00 (c).

~~(A) Usal Creek main stem below the Usal-Shelter Cove Road.~~

~~All year. Minimum size limit: 8 inches total length. Only barbless hooks may be used.~~ ~~2\*0~~  
Fourth Saturday in May through Oct. 31. Only artificial lures with barbless hooks may be used.

Nov. 1 through Mar. 1431.  
Only barbless hooks may be used.

0 steelhead  
and trout  
2 salmon

~~(B) Usal Creek main stem above Usal-Shelter Cove Road and all Usal Creek tributaries.~~ ~~Closed to all fishing all year.~~

\* No more than 1 trout or salmon over 22 inches may be taken per day (see subsections 7.00(a)(5) and (c)(4).

\*\* Hatchery trout or steelhead are those showing dorsal fin erosion and/or an adipose fin clip.

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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

Language that is to be deleted is struck out (~~struck out~~).  
 Language to be added is underlined (underlined).  
 Language originally proposed as new, but now proposed to be deleted is shown as both struck out and underlined (~~underlined and struck out~~).  
 Language added since the February meeting's originally proposed language is shown shaded (~~shaded~~).

Changes proposed by the PUBLIC are identified with a "P".

Changes proposed by the Department are identified with a "D".

**NOTE:** This document provides, in numerical order, informative digests and proposed regulations contained in the regulatory documents for mammal hunting and trapping. There may have been changes made, or errors corrected in the regulatory documents which are not reflected in this document because of deadlines and time constraints for reproducing and mailing before Commission meetings. Therefore, please refer to the complete regulatory documents available from the Fish and Game Commission office, for the most up-to-date information.



Indicates Amendments  
to Numerical Report.

TABLE OF CONTENTS

SUBDIVISION 2.	361. Archery Deer Hunting	-26-
GAME AND FURBEARERS	§361, Title 14, CCR, is amended to read:	-27-
CHAPTER 1.	362. Nelson Bighorn Sheep	-31-
GENERAL PROVISIONS AND DEFINITIONS	§362, Title 14, CCR, is amended to read:	-32-
265. Use of Dogs for Pursuit/Taking of Mammals or for Dog Training	363. Pronghorn Antelope	-35-
§265, Title 14, CCR, is amended to read:	§363, Title 14, CCR, is amended to read:	-36-
CHAPTER 2.	364. Elk	-42-
RESIDENT SMALL GAME	§364, Title 14, CCR, is amended to read:	-43-
311. Methods Authorized for Taking Resident Small Game	365. Bear	-48-
§311, Title 14, CCR, is amended to read:	§365, Title 14, CCR, is amended to read:	-48-
CHAPTER 3.	367. Bear License Tags	-49-
BIG GAME	§367, Title 14, CCR, is amended to read:	-49-
353. Methods Authorized for Taking Big Game	370. Deer Tags	-50-
§353, Title 14, CCR, is amended to read:	§370, Title 14, CCR, is amended to read:	-50-
360(a). Deer: A, B, C, and D Zone Hunts	371. Procedures for Application for and Distribution of Deer Tags and Permits	-50-
§360(a), Title 14, CCR, is amended to read:	§371, Title 14, CCR, is amended to read:	-51-
360(b). Deer: X Zone Hunts	372. Deer Tags, Persons Authorized to Validate	-53-
§360(b), Title 14, CCR, is amended to read:	§372, Title 14, CCR, is amended to read:	-54-
360(c). Deer: Additional Hunts	CHAPTER 5.	
§360(c) and (d), Title 14, CCR, is amended to read:	FURBEARING MAMMALS	-55-
	465. Methods for Taking Furbearers	-55-
	§465, Title 14, CCR, is amended to read:	-55-

**SUBDIVISION 2  
GAME AND FURBEARERS  
CHAPTER 1.  
GENERAL PROVISIONS AND DEFINITIONS**

(1.) 265. Use of Dogs for Pursuit/Taking of Mammals or for Dog Training

**D** Existing regulations prohibit the use of dogs for the pursuit/take of mammals and for dog training in bear habitat and defined as dog control zones, beginning on the first Saturday in April and continuing until the day preceding the opening of general deer season.

Dog control zones were first established in 1985 as a method for reducing the illegal take of black bears. Prior to 1985, data collected from bears taken by hunters and report cards from hunters including age structure, hunter effort, and overall take, as well as information from field studies and law enforcement operations, indicated that black bears were being taken during the early summer dog training season.

Enforcement of the laws and regulations in place at that time was difficult because individuals attempting to illegally take bears stated that they were engaged in the lawful activity of training their dogs.

While the majority of bear habitat was originally included in the dog control zones, some areas that now support significant bear populations were not. Alpine County and a portion of Lassen County are not included in the dog control zones, and wildlife protection personnel have recently discovered evidence that bears are being illegally taken prior to bear season. The proposed regulation will include areas of bear habitat in both counties within the dog control zones. This change is aimed at providing enforceable and consistent regulations for reducing illegal take of bears in these areas.

Section 265, Title 14, CCR, is amended to read:

265. Use of Dogs for Pursuit/Take of Mammals or for Dog Training.

(a) Prohibitions on the Use of Dogs. The use of dogs for the pursuit/take of mammals or for dog training is prohibited as follows:

(1) The use of dogs is prohibited during the archery seasons for deer or bear.

(2) The use of dogs is prohibited for the take of elk, bighorn sheep and antelope.

(3) Mountain lions may not be pursued with dogs except under the provisions of a depredation permit issued pursuant to section 4803 of the Fish and Game Code. Dog training on mountain lions is prohibited.

(4) The use of dogs for the pursuit/take of mammals or for dog training is prohibited from the first Saturday in April through the day preceding the opening of the general deer season in the following dog control zones:

(A) Central California Dog Control Zone: Napa County north of Highway 128 and east of Highway 29; Lake County east of a line beginning at the Lake-Napa county line and Highway 29; northwest on Highway 29 to Highway 20; northwest on Highway 20 to the

Lake-Mendocino county line; Mendocino County east of Highway 101, and north of Highway 20; Sierra County and Alpine counties, and those portions of Nevada, Placer, Amador and Calaveras counties east of Highway 49; and El Dorado County east of the following line: Beginning at the junction of Highway 49 and the Placer-El Dorado county line; south on Highway 49 to Highway 193 at Cool; east and south along Highway 193 to Highway 49 in Placerville; south on Highway 49 to the Amador-El Dorado county line.

(B) Northern California Dog Control Zone: Plumas and Trinity counties; Butte County east of the following line: Beginning at the junction of Highway 99 and the Butte-Tehama county line; south and east along Highway 99 to Highway 149; south and east along Highway 149 to Highway 70; south along Highway 70 to the Butte-Yuba county line; Del Norte County east of Highway 101; Glenn County west of a line beginning at the intersection of the Stonyford-Ladoga Road and the Glenn-Tehama county line; south along this road to the Colusa-Glenn county line; Humboldt County north and east of Highways 36 and 101; Siskiyou County south and west of the following line:

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

from the Oregon-California state line south on Interstate 5 to Highway 97 at the town of Weed; north on Highway 97 to the town of Macdoel; south from Macdoel on the Mt. Hebron Road to the Redrock Road; east on the Redrock Road to the Davis Road; north on Davis Road to the Gold Digger Pass Road; east on the Gold Digger Pass Road to the western boundary of the Lava Beds National Monument; north and east on said boundary to the Siskiyou-Modoc county line; Shasta County south and west of Highways 89 and 44 and north of the following line: where the Trinity National Forest boundary intersects the Shasta-Tehama county line; north on said boundary to Highway 36 near the town of Platina; east on Highway 36 to County Road A16; north on Road A16 to the City of Redding; north on Interstate 5 to the south shore of Shasta Lake; east and north along the shore of Shasta Lake to Fender's Ferry Road; southeast on Fender's Ferry Road to Highway 299; southwest on Highway 299 to Oakrun; southwest on the Oakrun Road to Fern Road; east and south on Fern Road to the town of Whitmore; south on Ponderosa Way to Highway 44 near Innwood; east on Highway 44 and the Wilson Hill Road to the Shasta-Tehama county line; those portions of Tehama County within the Mendocino and Trinity National Forests and east of the Ponderosa Truck Trail; those portions of Lassen County north and west of the following line: north from the Lassen-Sierra county line on Highway 395 to Highway 36 east of Susanville; northwest on Highway 36 to Highway 139; north on Highway 139 to the Lassen-Modoc county line.

(C) Southern Sierra Dog Control Zone: Those portions of Tuolumne, Mariposa, Madera, Fresno and Tulare counties east of the following line: Beginning at the intersection of Highway 49 and the Calaveras-Tuolumne county line; south on Highway 49 to Highway 120; east on Highway 120 to the Smith Station Road (J20); south on the Smith Station Road (J20) to the Greeley Hill Road; east on the Greeley Hill Road to the North Fork of the Merced River at Bower Cave; south on the North Fork of the Merced River to Road 3S15 (Black Mountain Road); east on Road 3S15 to Forest Service Road 3S02; southwest on Forest Service Road 3S02 crossing the U.S. Forest Service-Bureau of Land Management property boundary in Section 28 located in Township 3S, Range 18E to Forest Service Road 2S05 (Bull Creek Road); south on Forest Service Road 2S05 (Bull Creek Road) to the Main Fork of the Merced River; west on the Main Fork of the Merced River to Highway 49; south on Highway 49 to Highway 140 at Mariposa; north on Highway 140 to the South Fork of the Merced River; east along the South Fork of the Merced River to Hite Cove and south on the U.S. Forest Service Road and its continuation from Hite Cove, through Jerseydale Station and Darrah to the Triangle Road; south along the Triangle Road to Highway 49; south along Highway 49 to Highway 41 at Oakhurst; north along Highway 41 to its intersection with the Bass Lake Road at Yosemite Forks; south along Bass Lake Road and Road 274 past Bass Lake on the east side of

