

Fish and Game Commission

Meeting Binder

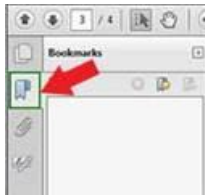


April 12, 2018

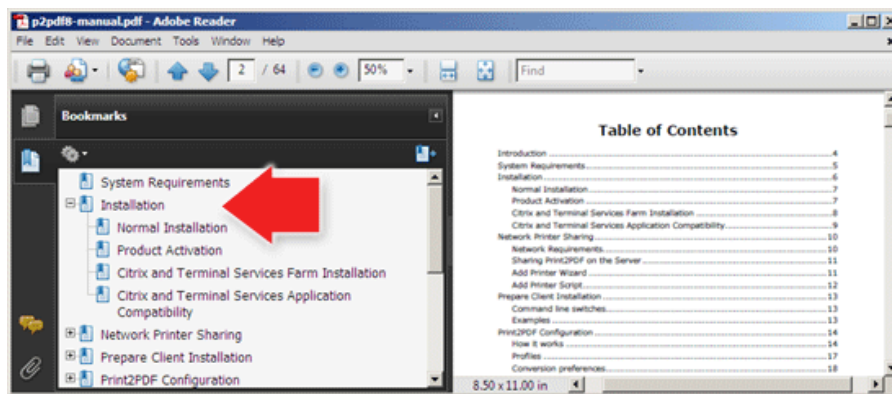
Teleconference

EASY GUIDE TO USING THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/app.
2. If a bookmark panel does not automatically appear on either the top or left side of the screen, click/tap on the “bookmark symbol” located near the top left-hand corner.



3. To make adjustments to the view, use the Page Display option in the View tab. You should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the staff summaries and numerous supporting documents in the binder. It's helpful to think of these bookmarks as a table of contents that allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. You can resize the two panels by placing your cursor in the dark, vertical line located between the panels and using a long click /tap to move in either direction. ⌘↔
6. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
7. Upon locating a staff summary for an agenda item, notice that you can obtain more information by clicking/tapping on any item underlined in blue.
8. Return to the staff summary by simply clicking/tapping on the item in the bookmark panel.
9. Do not hesitate to contact staff if you have any questions or would like assistance.

OVERVIEW OF FISH AND GAME COMMISSION TELECONFERENCE MEETING

- This is the 149th year of continuous operation of the California Fish and Game Commission in partnership with the California Department of Fish and Wildlife. Our goal is the preservation of our heritage and conservation of our natural resources through informed decision making. These meetings are vital in achieving that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome and please let us know if you have any questions.
- We are operating under Bagley-Keene Open Meeting Act and these proceedings are being recorded and broadcast via Cal-Span.
- In the unlikely event of an emergency, please note the location of the nearest emergency exits at your location. Additionally, for those in the Commission conference room, the restrooms are located outside the front door and down the hall to your left (women's immediately after the elevators and men's further down the hall).
- Items may be heard in any order pursuant to the determination of the presiding commissioner.
- The amount of time for each agenda item may be adjusted based on time available and the number of speakers.
- Speaker cards need to be filled out **legibly** and turned in to the staff **before** we start the agenda item. Please make sure to list the agenda items you wish to speak to on the speaker card.
- We will ask how many speakers we have at each location before taking public comment; please be prepared when your name is called. If you are not in the room when your name is called you may forfeit your opportunity to speak on the item.
- When you speak, please state your name and any affiliation. Please be respectful. Disruptions from the audience will not be tolerated. Time is precious so please be concise.
- To receive meeting agendas and regulatory notices about those subjects of interest to you, please visit the Commission's website, www.fgc.ca.gov, and sign up for our electronic mailing lists.
- All petitions for regulation change must be submitted in writing on the authorized petition form, FGC 1, Petition to the California Fish and Game Commission for Regulation Change, available on the Commission's website.
- **Reminder!** Please silence your mobile devices and computers to avoid interruptions.

INTRODUCTIONS FOR FISH AND GAME COMMISSION MEETINGS

Fish and Game Commission

Eric Sklar	President (Saint Helena)
Anthony Williams	Vice-President (Huntington Beach)
Jacque Hostler-Carmesin	Member (McKinleyville)
Russell Burns	Member (Napa)
Peter Silva	Member (Jamul)

Commission Staff

Valerie Termini	Executive Director
Melissa Miller-Henson	Deputy Executive Director
Mike Yaun	Legal Counsel
Susan Ashcraft	Marine Advisor
Sherrie Fonbuena	Analyst
Rick Pimentel	Analyst
Sergey Kinchak	Analyst

California Department of Fish and Wildlife

Chuck Bonham	Director
Wendy Bogdan	General Counsel
David Bess	Deputy Director and Chief, Law Enforcement Division
Stafford Lehr	Deputy Director, Wildlife and Fisheries Division
Jordan Traverso	Deputy Director, Communications, Education and Outreach
Kari Lewis	Wildlife Branch Chief
Kevin Shaffer	Fisheries Branch Chief
Craig Shuman	Marine Region Manager

I would also like to acknowledge special guests who are present:
(i.e., elected officials, tribal chairpersons, other special guests)

Commissioners
Eric Sklar, President
Saint Helena

Anthony C. Williams, Vice President
Huntington Beach

Jacque Hostler-Carmesin, Member
McKinleyville

Russell E. Burns, Member
Napa

Peter S. Silva, Member
Jamul

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

Valerie Termini, Executive Director
P.O. Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
fgc@fgc.ca.gov
www.fgc.ca.gov

MEETING AGENDA - TELECONFERENCE

April 12, 2018, 3:00 p.m.

Resources Building
Jim Kellogg Conference Room
1416 Ninth Street, Room 1320, Sacramento, CA 95814

Members of the public may participate in the teleconference at the address above and at the following California Department of Fish and Wildlife offices:

- Conference Room, 50 Ericson Court, Arcata, CA 95521
- Conference Room, 7329 Silverado Trail, Napa, CA 94558
- Conference Room, 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720
- Small Conference Room, Second Floor, 3883 Ruffin Road, San Diego, CA 92123

The meeting will be live streamed at www.cal-span.org, for listening purposes only.

NOTE: See important meeting deadlines and procedures at the end of the agenda.

Call to order/roll call to establish quorum

1. Approve agenda and order of items
2. Public forum for items not on agenda
The Commission **may not** discuss or take action on any matter raised during this item, except to decide whether to place the matter on the agenda of a future meeting. (Sections 11125, 11125.7(a), Government Code)
3. Adopt proposed changes to Klamath River Basin salmon sport fishing regulations (Subsection 7.50(b)(91.1), Title 14, CCR)
4. Adopt proposed changes to Central Valley salmon sport fishing regulations (Subsections 7.50(b)(5), (b)(68) and (b)(156.5), Title 14, CCR)

Adjourn

California Fish and Game Commission 2018 Meeting Schedule

Note: As meeting dates and locations can change, please visit www.fgc.ca.gov for the most current list of meeting dates and locations.

Meeting Date	Commission Meeting	Committee Meeting	Other Meetings
April 18-19	Four Points by Sheraton Ventura Harbor Resort 1050 Schooner Drive Ventura, CA 93001		
May 17		Wildlife Resources WestEd Building- Edwin C. Myers Classroom 4665 Lampson Ave. Los Alamitos, CA 90720	
June 19		Tribal Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
June 20-21	Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		
July 17		Marine Resources California Department of Parks and Recreation Orange Coast District Office Training Room 3030 Avenida del Presidente San Clemente, CA 92672	
August 22-23	River Lodge Conference Center 1800 Riverwalk Drive Fortuna, CA 95540		
September 20		Wildlife Resources Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
October 16		Tribal Radisson Fresno Conference Center 1055 Van Ness Avenue Fresno, CA 93721	
October 17-18	Radisson Fresno Conference Center 1055 Van Ness Avenue Fresno, CA 93721		

Meeting Date	Commission Meeting	Committee Meeting	Other Meetings
November 14		Marine Resources Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
December 12-13	QLN Conference Center 1938 Avenida del Oro Oceanside, CA 92056		

OTHER 2018 MEETINGS OF INTEREST

Association of Fish and Wildlife Agencies

- September 9-12, Tampa, FL

Pacific Fishery Management Council

- June 7-14, Spokane, WA
- September 5-12, Seattle, WA
- November 1-8, San Diego, CA

Pacific Flyway Council

- September 28, Location TBD

Western Association of Fish and Wildlife Agencies

- July 12-17, Eugene, OR

Wildlife Conservation Board

- May 24, Sacramento, CA
- August 30, Sacramento, CA
- November 15, Sacramento, CA

IMPORTANT COMMISSION MEETING PROCEDURES INFORMATION

WELCOME TO A MEETING OF THE CALIFORNIA FISH AND GAME COMMISSION

This is the 149th year of operation of the Commission in partnership with the California Department of Fish and Wildlife. Our goal is the preservation of our heritage and conservation of our natural resources through informed decision making; Commission meetings are vital in achieving that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome and please let us know if you have any questions.

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Reasonable Accommodation Coordinator at (916) 651-1214. Requests for facility and/or meeting accessibility should be received at least 10 working days prior to the meeting to ensure the request can be accommodated.

STAY INFORMED

To receive meeting agendas and regulatory notices about those subjects of interest to you, please visit the Commission's website, www.fgc.ca.gov, to sign up on our electronic mailing lists.

SUBMITTING WRITTEN COMMENTS

The public is encouraged to comment on any agenda item. Submit written comments by one of the following methods: **E-mail** to fgc@fgc.ca.gov; **mail** to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090; **deliver** to California Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or **hand-deliver to a Commission meeting**. Materials provided to the Commission may be made available to the general public.