the lake to the junction with the Mammoth Pool Road at North Fork; south along the North Fork-Auberry Road to the San Joaquin River; east along the San Joaquin River to Italian Bar Road at the Italian Bar Bridge; south on Italian Bar Road to Sugar Loaf Road; south on Sugar Loaf Road to the patrol road along the transmission right-of-way; south on the patrol road along the transmission right-of-way to Auberry Road near Pine Ridge; east on Auberry Road to Highway 168; east on Highway 168 to Toll House Road; south on Toll House Road to Peterson Mill Road; east on Peterson Mill Road to Rush Creek Road at Soaproot Saddle; south on Rush Creek Road to Big Creek Road; east on Big Creek Road to Dinkey-Trimmer Road at Haslett Basin; east on Dinkey-Trimmer Road to Sycamore Springs Road; east on Sycamore Springs Road to Black Rock Road at Balch Camp; east on the Black Rock Road to the Rodgers Ridge Road at Black Rock Station; east along Rodgers Ridge Road to Garlic Spur; south on Garlic Spur to the Kings River; west along the Kings River to Verplank Ridge; south on Verplank Ridge-Hoise Ridge to Highway 180 near Cherry Gap; south along Highway 180 to the north boundary of Kings Canyon National Park; south along that park boundary and along the west boundary of Sequoia National Park to the boundary of Sequoia National Forest between Grouse Peak and Dennison Mountain; south along the common line between R29E and R30E, M.D.B.M. to the boundary of the Sequoia National Forest; east and south along that boundary to Balch Park Road; southeast along that road to the west boundary of Mountain Home State Forest; south and east along that boundary to Forest Trail 30E15; southeast along 30E15 to the Doyle Springs Road; southwest along Doyle Springs Road to Camp Wishon; southeast along the Alder Creek Grove-Hossack Meadow Road to Camp Nelson; south along Highway 190 and the Coy Flat Road to the boundary of the Tule River Indian Reservation; south along the east boundary of that reservation to Parker Peak; southeast through Upper Parker Meadow to Parker Pass; south through Starvation Creek Grove to the southwest corner of Section 15, T23S, R31E, M.D.B.M.; east to the northeast corner of Section 22, T23S, R31E, M.D.B.M.; south approximately 6 miles to Sugarloaf Campground; southeast along the Forest Road 24S06 through Portuguese Pass to the Tulare-Kern county line; that portion of Kern County within a line beginning where the Tulare-Kern county line intersects the west boundary of the Sequoia National Forest; south along the said boundary to the Poso Flat-Davis Station Road; northeast along said road through Davis Flat and Shirley Meadow to Forest Highway 90 at Greenhorn Summit; northeast along Forest Highway 90, Cow Creek and Bull Run Creek to the Tulare-Kern county line; west along said county line to the point of beginning; and those portions of Inyo and Mono counties west of Highway 395.

(D) Southern California Dog Control Zone: Those portions of Los Angeles, Ventura and Santa Barbara counties within the Los Padres and Angeles National

Forests; and those portions of San Bernardino County within the San Bernardino and Angeles National Forests.

(b) Authorized Use of Dogs. The use of dogs for the pursuit/take of mammals or dog training is authorized as follows:

(1) Dog Control Zones. The use of dogs for the pursuit/take of mammals or for dog training is permitted in the dog control zones described in subsections 265(a)(4)(A), (B), (C) and (D) from the opening day of the general deer season through the first Friday in April.

(2) Areas of the State Outside the Dog Control Zones. The use of dogs for the pursuit/take of mammals or for dog training in areas outside of the dog control zones is permitted year-round, except for closures and restrictions described in this section 265 and section 364, and the provisions of sections 3960 and 4800 of the Fish and Game Code which prohibit allowing any dog to pursue any big game mammal during the closed season on such mammal or mountain lions, elk or any fully-protected, threatened or endangered mammal at any time.

(3) Take of Depredating Mammals. The use of dogs is permitted for pursuing/taking depredating mammals by federal and county animal damage control officers or by permittees authorized under a depredation permit issued by the department.

(4) Take of Furbearers and Nongame Mammals. Furbearers and nongame mammals as specified in section 472(a) may be taken with the aid of dogs during the appropriate open season, except for closures and restrictions described in subsections 265(a) and (b).

(5) Prohibition on Starting Pursuit Within 400 Yards of Baited Area. Pursuits may not be started within 400 yards of a baited area as described in section 257.5 of these regulations.

(6) Dog Training. Except for the prohibitions of subsection 265(a), dog training is permitted pursuant to the following provisions:

(A) Dog Training Defined. For purposes of these regulations, dog training is defined as the education of dogs through "breaking" or "practicing" under strict provisions that preclude the injuring or take of animals. Training is distinguished from "pursuit", as used in section 86 of the Fish and Game Code, in that the animal being chased shall not be killed, captured, or injured.

(B) Prohibition on Killing, Capturing or Injuring Mammals. No person shall kill, capture or injure any mammal, nor shall any person's dog be allowed to kill, capture or injure any mammal during dog training.

(C) Prohibition on Possession of Equipment. No firearm, archery gear, crossbow or other instrument capable of killing, injuring or capturing any animal may be possessed by any person training dogs during the seasons described in subsection 265(b)(6)(F) below. Possession of a firearm, archery gear, crossbow or other instrument capable of killing or capturing any animal is prohibited while training dogs, but such equipment may be transported to or from a campsite, transported to or from a residence or lawfully possessed by a person at a

campsite provided all dogs are secured and under the control of the owner, agent or person training or transporting said dogs.

(D) Prohibition on Starting Dog Training Within 400 Yards of Baited Area. Dog Training may not be started within 400 yards of a baited area as described in section 257.5 of these regulations.

(E) Prohibition on Training Dogs on Bear and Other Big Game Mammals or on Protected, Threatened or Endangered Mammals. It shall be unlawful to train any dog on any big game mammal or to train any dog on any fully-protected, threatened or endangered mammal at any time. A person in possession of a valid bear tag may utilize the general bear season for purposes of educating dogs for bear. A person in possession of a valid deer tag may utilize the general deer season for purposes of educating a dog for deer. Only one dog may be used for training in areas where the general deer season (as described in subsections 360(a) and (b)) is open.

(F) Seasons.

1. Gray Fox. Dogs may be trained on gray fox from March 1 through the day preceding the opening of the general gray fox season, except for closures and restrictions described in subsections 265(a) and (b).

2. Raccoon. Dogs may be trained on raccoon from April 1 through the day preceding the opening of the general raccoon season, except for closures and restrictions described in subsections 265(a) and (b).

3. Bobcat. Dogs may be trained on bobcat from the day following the close of the bobcat seasons through the day preceding the opening of the general bobcat seasons, except for closures and restrictions described in subsections 265(a) and (b).

4. Other Mammals. Except for closures and prohibitions described in this section 265 and sections 3960 and 4800 of the Fish and Game Code, dogs may be trained on mammals other than gray fox, raccoon and bobcat at any time.

(c) Restrictions on the Number of Dogs per Hunter.

(1) One Dog per Hunter Limitation During Deer Season. No more than one dog per hunter may be used in the area where the general deer season is open.

(2) Three Dogs per Hunter Limitation for the Take of Wild Pigs. Up to three dogs per hunter may be used for the purpose of taking wild pigs, pursuant to the following provisions:

(A) No more than one dog per hunter may be used in an area where the general deer season is open.

(B) No dogs may be used within the closures described in subsection 265(a).

(C) After the general deer season (as described in subsections 360(a) and (b)) closes, there is no limit on the number of dogs that may be used during the general bear season.

(d) Prohibition on Treeing Switches and Use of Global Positioning System Equipment.

(1) Treeing Switches. Effective July 1, 1995, electronic dog retrieval collars containing functioning

treeing switches (devices consisting of a mercury switch mechanism that results in a change in the transmitted signals when the dog raises its head to a treed animal) are prohibited on dogs used for the pursuit/take of mammals.

(2) Global Positioning System Equipment. Electronic dog retrieval collars employing the use of global positioning system equipment (devices that utilize

satellite transmissions) are prohibited on dogs used for the pursuit/take of mammals.

**NOTE**

Authority cited: Sections 200, 202, and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207 and 4756, Fish and Game Code.

**CHAPTER 2  
RESIDENT SMALL GAME**

(2.) 311. Methods Authorized for Taking Resident Small Game

**P** Existing regulations allow the taking of rabbits and squirrels with rifles including air rifles with a minimum caliber of 0.20. Upon review of current air arm literature, this regulation is overly restrictive, because the 0.177 caliber air rifle provides sufficient power (muzzle velocity and pellet weight) to efficiently take small game (rabbits, hares, and tree squirrels). The proposed regulation eliminates the minimum pellet caliber. The smallest caliber pellet commercially available is 0.177 and is the industry standard. Steel BBs, however, would not be allowed for use with air rifles to take small game.

Section 311, Title 14, CCR, is amended to read:

**311. Methods Authorized for Taking Resident Small Game.**

Only the following may be used to take resident small game:

(a) Shotguns 10 gauge or smaller using shot shells only and incapable of holding more than three shells in the magazine and chamber combined. If a plug is used to reduce the capacity of a magazine to fulfill the requirements of this section, the plug must be of one piece construction incapable of removal without disassembling the gun;

(b) Shotgun shells may not be used or possessed that contain shot size larger than No. BB, except that shot size larger than No. 2 may not be used or possessed when taking wild turkey. All shot shall be loose in the shell.

(c) Muzzle-loading shotguns;

(d) Falconry;

(e) Bow and arrow (see Section 354 for archery equipment regulations);

(f) Rifles (including air rifles, ~~20-caliber minimum~~ firing pellets, excluding BB's, powered by compressed air or gas) and pistols for taking rabbits and squirrels, except in Los Angeles County, in addition to the methods listed in (a), (b), (c), (d) and (e) above;

(g) In San Diego County only, rabbits may be taken at any time during the open season by means of box

traps. Such traps shall not exceed 24 inches in any dimension, shall be tended at least once every 24 hours, and shall show the name and address of the trap owner. All rabbits taken under this section shall be immediately killed and become a part of the daily bag limit;

(h) Electronic or mechanically-operated calling or sound-reproducing devices are prohibited when attempting to take resident game birds;

(i) Coursing dogs may be used to take rabbits;

(j) Archers hunting during any archery season may not possess a firearm while in the field engaged in archery hunting during an archery season;

(k) The use of live decoys is prohibited when attempting to take resident game birds;

(l) Pistols and revolvers may be used to take blue and ruffed grouse in those counties only and for the season described in Section 304 (a)(1).