COMMENT DEADLINES

The **Written Comment Deadline** for this meeting is **5:00 p.m. on March 29, 2018**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Late Comment Deadline** for this meeting is **noon on April 6, 2018**. Comments received by this deadline will be marked "late" and made available to Commissioners at the meeting.

After these deadlines, written comments may be delivered in person to the meeting – Please bring two (2) copies of written comments to one of the teleconference locations.

VISUAL PRESENTATIONS/MATERIALS

Visual presentations will not be allowed at this meeting.

SPEAKING AT THE MEETING

To speak on an agenda item, please complete a "Speaker Card" and give it to the designated staff member before the agenda item is announced. Cards will be available near the entrance of the meeting room. Only one speaker card is necessary for speaking to multiple items.

1. Speakers will be called in groups; please line up when your name is called.
2. When addressing the Commission, give your name and the name of any organization you represent, and provide your comments on the item under consideration.

3. If there are several speakers with the same concerns, please appoint a spokesperson and avoid repetitive testimony.
4. The presiding commissioner will allot between one and three minutes per speaker per agenda item, subject to the following exceptions:
 - a. The presiding commissioner may allow up to five minutes to an individual speaker if a minimum of three individuals who are present when the agenda item is called have ceded their time to the designated spokesperson, and the individuals ceding time forfeit their right to speak to the agenda item.
 - b. Individuals may receive advance approval for additional time to speak if requests for additional time to speak are received by email or delivery to the Commission office by the **Late Comment Deadline**. The president or designee will approve or deny the request no later than 5:00 p.m. two days prior to the meeting.
 - c. An individual requiring an interpreter is entitled to at least twice the allotted time pursuant to Government Code Section 11125.7(c).
 - d. An individual may receive additional time to speak to an agenda item at the request of any commissioner.
5. If you are presenting handouts/written material to the Commission at the meeting, please provide two (2) copies to the designated staff member just prior to speaking.

STAFF SUMMARY FOR APRIL 12, 2018

2. PUBLIC FORUM**Today's Item****Information** ☒**Action** ☐

Receipt of verbal public comments for items not on the agenda.

Summary of Previous/Future Actions (N/A)**Background**

Comments submitted in writing are traditionally held for receipt at regularly scheduled in-person FGC meetings. Therefore, written comments submitted following the Feb 7-8, 2018 FGC meeting will be received at the April 18-19, 2018 meeting in Ventura.

Today's agenda item is to receive verbal public comments for items not on the agenda. Under the Bagley-Keene Open Meeting Act, FGC cannot act on any matter not included on the agenda, except to schedule issues raised by the public for consideration at future meetings.

Significant Public Comments (N/A)**Recommendation**

Consider whether any future agenda items are needed to address issues that are raised during public comment and are within FGC's authority.

Exhibits (N/A)**Motion/Direction (N/A)**

STAFF SUMMARY FOR APRIL 12, 2018

3. KLAMATH RIVER BASIN SALMON SPORT FISHING**Today's Item****Information** ☐**Action** ☒

Adopt proposed changes to Klamath River Basin salmon sport fishing regulations.

Summary of Previous/Future Actions

- | | |
|-----------------------------------|-------------------------------------|
| • Notice hearing | Dec 6-7, 2017; San Diego |
| • Discussion hearing | Feb 7-8, 2018; Sacramento |
| • Today's adoption hearing | Apr 12, 2018; Teleconference |

Background

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed through a cooperative system of state, federal and tribal management agencies.

FGC annually adopts Klamath River Basin salmon sport fishing regulations for consistency with federal fishery management goals. Specific bag and possession limits for Klamath River Basin Fall-run Chinook Salmon (KRFC) are scheduled for adoption after the Pacific Fishery Management Council (PFMC) has reviewed the status of West Coast salmon stocks and final fishery allocation recommendations have been adopted. Two tribal entities within the Klamath River System (Hoopa Valley Tribe and Yurok Tribe) maintain in-river fishing rights for ceremonial, subsistence and commercial fishing purposes that are accounted for in allocations and managed consistent with federal fishery management goals.

At its Apr 13, 2017 teleconference, FGC adopted regulations prohibiting the take and possession of both adult (over 22" total length) and grilse (less than or equal to 22" total length) KRFC, closing the KRFC fishery for 2017.

Subsection 7.50(b)(91.1) is proposed for amendment to:

1. Re-establish the pre-2017 fishery measures and structure.
This amendment is intended to maximize fishing opportunity and maintain previous protective measures during the open season.
2. Change the quota, bag limit, and possession limit.
For notice purposes, DFW recommended an allocation range of 0-67,600 adult KRFC; a bag limit between 0-4 KRFC, of which 0-4 may be adult KRFC until the quota is met, then 0 adult KRFC; and a possession limit of 0-12 KRFC, of which 0-4 may be adult fish when the take of adult fish is allowed. DFW will present specific recommendations during the Apr 12 teleconference meeting.
3. Clean up for clarity and consistency.