(m) Crossbows, except for provisions of Section 354(d) and (g).

(n) Dogs may be used to take and retrieve resident small game.

**NOTE**

Authority cited: Sections 200, 202 and 203, Fish and Game Code. Reference: Sections 200 and 203, Fish and Game Code.

**CHAPTER 3.  
BIG GAME**

**(3.) 353. Methods Authorized for Taking Big Game**

**P** Existing regulations preclude the use of muzzleloading rifles and pistols for taking elk and bighorn sheep. The proposal removes this unnecessary restriction by allowing muzzleloading rifles and pistols for hunting elk and bighorn sheep.

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 ~~(g)(f)~~, 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.

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

~~(e) Elk may only be taken pursuant to provisions of sections 364 and 364.5, Title 14, CCR.~~

~~(f) Nelson bighorn sheep may only be taken pursuant to Section 362, Title 14, CCR.~~

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

**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.

**(4.) 360(a). Deer: A, B, C, and D Zone Hunts**

**D** Existing regulations provide for deer hunting in zones D-11, D-13, and D-15, and hunters with one of those zone tags must hunt within that zone. The existing seasons for zones D-11 and D-13 open on the second Saturday in October and extend for 30 consecutive days, and the season for Zone D-15 opens on the fourth Saturday in October and extends for 30 consecutive days. The proposed change would allow a hunter with either a zone D-11, D-13, or D-15 tag to hunt any or all of those zones during a 30-day season beginning on the second Saturday in October.

Existing regulations provide for a 44-day season in zones B-1, B-2, B-3, B-5, and B-6. The proposed change would reduce the season by seven days, opening on the third Saturday in September extending for 37 consecutive days.

Existing regulations provide for a 37-day season in Zone C-1. The proposal would shorten the season by seven days, opening on the third Saturday in September and extending for 30 consecutive days.

The proposal includes minor editorial changes to the boundary descriptions of zones D-5 and D-16. The proposed change adds portions of Placer and Riverside counties to Zones D-5 and D-16, respectively.

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

Existing regulations provide for the number of license tags available for the A, B, C, and D zones. The proposal changes the number of tags for all existing zones to a series of ranges. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

Zone	Number of Tags	
	Current	Proposed
A	65,000	30,000-65,000
B	55,500	35,000-65,000
C	12,000	8,000-20,000
D-3	10,400	6,000-13,000
D-4	3,400	1,500-4,500
D-5	19,500	10,000-22,000
D-6	10,000	6,000-16,000
D-7	9,000	4,000-10,000
D-8	10,000	5,000-10,000
D-9	2,000	1,000-2,500
D-10	700	400-800
D-11	5,500	2,500-6,000
D-12	1,100	500-1,500
D-13	4,000	2,000-4,000
D-14	3,000	2,000-3,500
D-15	1,500	500-1,500
D-16	3,000	1,000-3,500
D-17	500	200-800
D-19	1,500	800-1,500

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

**360. Deer.**

Except as otherwise provided in this Title 14, deer may be taken only as follows:

(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;

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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.

(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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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 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 4437 consecutive days.

**2. Zone B-2.**

The season in Zone B-2 shall open on the third Saturday in September and extend for 4437 consecutive days.

**3. Zone B-3.**

The season in Zone B-3 shall open on the third Saturday in September and extend for 4437 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 4437 consecutive days.

**6. Zone B-6.**

The season in Zone B-6 shall open on the third Saturday in September and extend for 4437 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~~35,000-65,000. 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.).

**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

***Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations***

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 ~~37~~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: ~~12,000~~8,000-20,000. Zone C tags are valid in Zones C-1, C-2, C-3, and C-4.

**(4) 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 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~~6,000-13,000.

**(5) 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~~1,500-4,500.

**(6) Zone D-5.**

(A) Area: In the counties of Amador and Calaveras and those portions of Alpine, El Dorado, Placer,

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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.

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

(D) Number of Tags: ~~49,500~~10,000-22,000.

(7) 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: ~~40,000~~6,000-16,000.

(8) Zone D-7.

(A) Area: In those portions of Fresno, Madera, Mariposa and Tulare counties within a line beginning at the intersection of Highway 99 and the Madera-Merced county line; northeast along the Madera-Merced and Madera-Mariposa county lines to Highway 41 south of Westfall Station; north along Highway 41 to Yosemite National Park boundary; east along the park boundary to the Mono-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.

(9) 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.

***Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations***

(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: ~~40,000~~5,000-10,000.

(10) 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.

(11) 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.

(12) 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 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 subsection 360(a)(14)(A)(B)(C) and 360(a)(16)(A)(B)(C).

(13) 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-Amboy 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: ~~4,400~~500-1,500.

(14) 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)(12)(A)(B)(C) and 360(a)(16)(A)(B)(C).

(15) 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.

(16) Zone D-15.

(A) Area: Santa Catalina Island and 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 ~~first~~second Saturday in ~~September~~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)(12)(A)(B)(C) and 360(a)(14)(A)(B)(C).

(17) Zone D-16.

(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.

(18) 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~~200-800.

(19) 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~~800-1,500.

(Authority and Reference same as shown for 360(c).)

(5.) 360(b). Deer: X Zone Hunts

**D** Existing regulations provide for deer hunting in zones X-4 and X-5c. The proposed change combines the two zones into a single zone (X-4).

Existing regulations provide for hunting in Zone X-5c. In order to facilitate the proposal to combine zones, the proposed change deletes Zone X-5c from the regulations.

Existing regulations provide for the number of tags for the X zones. The proposal changes the number of tags for all zones to a series of ranges as follows:

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

Zone	Number of Tags	
	Current	Proposed
X-1	3,000	1,000-7,000
X-2	80	50-500
X-3a	450	200-1,500
X-3b	1,215	500-4000
X-4	500	100-2,000
X-5a	173	50-300
X-5b	525	50-700
X-6a	550	200-1,200
X-6b	370	200-1,200
X-7a	370	100-600
X-7b	80	25-100
X-8	440	100-750
X-9a	740	300-1,000
X-9b	300	100-600
X-9c	850	300-1,000
X-10(1)	400	200-600
X-10(2)	300	100-500
X-12	580	200-1,500

These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

Section 360(b), 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 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: ~~3,000~~ 1,000-7,000.

(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; 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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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: ~~8050~~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: ~~450200~~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: ~~4,215500~~4,000.

(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 ~~Western Pacific~~Burlington Northern Railroad; southwest on the ~~Western Pacific~~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; ~~west~~east on Cleghorn Road to the ~~Dow Butte Road (Lassen County 519); south on the Dow Butte Road to the Champs Flat Road (Lassen County 105); southwest on the Champs Flat Road to Highway 44;~~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: ~~500100~~2,000.

(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 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: ~~17350~~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: ~~52550~~700.

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

~~(8)~~ Zone X-5c.

~~(A) In that portion of Lassen County within a line beginning at the junction of Highways 139 and 36 in Susanville; northwest on Highway 36 to Highway 44; northwest on Highway 44 to the Champs Flat Road (Lassen County 105); northeast on the Champs Flat Road to the Dow Butte Road (Lassen County 519); north on the Dow Butte Road to the Cleghorn Road (Lassen County 524); east on the 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 point of beginning.~~

~~(B) Season: The season in Zone X-5c 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: 350.~~

~~(9)~~(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 Floumoy 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: 550200-1,200.

~~(+0)~~(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 Floumoy 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: ~~370~~200-1,200.

~~(+4)~~(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 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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

consecutive days.

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

(D) Number of Tags: ~~370~~100-600.

~~(12)~~(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: ~~8025~~100.

~~(13)~~(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: ~~440~~100-750.

~~(14)~~(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 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: ~~740~~300-1,000.

~~(15)~~(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.

~~(16)~~(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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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~~300-1,000.

~~(17)~~(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~~200-600 tags) or Period Two (~~300~~100-500 tags) (See subsection 360(b)(17)(B)1. and 2.) when applying for this hunt.

~~(18)~~(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 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: ~~500~~200-1,500.

(Authority and Reference same as shown for 360(c).)

(6.) 360(c). Deer: Additional Hunts

**D** Existing regulations provide for deer hunting in Hunt G-1, beginning on the third Saturday in October extending for 16 consecutive days. The originally proposed change would shorten the season by seven days to begin on the third Saturday in October for nine consecutive days. As a result of public testimony received at the March 6, 1998, Fish and Game Commission meeting, a modified proposal was developed to consider two additional options to the originally proposed regulation change for Hunt G-1 as follows:

Option 1: no change to the G-1 season which would begin on the third Saturday in October and extend for 16 consecutive days.

Option 2: provide a nine-day season which would begin on the fourth Saturday in October and extend for nine consecutive days.

Existing regulations provide for deer hunting in Hunt G-8, beginning on the last Saturday in September on Saturdays, Sundays, and federal holidays for four consecutive weekends. The proposed change shifts the season to the third Saturday in October for four consecutive weekends to accommodate the new junior deer hunt proposed on Fort Hunter Liggett (J-10).

Existing regulations provide for deer hunting in Hunt J-8, beginning on the third Saturday in December and extending for 16 days. The proposed change adds seven days to the season beginning on the third Saturday in December extending for 23 consecutive days.

Existing regulations provide for deer hunting in hunts G-2, G-4, G-5, G-23, and M-2. The proposal

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

deletes these hunts because of declining deer and buck numbers in the zones they occur.

Existing regulations provide for hunting in Hunt M-1. The proposal deletes the hunt to accommodate the proposal to establish a muzzleloading/archery hunt (MA-3) in the same area.

Existing regulations provide for hunting in Hunt M-7 in those portions of the Los Padres National Forest lying within Ventura County. The proposed change expands the hunt area to all of Ventura County to provide additional hunter opportunity.

Existing regulations provide for deer hunting in Hunt J-7 with a special condition that all junior hunters must attend a mandatory orientation meeting the day prior to the hunt. The proposed change deletes the requirement that junior hunters must attend a pre-hunt meeting.

Existing regulations provide for hunting in Hunt G-7 with special conditions restricting methods of take to shotguns or muzzleloading rifles. The proposed change permits the use of crossbows and archery equipment as a legal method of take.

Existing regulations provide additional hunting opportunities. The originally proposed change would add new additional muzzleloader/archery and junior hunting opportunities in hunts MA-2, MA-3, J-9, J-10, and J-11. The modified proposal would delete Hunt MA-2.

Existing regulations provide for the number of tags for the additional hunts. The proposal changes the number of tags for all hunts to a series of ranges as indicated in the following table:

NUMBER OF TAGS					
Hunt	Current	Proposed	Hunt	Current	Proposed
G-1	4,000	500-5,000	M-6	25	10-100
G-3	25	25-50	M-7	150	50-300
G-6	50	25-75	M-8	25	20-75
G-7	20 Military *	20 Military *	M-9	20	20-100
G-8	50 Military * 50 Public	50 Military * 50 Public	M-11	125	20-50
G-9	15 Military * 15 Public	15 Military * 15 Public	MA-1	150	50-300
G-10	400 Military * 80 Public	400 Military * 80 Public	MA-3	—	50-200
G-11	200 Military *	200 Military *	J-1	25	15-30
G-12	30	15-30	J-3	20	15-30
G-13	250	15-300	J-4	25	15-50
G-19	25	10-30	J-7	20	10-40
G-21	50	25-100	J-8	12	5-20
G-26	25	15-75	J-9	—	5-20
G-37	25	25-100	J-10	—	20-80 (50% Military *)
M-3	50	15-50	J-11	—	20-100

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

M-4	25	15-50	J-12	—	5-50
M-5	25	15-50			

\* Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.

These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse affect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

As a result of public recommendation received by the Commission as of February 6, 1998, a modified proposal was developed to establish a new deer hunting opportunity for junior hunters in a designated area of Inyo County. It is proposed that a new Hunt J-12, Round Valley Junior Buck Hunt, be adopted with a season to begin on the first Saturday in December to extend for 16 consecutive days with a range of permits of 5-50.

Section 360(c) and (d), 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 third Saturday in October and extend for 169 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.

Option 1

(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 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: 500-5,000.

Option 2

(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: 500-5,000.

(2) G-2 (Shasta-Trinity Buck Hunt).

(A) Area: In those portions of Shasta and Trinity

counties beginning at the junction of Highways 3 and 299 in Weaverville; north on Highway 3 to the 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 from Shasta Dam along the Sacramento River to Keswick Dam Road; west on Keswick Dam Road to Rock Creek Road; south on Rock Creek Road to Highway 299; west on Highway 299 to the point of beginning.

(B) Season: The season for additional hunt G-2 (Shasta-Trinity Buck Hunt) shall open on the fourth Saturday in November 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: 25.

(3)(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.

(4) G-4 (Shasta Lake Buck Hunt).

(A) Area: In those portions of Shasta and Siskiyou counties within a line beginning at the junction of Interstate 5 and Highway 89 south of the town of Mt.

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

~~Shasta; east on Highway 89 to the intersection of McCloud Reservoir Road at the town of McCloud; south on the McCloud Reservoir Road along the west side of McCloud Reservoir to McCloud Dam; south and east on the McCloud Reservoir Iron Canyon Reservoir Road to Iron Canyon Reservoir; south and east on the Iron Canyon Reservoir Big Bend Road to the town of Big Bend at the Pit River; west and south on the Pit River to Shasta Lake at Interstate 5; north on Interstate 5 to the junction with Highway 89 at the point of beginning:~~

~~(B) Season: The season for additional hunt G-4 (Shasta Lake Buck Hunt) shall open the first 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: 100:~~

~~(5) G-5 (Tehama Wildlife Area Buck Hunt):~~

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

~~(B) Season: The season for additional hunt G-5 (Tehama Wildlife Area Buck Hunt) shall open on the second Saturday of November 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: 15:~~

~~(6)(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: ~~50~~25-75.

~~(7)(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 equipment as specified in Section sections 353 and 354 may be used.

~~(8)(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 between the ~~last third~~ Saturday in ~~September~~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: 100 (50 military and 50 general public).

~~(9)(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).

~~(10)(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 consecutive days.

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

(D) Number of Tags: 480 (400 military and 80 general public).

(E) Special Conditions: Only archery equipment is permitted during the first 35 days of the season; firearm

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

hunting is allowed on weekends only; and passage of a safety test, a permit fee, and method of take registration with the Base are required.

~~(11)~~(8) G-11 (Vandenberg Antlerless 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 Deer Hunt) shall open on the last Monday in August and extend for 28 consecutive days.

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

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

~~(12)~~(9) 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~~15-30.

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

~~(13)~~(10) 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.

(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: ~~250~~15-300.

~~(14)~~(11) 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 Tisdale Bypass portion of the Sutter Bypass Wildlife Area, and (3) the Butte Slough Wildlife Area (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: ~~25~~10-30.

(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.

~~(15)~~(12) 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: ~~50~~25-100.

~~(16)~~ G-23 (Almanor Antlerless Deer Hunt):

(A) Area: ~~In that portion of hunt Zone G-4 in Plumas County lying within a line beginning at the junction of State Route 70 and the Plumas-Butte County line; north on the Plumas-Butte County line to the Plumas-Tehama County line; north on the Plumas-Tehama County line to the south boundary of Lassen Volcanic National Park; east and north on the south boundary of Lassen Volcanic National Park to the Plumas-Lassen County line; east and south on the Plumas-Lassen County line to State Route 36; east on State Route 36 to State Route 147; south on State Route 147 to State Route 89 at Canyon Dam; south on State Route 89 to State Route 70 at the Greenville "Y"; west on State Route 70 to the point of beginning.~~

~~(B) Season: The season for additional hunt G-23 (Almanor Antlerless Deer Hunt) shall open on the third Saturday in September and extend for two consecutive days.~~

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

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

~~(17)~~(13) G-26 (East Tehama Either-Sex Deer Hunt).

(A) Area: That portion of Butte county within the area described as Zone C-4 (see subsection 360(a)(3)(A)4.).

(B) Season: The season for additional hunt G-26 (East Tehama Either-Sex Deer Hunt) shall open on the third Wednesday of October and extend for 12 consecutive days.

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

(D) Number of Tags: ~~25~~15-75.

~~(18)~~(14) 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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

(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: ~~2525-100~~.

~~(19) M-1 (Santa Barbara Muzzleloading Rifle Buck Hunt):~~

~~(A) Area: In those portions of the Los Padres National Forest lying within Santa Barbara County:~~

~~(B) Season: The season for additional hunt M-1 (Santa Barbara Muzzleloading Rifle 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: 150.~~

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

~~(20) M-2 (Horseshoe Ranch Muzzleloading Rifle Buck Hunt):~~

~~(A) Area: That portion of Siskiyou County within the exterior boundaries of the Horseshoe Ranch Wildlife Area:~~

~~(B) Season: The hunt periods for additional hunt M-2 (Horseshoe Ranch Muzzleloading Rifle Buck Hunt) are: Period 1 shall open on the third Saturday in November and extends for 9 consecutive days; and Period 2 shall open on the first Saturday in December and extends 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: Period 1: 25.~~

~~Period 2: 25.~~

~~Total: 50.~~

~~(E) Special Conditions:~~

~~1. Only muzzleloading rifles as specified in Section 353 may be used.~~

~~2. Permits will be valid only for the period specified on the tag.~~

~~3. The use of dogs is prohibited.~~

~~4. Only persons possessing a valid M-2 tag may possess a firearm on the wildlife area during the hunt periods.~~

~~(21)(15) 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)(49)(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: 5015-50.~~

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

~~(22)(16) 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 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: ~~2515-50~~.

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

~~(23)(17) 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: ~~2515-50~~.

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

~~(24)(18) 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.

(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: ~~2510-100~~.

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

~~(25)(19) M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt).~~

~~(A) Area: In those portions of the Los Padres National Forest lying within 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: 45050-300.~~

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

~~(26)(20) 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)(98)(A)).

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

(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.

~~(27)~~(21) 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: ~~2020-100~~.

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

~~(28)~~(22) 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: ~~42520-50~~.

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

~~(29)~~(23) 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: ~~45050-300~~.

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

~~(24) MA-2 (Monterey-Los Padres Muzzleloading Rifle/Archery Buck Hunt):~~

~~(A) Area: Those portions of Monterey County lying within the Los Padres National Forest.~~

~~(B) Season: The season for additional hunt MA-2 (Monterey-Los Padres Muzzleloading Rifle/Archery Buck Hunt) shall open on the second 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: 25-75.~~

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

~~(2524) 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: 50-200.~~

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

~~(30)~~(2625) 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: ~~2515-30~~.

(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.

4. The use of dogs is prohibited.

5. Boats are required for all areas west of Cherry

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

Creek (2/3 of the hunt area). Only cartop boats are allowed to launch from the Yorty Creek access.

~~(34)(2725)~~ 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: 2015-30.

(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.

~~(32)(2521)~~ 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 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: 2515-50.

(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.

~~(33)(2926)~~ 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)~~(4312)~~(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: 2010-40.

(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.~~

~~(34)(3029)~~ 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 1623 consecutive days.

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

(D) Number of Tags: 425-20.

(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.

~~(3330)~~ J-9 (Little Dry Creek Junior 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 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: 5-20.

(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.

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

(3231) J-10 (Fort Hunter Liggett Junior Either-Sex Deer Hunt).

(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 open on Saturdays and Sundays only beginning the first Saturday in October and extend for two consecutive weekends.

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

(D) Number of Tags: 20-80 (one-half military and one-half 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.

(332) 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)(15)(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: 20-100.

(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.

(33) 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 and Inyo-Madera county lines to the junction of the Inyo-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: 5-50.