The 2018 basin allocation will be recommended by PFMC at its Apr 4-11, 2018 meeting. If the full closure of the fall salmon fishing season is deemed necessary again for 2018, FGC may adopt the no-change alternative.

Significant Public Comments (N/A)

STAFF SUMMARY FOR APRIL 12, 2018

Recommendation

FGC staff: Adopt changes to the regulations as recommended by DFW during the teleconference meeting.

DFW: Adopt specific recommendations for quota, bag and possession limits for Klamath River Basin Salmon as recommended at the Apr 12 teleconference meeting.

Exhibits

1. DFW memo, received Nov 20, 2017
2. Initial statement of reasons
3. DFW memo, received Mar 8, 2018
4. Draft notice of exemption

Motion/Direction

Moved by _____ and seconded by _____ that the Commission has determined, based on the record, this project is exempt from the California Environmental Quality Act pursuant to the guidelines in sections 15307 and 15308, Title 14, CCR, and adopts changes to subsection 7.50(b)(91.1), related to Klamath River Basin salmon sport fishing regulations, as recommended today by the California Department of Fish and Wildlife.

STAFF SUMMARY FOR APRIL 12, 2018

4. CENTRAL VALLEY SALMON SPORT FISHING**Today's Item**Information ☐Action ☒

Adopt proposed changes to Central Valley salmon sport fishing regulations for the 2018-19 season.

Summary of Previous/Future Actions

- | | |
|-----------------------------------|-------------------------------------|
| • WRC vetting | Sep 13, 2017; WRC, Riverside |
| • Notice hearing | Dec 6-7, 2017; San Diego |
| • Discussion hearing | Feb 7-8, 2018; Sacramento |
| • Today's adoption hearing | Apr 12, 2018; Teleconference |

Background

In Dec 2017, FGC authorized publication of notice of proposed changes to subsections 7.50(b)(5), (b)(68), and (b)(156.5), including a range of bag and possession limits in the American, Feather, and Sacramento rivers to encompass possible Pacific Fishery Management Council (PFMC) 2018 recommendations for Central Valley salmon escapement goals; PFMC's escapement estimate will be released in Apr prior to the teleconference meeting, but after a PFMC meeting where escapement goals will be discussed. The scope of options in the initial statement of reasons (ISOR; Exhibit 2) is intentionally broad to allow for flexibility in the development of the final Central Valley salmon limits.

Today, DFW will propose specific bag and possession limits for Central Valley adult fall-run Chinook Salmon based on the final escapement goals established by PFMC. For consistency, FGC generally adopts regulations to bring state law into conformance with federal fishery management goals for Central Valley salmon.

Significant Public Comments (N/A)**Recommendation**

FGC staff: Adopt changes to the regulations as recommended by DFW during the teleconference meeting.

DFW: Adopt the specific recommendations presented at the Apr 12 teleconference meeting.

Exhibits

1. DFW memo, received Nov 16, 2017
2. ISOR
3. DFW memo with initial study/negative declaration, received Jan 24, 2018

Motion/Direction

Moved by _____ and seconded by _____ that the Commission certifies the negative declaration, adopts the proposed project, and adopts the proposed changes to

STAFF SUMMARY FOR APRIL 12, 2018

subsections (b)(5), (b)(68), and (b)(156.5) of Section 7.50 related to Central Valley salmon sport fishing regulations, as recommended today by the California Department of Fish and Wildlife.

State of California
Department of Fish and Wildlife

RECEIVED
CALIFORNIA
FISH AND GAME
COMMISSION

2017 NOV 20 PM 12:06

Memorandum

Date: November 16, 2017

To: Valerie Termini
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Submission of Initial Statement of Reasons to Amend Subsection (b)(91.1) of Section 7.50, Title 14, CCR, Klamath River Basin Sport Fishing Regulations**

Please find attached the Initial Statement of Reasons (ISOR) package for the 2018 Klamath River Basin sport fishing regulations. As in the past, specific bag and possession limits for Klamath River Basin adult fall-run Chinook Salmon will be adopted after federal (Pacific Fisheries Management Council) review of west coast salmon stocks and fishery allocations have been proposed.

The proposed regulatory action will re-establish the pre-2017 fishery management measures and quota structure for Klamath River Basin adult fall-run Chinook Salmon to maximize fishing opportunities, reinstate previous protective measures during the open fishing season, and adhere to previous recreational intra-basin sharing allocations. If the full fall salmon fishing season closure is deemed necessary again for 2018, the no change alternative provides this option.