(35)(34) 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.

(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.

(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 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).

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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.

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.

NOTE

(7.) 361. Archery Deer Hunting

**D** Current regulations provide for the number of hunting tags for the existing area-specific archery hunts. The proposal changes the number of tags for the listed hunts to a series of ranges as follows:

Area	Number of Tags	
	Current	Proposed
C-1 Archery (A-1)	500	25-1,000
C-4 Archery (A-2)	4,000	100-5,000
X-1 Archery (A-3)	1,000	100-2,000
X-2 Archery (A-4)	20	25-200
X-3a Archery (A-5)	50	50-300
X-3b Archery (A-6)	295	50-400
X-4 Archery (A-7)	300	50-400
X-5a Archery (A-8)	20	15-100
X-5b Archery (A-9)	20	15-100
X-6a Archery (A-11)	190	50-300
X-6b Archery (A-12)	190	25-200
X-7a Archery (A-13)	50	25-200
X-7b Archery (A-14)	20	15-100
X-8 Archery (A-15)	140	50-300
X-9a Archery (A-16)	290	50-750
X-9b Archery (A-17)	300	50-600
X-9c Archery (A-18)	500	50-750
X-10 Archery (A-19)	60	25-150
X-12 Archery (A-20)	120	50-750
Anderson Flat Archery Buck Hunt (A-21)	25	25-100
San Diego Archery Either-Sex Deer Hunt (A-22)	1,000	100-1,000
Los Angeles Archery Antlerless Deer Hunt (A-23)	2,000	100-2,000
Lake Sonoma Archery Either-Sex Deer Hunt (A-25)	25	20-75
Bass Hill Archery Buck Hunt (A-26)	40	25-75
Devil's Garden Archery Buck Hunt (A-27)	20	20-75

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

Covelo Archery Buck Hunt (A-30)	25	20-50
Los Angeles Archery Either-Sex Deer Hunt (A-31)	New Hunt	50-1,000
<b>Monterey Archery Either-Sex Deer Hunt (A-24)</b>	<b>New Hunt</b>	<b>100-750</b>

These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and overwinter adult survival, final tag quotas may fall below the proposed range.

Existing regulations provide unique archery seasons for zones D-11, D-13, and D-15. The proposed change would open all these zones on the first Saturday in September for 23 consecutive days and establish special conditions to allow archery hunters to hunt any or all of the zones.

Existing regulations provide seasons for Hunts A-2, A-15, and A-30. The proposed change modifies the season for:

- A-2 - to open on the last Saturday in August for 16 consecutive days
- A-15 - to open on the third Saturday in August for 23 consecutive days
- A-30 - to open on the second Saturday in November for 16 consecutive days

Existing regulations provide for the Hunt A-10 (X-5c Archery Hunt). The proposed change deletes Hunt A-10 to accommodate the combining of Zone X-5c into Zone X-4.

Existing regulations do not provide for archery hunting of either-sex deer in Los Angeles County. The proposal establishes a new Hunt A-31 to take either-sex deer in Los Angeles County beginning on the fourth Saturday in September extending through January 31.

The proposal includes minor editorial changes to improve the clarity and consistency of the regulations.

As a result of a public recommendation received from the Monterey County Board of Supervisors as of February 6, 1998, the Fish and Game Commission accepted a modified proposal to provide an additional either-sex archery deer hunt, Hunt A-24, Monterey Archery Either-Sex Deer Hunt to begin on the second Saturday in October and extend for thirty consecutive days. The intent is to replace the existing Hunt MA-2, Monterey Muzzleloader/ Archery Buck Hunt with the new Hunt A-24 in the same hunt zone of Monterey County. The existing Hunt MA-2 would be deleted under the modified proposal.

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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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 and ~~D-13~~.

1. Area: As described in subsection 360(a)(4)(A) through (11)(A), and ~~(14)(A)~~, respectively.

2. Season: The archery season in zones D-3 through D-10 and ~~D-13~~ 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.

(B) Zones D-11, ~~D-14, D-16, D-17 and D-19~~, D-13 and D-15.

1. Area: As described in subsection 360(a)(12)(A), ~~(15)(A), (17)(A), (18)(A) and (19)(A)~~, (14)(A) and (16)(A), respectively.

2. Season: The archery season in zones D-11, ~~D-14, D-16, D-17 and D-19~~, 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)(13)(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) ~~Zone D-15~~, Zones D-14, D-16, D-17 and D-19.

1. Area: As described in subsection 360(a) ~~(16)(A), (15)(A), (17)(A), (18)(A) and (19)(A)~~, respectively.

2. Season: The archery season in ~~Zone D-15~~ zones D-14, D-16, D-17 and D-19 shall open on the first Saturday in ~~August~~ 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~~ 25-1,000.

(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 ~~third~~ 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: ~~4,000~~ 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 16 consecutive days.

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

(D) Number of Tags: ~~1,000~~ 100-2,000.

(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: ~~20~~ 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: ~~50~~ 50-300.

(6) Zone X-3b Archery (Hunt Number A-6)

(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: ~~29~~ 50-400.

(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: ~~300~~ 50-400.

(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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

horn (see subsection 351(a)) or better per tag.

(D) Number of Tags: ~~2015-100~~.

(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: ~~2015-100~~.

~~(10) Zone X-5c Archery (Hunt Number A-10)~~

~~(A) Area: As described in subsection 360(b)(9)(A).~~

~~(B) Season: The archery season for Zone X-5c 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: 50.~~

~~(11)(10) Zone X-6a Archery (Hunt Number A-11)~~

(A) Area: As described in subsection 360(b)(98)(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: ~~40050-300~~.

~~(12)(11) Zone X-6b Archery (Hunt Number A-12)~~

(A) Area: As described in subsection 360(b)(109)(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: ~~40025-200~~.

~~(13)(12) Zone X-7a Archery (Hunt Number A-13)~~

(A) Area: As described in subsection 360(b)(110)(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: ~~5025-200~~.

~~(14)(13) Zone X-7b Archery (Hunt Number A-14)~~

(A) Area: As described in subsection 360(b)(121)(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: ~~2015-100~~.

~~(15)(14) Zone X-8 Archery (Hunt Number A-15)~~

(A) Area: As described in subsection 360(b)(131)(A).

(B) Season: The archery season for Zone X-8 shall open on the ~~second~~ 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: ~~44050-300~~.

~~(16)(15) Zone X-9a Archery (Hunt Number A-16)~~

(A) Area: As described in subsection 360(b)(141)(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: ~~29050-750~~.

~~(17)(16) Zone X-9b Archery (Hunt Number A-17)~~

(A) Area: As described in subsection 360(b)(151)(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: ~~30050-600~~.

~~(18)(17) Zone X-9c Archery (Hunt Number A-18)~~

(A) Area: As described in subsection 360(b)(161)(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: ~~50050-750~~.

~~(19)(18) Zone X-10 Archery (Hunt Number A-19)~~

(A) Area: As described in subsection 360(b)(171)(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: ~~6025-150~~.

~~(20)(19) Zone X-12 Archery (Hunt Number A-20)~~

(A) Area: As described in subsection 360(b)(181)(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: ~~42050-750~~.

~~(21)(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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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: ~~2525~~-100.

~~(22)~~(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.

(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: ~~4,000~~100-1,000.

~~(23)~~(22) Los Angeles Archery Antlerless Deer Hunt(Hunt Number A-23).

(A) Area: That portion of Los Angeles County, including Santa Catalina Island, ~~south of the boundary described as follows: Beginning at the Los Angeles-Ventura county line at the Pacific Ocean; following said county line north and east to Highway 118; east along Highway 118 to Interstate 5; northwest along Interstate 5 to Highway 138; east and south on Highway 138 to the Los Angeles-San Bernardino county line; south and west along said county line to the Los Angeles-Orange county line; west and south along the Los Angeles-Orange county line to the Pacific Ocean; west and north along the Pacific coastline 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.~~

(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: ~~2,000~~100-2,000.

~~(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: 100-750.~~

~~(24)~~(2324) 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)~~(2425) 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)(98)(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: ~~4025~~-75.

~~(26)~~(2526) 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.

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

(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)(2627)~~ 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 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 ~~ninesixteen~~ sixteen consecutive days.

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

(D) Number of Tags: ~~25~~20-50.

~~(2728)~~ 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.

(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: 50-1,000.

(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.

(8.) 362. Nelson Bighorn Sheep

**D** Existing regulations provide for limited hunting of Nelson bighorn rams in six hunt zones. The proposed change is intended to adjust the number of tags based on annual bighorn sheep population surveys conducted by the Department. The following proposed number of tags was determined using the procedure described in Fish and Game Code Section 4902:

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

HUNT ZONE	NUMBER OF TAGS
Zone 1 - Marble Mountains	2
Zone 2 - Kelso Peak/Old Dad Mountains	2
Zone 3 - Clark/Kingston Mountain Ranges	3
Zone 4 - Orocopia Mountains	1
Zone 5 - San Gorgonio Wilderness	1
Open Zone Fund-Raising Tag	1
<b>TOTAL</b>	<b>10</b>

Existing regulations provide that bighorn rams may only be taken with centerfire rifles and specified archery equipment. Based on public recommendations and evaluation of experience in other states, the proposed change would add centerfire pistols, with barrel lengths of at least four inches, and muzzleloading rifles as defined in Section 353 for the take of bighorn rams.

Existing regulations require a \$6.00 nonrefundable application fee and a \$237.50 resident license tag fee for hunting Nelson bighorn sheep. The proposed change increases the application fee to \$6.25 and the resident license tag fee to \$242.75, to reflect the cost of living increase as specified in Section 713 of the Fish and Game Code.

Existing regulations provide for one bighorn ram license tag to be allocated in the East Chocolate Mountains. The proposed change would eliminate this hunt zone and tag. This change is necessary due to the population decline that has resulted from drought conditions and habitat degradation by feral burros.

The proposed change makes minor editorial changes to clarify the age and hunting license requirements for bighorn sheep applicants. The proposal also allows for fees to be paid by a number of methods, including credit cards, to provide better customer service. The proposed changes to regulations also contain minor editorial changes, which are necessary to describe and identify the seasons, zones, and contact telephone numbers.