If you have any questions or need additional information, please contact Kevin Shaffer, Chief, Fisheries Branch, at (916) 327-8841 or by e-mail at Kevin.Shaffer@wildlife.ca.gov. The public notice should identify Senior Environmental Scientist, Wade Sinnen, as the Department's point of contact for this rulemaking. Mr. Sinner can be reached at (707) 822-5119 or by e-mail at Wade.Sinnen@wildlife.ca.gov.

Attachment

ec: Stafford Lehr, Deputy Director
Wildlife and Fisheries Division
Stafford.Lehr@wildlife.ca.gov

Kevin Shaffer, Chief
Fisheries Branch
Kevin.Shaffer@wildlife.ca.gov

Valerie Termini, Executive Director
Fish and Game Commission
November 16, 2017
Page 2

Neil Manji, Regional Manager
Northern Region (Region 1)
Neil.Manji@wildlife.ca.gov

David Bess, Chief
Law Enforcement Division
David.Bess@wildlife.ca.gov

Wade Sinnen, Senior Environmental
Scientist (Supervisor)
Northern Region (Region 1)
Wade.Sinnen@wildlife.ca.gov

Scott Barrow, Acting Program Manager
Regulations Unit
Wildlife and Fisheries Division
Scott.Barrow@wildlife.ca.gov

Karen Mitchell, Senior Environmental
Scientist (Specialist)
Fisheries Branch
Wildlife and Fisheries Division
Karen.Mitchell@wildlife.ca.gov

Amend Subsection (b)(91.1) of Section 7.50
Title 14, California Code of Regulations
Re: Klamath River Basin Sport Fishing Regulations

- 1-

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin sport fisheries which are consistent with federal fishery management goals.

Two tribal entities within the Klamath River Basin, the Hoopa Valley Tribe and the Yurok Tribe, maintain fishing rights for ceremonial, subsistence and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by the Hoopa and Yurok tribes.

For the purpose of PFMC mixed-stock fishery modeling and salmon stock assessment, salmon greater than 22 inches are defined as adult salmon (ages 3-5) and salmon less than or equal to 22 inches are defined as grilse salmon (age 2).

Klamath River Fall-Run Chinook Salmon

Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural spawning escapement goals are established by the PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

All proposed closures for adult KRFC are designed to ensure sufficient spawning escapement in the Klamath River Basin and equitably distribute harvest while operating within annual allocations.

Klamath River Spring-Run Chinook Salmon

The Klamath River Basin also supports Klamath River spring-run Chinook Salmon (KRSC). Naturally produced KRSC are both temporally and spatially separated from KRFC in most cases.

Presently, KRSC stocks are not managed or allocated by the PFMC. The in-river sport fishery is managed by general basin seasons, daily bag limit, and possession limit regulations. KRSC harvest will be monitored on the lower Klamath River in 2018 and ensuing years by creel survey.

KRFC Allocation Management

In 2017, the PFMC approved a historically low 129 adult KRFC quota for in-river sport harvest allocation for 2017. Preseason stock projections of 2018 adult KRFC abundance will not be available from the PFMC until March 2018. The 2018 basin allocation will be recommended by the

PFMC in April 2018 and presented to the Commission for adoption prior to its April 2018 meeting.

The Commission may modify the KRFC in-river sport harvest allocation which is normally 15 percent of the non-tribal PFMC harvest allocation. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the PFMC Salmon Fishery Management Plan otherwise harvest opportunities may be reduced in the California ocean or in-river fisheries.

The annual KRFC in-river harvest allocation is split into four geographic areas with subquotas assigned to each. They are as follows:

1. for the main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec -- 17 percent of the sport fishery allocation;
2. for the main stem Klamath River from downstream of the Highway 96 bridge at Weitchpec to the mouth -- 50 percent of the sport fishery allocation;
3. for the Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the sport fishery allocation; and
4. for the Trinity River downstream from the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the sport fishery allocation.

From 2014 to 2016, the spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closed to all fishing after 15 percent of the total Klamath River Basin quota had been taken downstream of the Highway 101 bridge. This regulatory language was removed in 2017 to eliminate catch and release mortality.

These geographic areas are based upon the historical distribution of angler effort and ensure equitable harvest of adult KRFC in the upper Klamath River and Trinity River. The subquota system requires the Department of Fish and Wildlife (Department) to monitor angler harvest of adult KRFC in each geographic area. All areas will be monitored on a real time basis except for the following:

Klamath River upstream of Weitchpec and the Trinity River: Due to funding and personnel reductions, the Department will be unable to deploy adequate personnel to conduct harvest monitoring in the Klamath River upstream of Weitchpec and in the Trinity River for the 2018 season. The Department has reviewed salmon harvest and run-timing data for these

areas. Based on this review, the Department has developed a Harvest Predictor Model (HPM) which incorporates historic creel survey data from the Klamath River downstream of Iron Gate Dam to the confluence with the Pacific Ocean and the Trinity River downstream of Lewiston Dam to the confluence with the Klamath River. The HPM is driven by the positive relationship between KRFC harvested in the lower and upper Klamath River and the Trinity River. The HPM will be used by the Department to implement fishing closures to ensure that anglers do not exceed established subquota targets.