Section 362, Title 14, CCR, is amended to read:

**362. Nelson Bighorn Sheep.**

(a) Areas:

(1) Zone 1--Marble 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; west 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 Razor Road; northwest on Razor 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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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--East Chocolate Mountains: that portion of Imperial County beginning at the intersection of Interstate Highway 8 and County Highway 634; north on County Highway 634 to the junction with California State Highway 78; northeast on California State Highway 78 to intersection with Walter's Camp Road; east on Walter's Camp Road to Colorado River; south on Colorado River to the start of the All American Canal; southwest on All American Canal to junction with Interstate Highway 8; west on Interstate 8 to junction with County Highway 634.~~

(5)(4) Zone 54--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.

(6)(5) Zone 65--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.

(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 54: Beginning the first Saturday in November and extending through the first Sunday in February.

(B) Zone 65: 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 54: The first Saturday in December and extend through the first Sunday in February.

(B) Zone 65: 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

~~one~~three tags valid in Zone 3

~~one~~ tag valid in Zone 4

one tag valid in Zone 54

~~two~~one tags valid in Zone 65

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: Application ~~The application forms (1997 NELSON BIGHORN SHEEP 1998 BIG GAME DRAWING APPLICATION, LRB 1362), which are~~is incorporated by reference herein, shall be made available to the public

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

at license agents and regular offices of the department.

~~California residents must possess a current California resident hunting license, be over the age of 16 years and must not have been previously issued a bighorn license tag. Nonresidents must possess a current California nonresident hunting license, be over the age of 16 years.~~ 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 ~~mail~~ submit the application with a nonrefundable processing fee of ~~\$6.00~~ \$6.25 to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. Applications must be received before the close of the business day on the first Monday in June. 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 ~~send a \$237.50 for residents and \$500 for nonresidents cashier's check or money order~~ submit the appropriate tag fee, either \$242.75 for a resident or \$500.00 for a nonresident, along with their current hunting license number to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816. The ~~cashier's check or money order, along with the current hunting license number,~~ 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:

(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 rifles using centerfire cartridges with expanding or softnose bullets and bows and arrows as defined in Section 354, 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 (649760) 872-1171 or (649760) 240-1205 (for zones 1 through 3), (649760) 351-1676 (for zones 4 and 5), or (909) 866-1549 (for zone 65) 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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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.

(9.) 363. Pronghorn Antelope

**D** Existing regulations provide for the number of pronghorn antelope hunting tags for each hunt zone. The proposed change provides a range of tags for most zones as follows:

Proposed Pronghorn Antelope Tag Allocation, 1998						
NUMBER OF TAGS						
Hunt Area	Archery-Only Season		General Season			
	Buck	Doe	Period 1		Period 2	
			Buck	Doe	Buck	Doe
Zone 1	3	1	30	9	0	0
Zone 2	2	1	30	9	0	0
Zone 3	9	3	53	15	53	15
Zone 4	9	3	56	17	56	16
Zone 5	2	1	24	7	0	0
Zone 6	1	0	10	3	0	0
Carrizo	-	-	5	0	0	0
Ash Creek Junior Hunt	-		5 Either-Sex		0	
Honey Lake Junior Hunt	-		2 Either-Sex		0	
Fund-Raising Hunt	4 Buck					

Final tag quotas for hunt zones will be determined based on results of a winter survey which should be completed and analyzed by March of 1998. Final tag quotas will provide for adequate hunting opportunities while allowing for a biologically appropriate harvest of bucks and does in specific populations. The final quota for each zone will be reported in the Final Statement.

Existing regulations specify an application deadline for the 'U' portion of the Clear Lake National Wildlife Refuge. The proposed change establishes an earlier application deadline so that the Department has adequate time to notify successful applicants before the beginning of the Zone 2 general season.

Existing regulations specify general season hunting periods for all pronghorn antelope hunts. The proposed change will provide for additional hunting opportunities by specifying two optimal hunting periods for zones 3 and 4 in northeastern California. These periods will improve hunter opportunity by allowing more hunters to be in the field in zones 3 and 4 during a time (period) when hunting conditions are best. Hunting periods for all other pronghorn antelope hunting zones are not affected by the proposed change.

Existing regulations are confusing because pertinent details (i.e. area descriptions, season dates, and tag quotas) for each pronghorn antelope hunt are scattered throughout different

subsections of Section 363. The proposed change clarifies Section 363 by placing these details in a concise manner within the subsection for each specific pronghorn antelope hunt zone.

Existing regulations describe application requirements and procedures for issuing pronghorn antelope license tags. The proposed change clarifies and simplifies application requirements and more clearly describes the Department's procedures for issuing pronghorn antelope tags. The proposed change adjusts the nonrefundable application fee to \$6.25 and the tag fee to \$86.25 in accordance with Section 713 of the Fish and Game Code, which requires annual adjustment of such fees based on the cost of living index.

The original proposal provided a range of tags for many pronghorn antelope hunts. Based on results of the 1998 winter survey, final tag quota for each hunt is provided. The modified proposal involves issuing 454 pronghorn antelope tags as follows: 317 general season buck tags, 91 general season doe tags, 26 archery only buck tags, 9 archery only doe tags, 7 either-sex tags for junior hunters, and 4 fund-raising tags.

Section 363, Title 14, CCR, is amended to read:

**363. Pronghorn Antelope.**

(a) Hunt Areas:—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(f)(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) Zone 1--Mount Dome: 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 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: 10-6030 buck tags and nine doe tags.

(B) Archery Only Season: 1-103 buck tags and one doe tag.

(b) Zone 2--Clear Lake:

(2) 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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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: ~~20-8030~~ buck tags and nine doe tags.

(B) Archery Only Season: ~~1-102~~ buck tags and one doe tag.

(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.

(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:

(3) 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: ~~25-15053~~ buck tags and 15 doe tags. Period Two: ~~25-13053~~ buck tags and 15 doe tags.

(B) Archery Only Season: ~~2-209~~ buck tags and three doe tags.

(d) Zone 4--Lassen:

(4) 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;

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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 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: ~~25-15056~~ buck tags and 17 doe tags. Period Two: ~~25-15056~~ buck tags and 16 doe tags.**

**(B) Archery Only Season: ~~2-209~~ buck tags and three doe tags.**

**(e) Zone 5--Big Valley:**

**(5) 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: ~~10-15024~~ buck tags and seven doe tags.**

**(B) Archery Only Season: ~~1-152~~ buck tags and one doe tag.**

**(f) Zone 6--Surprise Valley:**

**(6) 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: ~~5-2010~~ buck tags and three doe tags.**

**(B) Archery Only Season: ~~1-51~~ buck tags.**

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

(g) Carrizo Hunt:

~~(7) 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 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:

~~(8) 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: ~~4-105~~ 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:

~~(9) 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: ~~4-102~~ 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:

~~(10) 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)(4) through (6); 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 buck tags.

~~(b) Seasons:~~

~~(1) The archery-only pronghorn antelope season shall open 14 days prior to the general pronghorn antelope season and extend for nine consecutive days. An archery-only license tag will be valid in the hunt area specified on the tag, as allocated in subsection 363(d).~~

~~(2) The general pronghorn antelope season shall consist of two periods, and each period shall extend for nine consecutive days beginning as follows: Period 1 shall open on the next to the last Saturday in August, and Period 2 shall open on the last Saturday in September. A general season license tag will be valid in one hunt area and during one period, as specified on the license tag as allocated in subsection 363(d).~~

~~(3) The junior pronghorn antelope hunt season for the Ash Creek Junior Pronghorn Antelope Hunt and the Honey Lake Junior Pronghorn Antelope Hunt shall begin on the next to last Saturday in August and extend for four consecutive days.~~

~~(4) The fund-raising hunt season shall begin three weeks before the beginning of the general season and extend for 51 consecutive days. The fund-raising license tag will be valid in the fund-raising hunt area.~~

~~(c) Bag and Possession Limit: One pronghorn antelope in a license year.~~

~~(d) Number of License Tags: Not more than 493 tags shall be authorized as follows:~~

Hunt Area	NUMBER OF TAGS				
	Archery-Only Season	General Season		Other	
		Buck	Period 1	Period 2	Buck
Zone 1	4	45	0	-	-
Zone 2	5	50	0	-	-
Zone 3	13	145	0	-	-

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

Zone-4	14	150	0	-	-
Zone-5	3	35	0	-	-
Zone-6	4	42	0	-	-
Garrizo	0	0	5	-	-
Ash Creek Junior Hunt	-	-	-	0	5
Honey Lake Junior Hunt	-	-	-	0	2
Fund-Raising Hunt	-	-	-	4	0

NUMBER OF TAGS						
Hunt Area	Archery-Only Season		General Season			
			Period 1		Period 2	
	Buck	Doe	Buck	Doe	Buck	Doe
Zone	1	1	30	0	0	0
Zone 2	2	1	30	0	0	0
Zone 3	0	3	53	15	53	15
Zone 4	0	3	36	17	50	16
Zone 5	2	1	24	7	0	0
Zone 6	1	0	10	3	0	0
Garrizo	0	0	5	0	0	0
Ash Creek	0	0	1 Either Sex		0	
Honey Lake	0	0	2 Either Sex		0	
Fund-Raising			1 Buck			

**(e)(k) Distribution of License Tags:**

(1) The pronghorn antelope license tags shall be issued by drawing. Application forms (1997-RESIDENT ANTELOPE 1998 BIG GAME DRAWING APPLICATION, LRB 13631362, which is incorporated by reference herein) shall be made available to the public. 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 and mark for the same tag choice. The first person listed on the application will be designated as the party leader and the second person designated as the party member. Incomplete applications and applications submitted without the appropriate processing fee will not be included in the drawing.

(2) Applicants shall mail submit the application with a nonrefundable processing fee of ~~\$6.00~~ \$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 Monday in June. 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. ~~Additional names will be drawn for alternate lists for general, archery-only and junior hunts.~~ 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 send an ~~\$84.50~~ \$86.25 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. ~~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 alternate tag shall be awarded to the party leader as indicated on the application form. Undistributed tags will be issued~~

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

~~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.