Current Sport Fishery Management

The KRFC in-river sport harvest allocation is divided into geographic areas and harvest is monitored under real time subquota management. KRSC in-river sport harvest is managed by general season, daily bag limit, and possession limit regulations.

The Department presently differentiates the two stocks by the following dates:

Klamath River

1. January 1 through August 14 - General Season KRSC.
For purposes of clarity, daily bag and possession limits apply to that section of the Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth.
2. August 15 to December 31 - KRFC quota management.

Trinity River

1. January 1 through August 31 – General Season KRSC.
For purposes of clarity, daily bag and possession limits apply to that section of the Trinity River downstream of the Old Lewiston Bridge to the confluence with the South Fork Trinity River.
2. September 1 through December 31 – KRFC quota management.

The daily bag and possession limits apply to both stocks within the same sub-area and time period.

Due to the extremely small quota, take and possession of adult and grilse KRFC was prohibited in 2017.

Proposed Changes

Because PFMC recommendations are not known at this time, a range (shown in brackets in the text below) of bag and possession limits, which

encompass historical quotas, is being proposed for the 2018 KRFC fishery in the Klamath and Trinity rivers. The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law or established in the PFMC Salmon Fishery Management Plan, otherwise harvest opportunities may be reduced in the California ocean fisheries.

If the full closure of the fall salmon fishing season is deemed necessary again for 2018, the no change alternative provides this option.

The proposed open seasons and range of bag and possession limits for KRFC stocks are as follows:

KRFC QUOTA MANAGEMENT: Seasons, Bag and Possession Limits

For public notice requirements, the Department recommends the Commission consider an allocation range of 0 – 67,600 adult KRFC in the Klamath River Basin for the river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows the PFMC and Commission to make adjustments during the 2018 regulatory cycle.

As in previous years, no retention of adult KRFC is proposed for the following areas, once the subquota has been met.

The proposed open seasons and range of bag and possession limits for KRFC stocks are as follows:

1. Klamath River - August 15 to December 31
2. Trinity River - September 1 to December 31
3. Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over 22 inches total length may be retained until the subquota is met, then 0 fish over 22 inches total length.
4. Possession limit - [0-12] Chinook Salmon of which [0–4] fish over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

The proposed regulatory action will also re-establish the pre-2017 fishery measures and structure for KRFC to maximize fishing opportunities and maintain previous protective measures during the open fishing season.

Proposed regulatory changes for the Klamath River mouth's spit area during the open fishing season in order to achieve a balance between maintaining historical fishing opportunity for shore-based angling and

providing protection for salmon migrating out of the open ocean into the Klamath River estuary, and to release hook and release mortality:

Subsection (D)2.b.(i):

The Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) will close when 15% of the total Klamath River Basin quota is taken downstream of the Highway 101 bridge.

Subsection (E)2.b.:

Fall Run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth). This area will be closed to all fishing after 15% of the Total Klamath River Basin Quota has been taken.

All legally caught Chinook Salmon must be retained. Once the adult (greater than 22 inches) component of the total daily bag limit has been retained anglers must cease fishing in the spit area.

Proposed regulatory changes to re-establish additional upper basin fishing opportunities once the Iron Gate and Trinity River hatcheries have met their annual hatchery mitigation egg take goal in areas where natural spawning is limited and harvest will be composed primarily of excess hatchery fish that would otherwise die of natural causes:

Subsection (E)2.a.:

Fall Run Quota Exception: Chinook Salmon over 22 inches total length may be retained from 3,500 feet downstream of Iron Gate Dam to the Interstate 5 bridge when the Department determines that the adult fall-run Chinook Salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish. Daily bag and possession limits specified for fall-run Chinook Salmon apply during this exception.

Subsection (E)6.b.:

Fall Run Quota Exception: Chinook Salmon over 22 inches total length may be retained downstream of the Old Lewiston Bridge to the mouth of Indian Creek when the Department determines that the adult fall-run Chinook Salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish. Daily bag and possession limits specified for fall-run Chinook Salmon apply during this exception.

Proposed regulatory changes in subsection (A)2.:

In 2017, the word “adult” was removed in two places in this subsection to clarify that no Chinook Salmon may be removed from the water during the closure since the closure applied to all Chinook Salmon. “Adult” is proposed to be re-inserted to avoid unnecessarily prohibiting the removal of grilse Chinook Salmon from the water if take of grilse Chinook Salmon is approved for 2018.