~~(A)(1) 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) 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.~~

~~(3) Tagholders for the Carrizo Hunt Area shall attend a hunt orientation meeting before the opening of the season and period specified on the tag.~~

(4)(2) Pronghorn antelope license tags do not give the tagholders the right of entry onto privately-owned lands.

(5)(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.

(6)(4) Shooting time shall be from one-half hour before sunrise to one-half hour after sunset.

(7)(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, ~~to hunt pronghorn antelope.~~

(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.

~~(8)(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.~~

~~(9)(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.~~

~~(10)(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.~~

~~(11)(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.~~

(12)(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.

~~(13) 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~~

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

~~(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 post card with the applicant's tag number, name, address, city, zip code, area code and 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 Wednesday preceding the beginning of general season. 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.~~

~~(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.~~

~~(14)(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.~~

~~(15)(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.

(10.) 364. Elk.

**D** The existing regulation provides elk hunting opportunities in selected zones throughout the State with specific seasons, tag quotas, and special conditions. Elk numbers are increasing in the northwestern portions of the State. Elk numbers also are increasing within the Tinemaha area of the Owens Valley. Increased populations provide additional hunting opportunity.

This proposal will increase hunting opportunity in Humboldt and Del Norte counties by adding the Klamath Roosevelt Elk Hunt with 50 either-sex tags for a nine-day hunt beginning the first Saturday in September. The proposal also adds the Tinemaha Zone of the Owens Valley Tule Elk Hunt with six bull tags and ten antlerless tags. The tags are split equally for two nine-day hunt periods beginning the first Saturday in November and the fourth Saturday in November.

Existing regulations provide tag quotas for each elk hunt. The proposed change in some tag quotas will provide for adequate hunting opportunities while allowing for a biologically appropriate harvest of elk from specific populations. Specifically, the proposed change would increase the quota for the Marble Mountains Roosevelt Elk Hunt by five either-sex tags and reduce the quota for the Bishop and Lone Pine zones within the Owens Valley Tule Elk Hunt by three bull and four antlerless tags respectively.

Existing regulations specify the boundary for the Marble Mountains Roosevelt Elk Hunt. The proposed change expands the hunt area to provide additional hunting opportunities.

Existing regulations require an orientation for the Marble Mountains Roosevelt Elk Hunt. The proposed change will eliminate this requirement.

Existing regulations specify that only Department employees may validate elk tags. The proposed change will allow validation of elk tags by persons authorized to validate deer tags.

Existing regulations specify that Period One for the Fort Hunter Liggett Tule Elk Hunt begins on the Thursday prior to the second Saturday in November. The proposed change will specify Tuesday prior to the second Saturday in November as the beginning for the subject period. In addition, the existing regulation also specifies the season for Period Two of the Grizzly Island Hunt, which starts on the first Thursday in September. Based on calendar date changes, which result in the need to move this season into late August, the proposed change specifies a season opening date of the Thursday after the fourth Tuesday in August.

Existing regulations are unclear regarding submission of tag fees by persons selected as alternates for elk hunts. The proposed change will clarify application requirements and the procedures for issuing unclaimed tags to alternates.

Existing regulations specify a \$6.00 nonrefundable application fee and a \$252.25 elk license tag fee. The proposed change will increase these fees to \$6.25 and \$257.75, respectively.

Existing regulations restrict methods of take for elk to centerfire rifles and archery equipment only. The proposed change provides additional methods of take for elk hunting by allowing centerfire pistols with barrels at least four inches long and muzzleloading rifles as specified in Section 353.

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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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 Rellim 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 and continue for nine consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of License Tags: five bull tags and ten 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.

**(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 Cook-Green Pass Road (Forest Service Road 48N20); south on the Cook-Green Pass Road to Highway 96 near Seiad Valley; west and south along Highway 96 to the Salmon River Road (2B01) at Somes Bar; southeast along the Salmon River Road to the Forks of the Salmon; northeast along the Sawyer's Bar Road (1C01) to the intersection with Main Street in the City of Etna; northeast along Main Street to State Highway 3; north and east on State Highway 3 to Interstate Highway 5 in the city of Yreka; north on Interstate Highway 5 to the point of beginning.~~ 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: 2530 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.~~

**(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 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 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 in September and continue for nine consecutive days.

(3) Bag and Possession Limit: One elk per season.

(4) Number of License Tags: 50 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.

**(e)(f) 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

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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 Olancha; 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.

~~(D)~~(E) The Owens Valley fund-raising license tag shall be valid in any zone described in subsection 364(e)(A), (B), ~~and (C)~~ and (D).

(2) Seasons:

(A) For Period One, the season for the Bishop, Lone Pine, ~~and 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, ~~and Independence~~, and Tinemaha zones shall open on the fourth Saturday in November and extend for nine consecutive days.

(C) 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 - ~~two~~one bull tags. Lone Pine Zone - two bull tags and ~~six~~four antlerless tags. Independence Zone - one bull tag. Tinemaha Zone - three bull tags and five antlerless tags.

(B) Period Two: ~~Bishop Zone - two bull tags.~~ Lone Pine Zone - two bull tags and ~~six~~four antlerless tags. Tinemaha Zone - three bull tags and five antlerless tags.

(C) 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.

~~(f)~~(g) 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.

(3) Bag and Possession Limit: One elk per season.

(4) Number of Tags: 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.

~~(g)~~(h) 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 bulls and spike

***Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations***

bulls shall open on the third Tuesday in August and continue for four consecutive days, whereas the season for antlerless elk shall open on the Thursday after the third Tuesday in August and continue for four consecutive days.

(B) For Period Two, the season for bulls and spike bulls shall open on the fourth Tuesday in August and continue for four consecutive days, whereas the season for antlerless elk shall open on the ~~first Thursday in September~~ Thursday after the fourth Tuesday in August and continue for four consecutive days.

(C) For Period Three, the season for bulls and spike bulls shall open on the second Tuesday in September and continue for four consecutive days, whereas the season for antlerless elk shall open on the second Thursday in September and continue for four consecutive days.

(D) The season for the fund-raising hunt shall open on the second Saturday in August and continue for 30 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: two spike bull tags and three antlerless tags.

(B) Period Two: one bull tag, two spike bull tags, and three antlerless tags.

(C) Period Three: one bull tag, two spike bull tags, and three antlerless tags.

(D) 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.

~~(h)~~(i) 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 Saturday in October and extend for 16 consecutive days.

(B) For Period Two the season shall open on the

second Saturday in November and extend for 16 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.

~~(h)~~(j) 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.

(A) For Period One, the season shall open on the ~~Thursday~~ Tuesday before the second Saturday in November and continue for six 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.

(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 bull tags (three military and three 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.

~~(h)~~(k) Distribution of License Tags:

(1) Three fund-raising license tags for the taking of

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

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 (~~1997 RESIDENT ELK~~1998 BIG GAME DRAWING APPLICATION, LRB ~~43641362~~, which is incorporated by reference herein) shall be made available to the public at license agents and ~~regular offices of the 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 and mark for the same tag choice. ~~The first person listed on the application will be designated as the party leader and the second person designated as the party member.~~ 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 ~~mail~~submit the application with a nonrefundable ~~\$6.00~~\$6.25 processing fee 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 Monday in June. 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 ~~\$252.25~~\$257.75 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. ~~Should the quota for the hunt remain unfilled after that date, the alternate list shall be used. In the event only one elk tag is available to an alternate, party applications will be split and the alternate tag awarded to the party leader, as designated on the application. 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.~~

~~(k)~~(l) 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~~(k)~~(l)(1), or antlerless elk as, described in Section 364~~(k)~~(l)(3).

~~(j)~~(m) Method of Take: Only ~~rifles using centerfire cartridges with expanding or softnose bullets, and bows and arrows~~ methods for taking elk as defined in Section sections 353 and 354 may be used.

~~(m)~~(n) 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) Only department employees may validate elk tags. 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

***Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations***

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 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.

~~(n)~~(q) The use of dogs to take or attempt to take elk is prohibited.

~~(e)~~(p) 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.

~~(p)~~(q) Elk may be taken on Santa Rosa Island pursuant to a permit issued by the department. For methods of take, see subsection (l) 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.

(11.) 365. Bear,

**P** Existing regulations (sections 365(f) and 367(b)) establish a quota of 15,000 for the issuance of bear tags. The proposed change is intended to increase bear hunting opportunity by eliminating the unnecessary restriction on the number of bear tags. By eliminating the limit on the number of bear tags sold and continuing to close bear season when 1,500 bears are reported taken, bear hunting opportunity can be increased without increasing the take of black bears.

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

***Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations***

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 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 15,000 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.

**367. Bear License Tags**

**P** Existing regulations (sections 365(f) and 367(b)) establish a quota of 15,000 for the issuance of bear tags. The proposed change is intended to increase bear hunting opportunity by eliminating the unnecessary restriction on the number of bear tags. By eliminating the limit on the number of bear tags sold and continuing to close bear season when 1,500 bears are reported taken, bear hunting opportunity can be increased without increasing the take of black bears.

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 mail their bear tag application form (19978 BEAR TAG APPLICATION, LRB 1365, which is incorporated by reference herein) to the Department of Fish and Game, 3211 "S" Street, Sacramento, CA 95816.

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

~~Tags will be issued on a first-come, first-served basis up to a quota of 15,000.~~

(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

(12.) 370. Deer Tags

**D** Existing regulations provide that no person shall hunt deer without a valid tag in possession for a particular area. Section 371 provides that a person may not apply for more than two tags in a license year. However, these regulations do not clearly state that, except as otherwise provided in the Fish and Game Code, no person may take more than two deer in a license year. To avoid potential confusion, the proposed change would clarify the regulation to so state.

Section 370, Title 14, CCR, is amended to read:

370. Deer Tags.

No person shall hunt deer without a valid tag in possession for that particular area as defined in sections 360 and 361. Deer shall be tagged only with a valid tag for the area (as defined in sections 360 and 361) in which the deer is killed. Except as otherwise provided in the

Fish and Game Code, no person shall take more than two deer during any license year.

NOTE

Authority cited: Sections 200, 202 and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207 and 4336, Fish and Game Code.

(13.) 371. Procedures for Application for and Distribution of Deer Tags and Permits

**D** The existing regulation provides procedures to allow the public to apply for, and the Department to distribute, deer hunting tags for a variety of hunting zones and additional hunts. It specifies the forms on which to apply and contains restrictions on how and when to apply for tags, as well as fees for processing tag applications and exchanging tags. The proposed change would repeal the old regulation and add a new section to provide similar procedures in a simplified and more efficient manner.

Specifically, the new regulation wording would provide that tags for X zones and additional hunts would be distributed by random drawing to individuals applying to the Department by 5:00 p.m. on the first Monday in June and that the drawing would be conducted within ten days. It also provides that deer tags for A, B, C, and D zones and leftover X zone and additional hunts would be issued upon request until the quotas for each zone and hunt were reached. The proposal specifies that, if on a given day the number of applications received exceeds the number of tags available, the Department may conduct a drawing for that zone or hunt. It also notes that incomplete, incorrect, and ineligible applications will be rejected.

The proposed regulation would provide both resident and nonresident one-deer and second-deer tag application forms and incorporate those forms into the regulation. It would also require that applicants be at least 12 years old and possess a valid California hunting license for the season in which they are applying to hunt. The proposal would require that persons applying as a party complete their applications the same way and place all applications in the same envelope. It limits the party size to no more than six. The proposal provides that the Department shall charge a \$2.00 nonrefundable processing fee. It also specifies for which zones and hunts one-deer and second-deer tag applications may be used.

The proposal prohibits anyone from submitting more than one one-deer and one second-deer tag application during any license year. It also specifies that the Department shall charge a nonrefundable \$5.75 processing fee for exchanging a deer tag for a different zone or hunt.

Section 371, Title 14, CCR, is amended to read:

**371. Procedures for Application for and Distribution of Deer Tags and Permits:**

**(a) Application Procedures:**

(1) ~~With the exception of permits and deer tags issued pursuant to Sections 4181.5, 4188, and 4334 of the Fish and Game Code, all deer tag applications shall be submitted on forms (1997/98 CALIFORNIA RESIDENT ONE-DEER TAG APPLICATION, LRB 1371; 1997/98 CALIFORNIA RESIDENT SECOND-DEER TAG APPLICATION, LRB 1371a; 1997/98 CALIFORNIA NONRESIDENT ONE-DEER TAG APPLICATION, LRB 1371b; or 1997/98 CALIFORNIA NONRESIDENT SECOND-DEER TAG APPLICATION, LRB 1371c, (which are incorporated by reference herein) provided by the department.~~

(2) ~~Deer tags for X zones, area-specific archery tags, and additional hunt tags shall be distributed by a drawing unless otherwise authorized. Deer tags for A, B, C and D zones and leftover drawing tags shall be issued on a first-~~

~~come, first-served basis.~~

~~(3) Applicants shall possess a California hunting license valid during the deer hunting season for which they are applying and be at least 12 years of age. Applicants for the drawings shall mail their deer tag application to the Department of Fish and Game, 3211 G Street, Sacramento, California 95816. Applications must be received by the department by 5:00 p.m. on the first Monday in June. Incomplete applications will not be valid. Successful applicants will be selected by a 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. In addition to the tag fee, the department shall also charge a nonrefundable \$2 processing fee for each deer tag application.~~

~~(4) Not more than six applications may be filed jointly~~

**Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations**

for any hunts which have 100 or more tags, and not more than four applications may be filed jointly for hunts which have less than 100 tags. Applications filed jointly must be stapled together and mailed in one envelope for drawing purposes. The names of all applicants applying together as a party must be indicated in the space provided on each party member's application. All persons filing jointly must apply for the same first choice and alternate choices in the same sequence.

~~(b) Application Fee: The department shall require that the specified fee for such deer tags 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 processing fee for each deer tag application.~~

~~(c) Application Limitation: Not more than one one-deer tag application and one second-deer tag application may be submitted 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.~~

~~(d) Deer Tag Applications:~~

~~(1) One-Deer-Tag Application:~~

~~(A) A person may use a one-deer tag application to apply for any zone or hunt. Applicants for additional hunts J-1 through J-9 must possess a valid junior hunting license.~~

~~(B) A person may use a one-deer tag application to apply for an archery only tag (subsection 361(c))~~

~~(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 an archery only tag (subsection 361(c)) on a first-come, first-served basis.~~

~~(B) A person may use a second-deer tag application to apply for any area-specific archery tag remaining after the drawing on a first-come, first-served basis, beginning on the Monday following the drawing.~~

~~(C) A person may use a second-deer tag application to apply for any C or D zone tag or for any additional hunt tag except for additional hunts J-1 through J-9 on a first-come, first-served basis, beginning on the first business day after September 1. Second-deer tag applications submitted for these tags before September 1 must be submitted to the Department of Fish and Game, License and Revenue Branch, 3211 S Street, Sacramento, California 95816.~~

~~(D) A person in possession of a valid junior hunting license may use a second-deer tag application to apply for additional hunts J-1 through J-9.~~

~~(E) A person in possession of a valid junior hunting license may not apply for additional junior hunts with more than one deer tag application.~~

~~(e) 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.~~

**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. Applications must be received by the department by 5:00 p.m. on the first Monday in June. 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; incorporated by reference herein) shall be made available to the public at license agents and regular offices of the department.

(c) Application Procedures:

Announcement of Intention to Adopt, Amend or Repeal 1998-2000 Mammal Hunting and Trapping Regulations

(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, 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.

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.

(14.) 372. Deer Tags, Persons Authorized to Validate

**P** Existing regulations require elk hunting license tags to be validated only by Department personnel. The proposal will allow those persons who currently validate deer tags to also validate elk tags. This proposed change makes elk tag validation more convenient for hunters.

Section 372, Title 14, CCR, is amended to read:

**372. Deer and Elk Tags, Persons Authorized to Validate.**

The following persons are authorized to validate or countersign deer and elk tags:

(a) State:

- (1) Fish and Game Commissioners
- (2) Employees of the Department of Fish and Game
- (3) Deputy Foresters
- (4) Assistant Deputy Foresters
- (5) Forest Rangers
- (6) Park Rangers-Grades 1, 2, 3, and 4
- (7) Supervising Plant Quarantine Inspectors
- (8) Junior, Intermediate and Senior Plant Quarantine

Inspectors

- (9) Foresters
- (10) Fire Prevention Officers-Grades 1, 2, 3, and 4
- (11) Fire Captains
- (12) Fire Apparatus Engineers

(b) Federal: (FS = U.S. Forest Service, FWS = U.S. Fish & Wildlife Service, BLM = Bureau of Land Management)

- (1) Range Technicians (BLM)
- (2) Forest Supervisors (FS)
- (3) Assistant Forest Supervisors (FS)
- (4) District Forest Rangers (FS)
- (5) Foresters (FS, BLM)
- (6) Range Conservationists (FS, BLM)
- (7) Forest Engineers (FS, BLM)
- (8) Forestry Aides (FS)
- (9) Fire Control Officers or Aides (FS, BLM)
- (10) Clerks (FS, FWS, BLM) while on duty at their

headquarters

- (11) Game Management Agents (FWS)
- (12) Wildlife Management Biologists (FS, FWS, BLM)
- (13) District Managers (BLM)
- (14) Information Specialists (BLM)

- (15) Area Managers (BLM)
- (16) Realty Specialists (BLM)
- (17) Natural Resource Specialists (BLM)
- (18) Engineers (BLM)
- (19) Engineering Technicians (BLM)
- (20) Recreation Resource Specialists (BLM)
- (21) Geologists (BLM)
- (22) Recreation Aides (BLM)
- (23) All Uniformed Personnel of the National Park

Service

(24) Commanding officers of any United States military installation or their designated personnel for deer taken on their reservation.

(25) Postmasters

(26) Post Office Station or Branch Manager for deer brought to their post office.

(c) Miscellaneous:

(1) County firemen at and above the class of foreman for deer brought into their station.

(2) Judges or Justices of all state and United States courts.

(3) Notaries Public

(4) Peace Officers

(5) Nonsalaried police officers or deputy sheriffs while on scheduled duty in a city or county of appointment for deer brought to a police station or sheriff's office

(6) Officers authorized to administer oaths

(7) Owners, corporate officers, managers or operators of lockers or cold storage plants for deer brought to their place of business.

No person may validate his own tag.

NOTE

Authority cited: Sections 200, 202, 203, 213 and 215, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 206, 207, and 211, 213 and 215, Fish and Game Code.

CHAPTER 5.  
FURBEARING MAMMALS

(15.) 465. Methods for Taking Furbearers

**P** Under existing regulation, the Department of Fish and Game may issue a permit to use poison for the take of furbearers. This regulation was adopted to provide for depredation control related to agriculture, primarily for muskrats. Subsequently, provisions were added that exempted the agricultural industry from the permit process. For more than ten years, the Department has not issued poison permits to commercial trappers or hunters for the take of any furbearers. Therefore this portion of Section 465, Title 14, CCR, is unnecessary.

Section 465, Title 14, CCR, is amended to read:

**465. Methods for Taking Furbearers.**

Furbearing mammals may be taken only with a firearm, bow and arrow, ~~poison under proper permit (see subsection 699(b) of these regulations for the fee for this permit) from the department,~~ or with the use of dogs, or traps.

The provisions of this section shall not apply to the owner or tenant of land devoted to the agricultural industry nor to authorized city, county, state or federal

predatory animal control agents operating under a written trapping agreement with the appropriate land owner while on such land and in connection with such agricultural industry.

**NOTE**

Authority cited: Sections 200, 202, 203 and 4009.5, Fish and Game Code. Reference: Sections 200-203.1, 206, 207, ~~211-222~~211-221, 4000-4004 and 4009.5, Fish and Game Code.