Subsection (D)1.: For transparency purposes, the proposed regulatory language also re-inserts pre-2017 language concerning how the Department will notify the Commission and the public concerning any restrictions triggered by the quotas and language describing the information provided on the Department’s hotline. Also in this subsection, the proposed regulation repeals the text stating that all fishing for KRFC is prohibited since the proposed regulations will re-open fishing for KRFC.

No changes are proposed for the general (KRSC) opening and closing season dates, and bag, possession and size limits.

Other changes are proposed for clarity and consistency.

Benefits of the Proposed Regulations

It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and inland waters under the jurisdiction and influence of the State for the benefit of all the citizens of the State. In addition, it is the policy of this State to promote the development of local California fisheries in harmony with federal law respecting fishing and the conservation of the living resources of the ocean and inland waters under the jurisdiction and influence of the State. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use. Adoption of scientifically-based Klamath River Basin salmon seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence.

The benefits of the proposed regulations are conformance with federal law, sustainable management of Klamath River Basin fish resources, health and welfare of California residents and promotion of businesses that rely on salmon sport fishing in the Klamath River Basin.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 205, 265, 270, 315, 316.5, and 399 Fish and Game Code.

Reference: Sections 200, 205, 265, 270, and 316.5, Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change:

None.

- (d) Identification of Reports or Documents Supporting Regulation Change:

In-River Sport Fishing Economics Technical Report, National Oceanographic and Atmospheric Administration, National Marine Fisheries Service, September 2011.

- (e) Public Discussions of Proposed Regulations Prior to Notice Publication:

No public meetings are being held prior to the notice publication. The 45-day comment period provides adequate time for review of the proposed amendments.

IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change:

The use of more liberal regulations for bag limits, possession limits and fishing methods. For KRFC, more liberal regulations would be less desirable than those proposed because they could create risk of an intense fishery reaching or exceeding the quota in a very short time. Reaching the quota in a very short time could be damaging to the local economy. Exceeding the allowable harvest could be damaging to the KRFC stocks.

- (b) No Change Alternative:

The No Change Alternative would leave the current 2017 KRFC fishing closure in the Klamath and Trinity rivers in place. The 2017 KRFC stock projections developed by the PFMC were the lowest on record. As a result, the KRFC stock is now classified under the PFMC Salmon Fishery Management Plan as “approaching an overfished condition.” If KRFC

stock projections do not improve for 2018, the Department may recommend the Commission adopt a no change to keep the closure in place for the KRFC fishery in the Klamath and Trinity rivers.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are projected to result in increases to visitor spending, and correspondingly positive impacts on the net revenues to local businesses servicing sport fishermen. This is not likely to affect the ability of California businesses to compete with businesses in other states. The preservation of Klamath River salmon stocks is necessary for the success of lower Klamath River Basin businesses which provide goods and services related to fishing. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to

the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The proposed regulations to reopen the KRFC fishery for 2018 range from no fishing of adult KRFC to a 2016 KRFC season structure. The Commission anticipates positive impact on the creation or elimination of jobs in California. The potential positive employment impacts range from 0 to 45 jobs. The Commission anticipates positive impacts on the creation, elimination or expansion of businesses in California from increased revenues to the approximately 30 businesses that serve sport fishing activities. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to success or failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, consequently promoting the long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a salmon sport fishery encourages a healthy outdoor activity and the consumption of a nutritious food.

The Commission anticipates benefits to the environment by the sustainable management of California's salmonid resources.

The Commission does not anticipate any benefits to worker safety because the proposed action does not affect working conditions.

Other benefits include concurrence with federal regulation and promotion of businesses that rely on salmon sport fishing in the Klamath River Basin.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: If bag and possession limits are increased, the Department may have an increase in salmon card sales revenue estimated up to \$88,550. The Commission does not anticipate any costs or savings in federal funding to the State.

(e) Nondiscretionary Costs/Savings to Local Agencies:

If the KRFC fishery is reopened for 2018, it may result in increased visits and angler spending in the Klamath River Basin area; local governments' sales, motor fuel and transient occupancy taxes may increase by as much as \$138,000, and state and local income taxes may increase by as much as \$431,724.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

VII. Economic Impact Assessment:

The regulatory amendments of subsection 7.50(b)(91.1) under consideration will set the 2018 Klamath River Basin salmon sport fishing regulations to conform to the PFMC KRFC allocation guidelines. The Klamath River Basin is anticipated to reopen for salmon sport fishing at levels similar to the 2016 levels; however, the possibility of marine fishery area closures still exists. Ocean closures may in turn result in PFMC recommendations for Klamath River Basin salmon sport fishery closures for the take of adult KRFC. The eventual impacts to jobs and businesses will depend on the 2018 KRFC allocation ultimately adopted by the PFMC and the specific regulations promulgated by the Commission.

The proposed regulations to reopen the KRFC fishery for 2018 present a range from 100 percent of the 2016 adult KRFC catch limit to 0 percent or no fishing on adult KRFC (greater than 22 inches). Under all scenarios, sport fishing may be allowed for steelhead and/or grilse KRFC (salmon 22 inches or less) regardless of PFMC regulations, in such case any adverse impacts to businesses would be less severe than under a complete closure of fishing.

Based on a 2011 NMFS report on In-River Sport Fishing Economics of the Klamath River, under a normal season non-resident Klamath River Basin sport salmon and steelhead anglers contribute about \$3,432,424 in direct

expenditures, resulting in about \$4,151,127 (2016\$) in total economic output to California businesses. This revenue supports about 70 jobs in the State.

Table 1. Klamath Salmon and Steelhead Total Economic Output

Klamath Sport Fishing	Salmon	Steelhead	Total
Total Output	\$ 2,687,270	\$ 1,463,857	\$ 4,151,127
Labor Income	\$ 1,243,364	\$ 677,307	\$ 1,920,671
Jobs	45.7	24.9	70.6

The NMFS study excluded the Trinity River, the largest tributary to the Klamath. The Trinity River is allocated 33 percent of the KRFC total allocation. Using the Trinity allocation as a measure of salmon angler effort, and thus impacts on associated businesses that support anglers, the total non-resident angler contribution to the entire Klamath River Basin (including the Trinity River) is estimated to be \$4,151,127 (2016\$) in total economic output. This revenue, again using a 33 percent increase to account for the Trinity River, provides an estimated total of 70 jobs in the State (assuming that personnel costs also rise with inflation). This is a conservative estimate of total economic impact as it counts only non-resident angler expenditures. Non-resident salmon or steelhead angler average expenditures are estimated to be \$108.52 (2016\$) per angler day (for lodging, food, gasoline, fishing gear, boat fuel, and guide fees) based on a NMFS sponsored survey. Resident average expenditures per angler day are estimated to be 60 percent less (markedly reduced lodging, gasoline and food expenditures) which yields an estimate of \$43.40 per angler day. Resident anglers comprise about 36 percent of Klamath River Basin anglers.

Three adult salmon catch projections evaluated here are as follows: 100 percent of the 2016 adult KRFC catch limit; 50 percent of the 2016 adult KRFC catch limit; and 0 percent of the 2016 adult KRFC catch limit.

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State:

Projection 1. 100 percent of the 2016 adult KRFC catch limit: The Commission anticipates positive impacts (up to 45 jobs) on the creation or elimination of jobs, as the quotas would likely increase the number of visitors and thus probable visitor expenditures in the fishery's areas.

Projection 2. 50 percent of the 2016 adult KRFC catch limit: The Commission anticipates positive impacts on the creation or elimination of jobs. A catch limit equal to 50 percent of the 2016 catch limit increase will likely increase visitor spending by about 50 percent of the 2016 levels.

While difficult to predict, job impacts associated with a catch limit equal to 50 percent of the 2016 catch limit are expected to be about half of the estimated total jobs supported by salmon angler visits (i.e. about 23 jobs).

Projection 3. 0 percent of the 2016 adult KRFC catch limit: In the event of continued fishery closure for adult KRFC, but with the re-opening of fishing for grilse KRFC (salmon 22 inches or less) in all Klamath River Basin areas, the Commission anticipates a slight increase in fishery-related jobs over 2017 when the entire KRFC fishery was closed.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State:

Projection 1: 100 percent of the 2016 adult KRFC catch limit: The Commission anticipates the potential for positive impacts on the creation of new business or the elimination of existing businesses, as the quotas are likely to increase the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2. 50 percent of the 2016 adult KRFC catch limit: The Commission anticipates an increase in visits and spending in the fishery areas of about 50 percent of the 2016 levels that may result in positive impacts on the creation of new business or the elimination of existing businesses directly related to fishing activities.

Projection 3. 0 percent of the 2016 adult KRFC catch limit: In the event of continued fishery closure for adult KRFC, but with the re-opening of fishing for grilse KRFC (salmon 22 inches or less) in all Klamath River Basin areas, the Commission anticipates a slight increase in regional spending and thus a slight increase in revenues to the approximately 30 businesses that serve sport fishing activities with unknown impacts on the creation of new business or the elimination of existing businesses due to the opportunity to harvest grilse KRFC. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, consequently, the long-term viability of these same small businesses.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State:

Projection 1. 100 percent of the 2016 adult KRFC catch limit: The Commission anticipates the potential for positive impacts on the expansion of businesses in California as the quotas may result in an increase the number of visitors and thus probable visitor expenditures in the fisheries areas. Businesses that may have contracted during the 2017

closure may expand with increased hotel occupancy rates along with increased revenues in salmon fishery-related businesses.

Projection 2. 50 percent of the 2016 adult KRFC catch limit: The Commission anticipates the potential for positive impacts on the expansion of businesses in California with increased expenditures by non-resident and resident anglers associated with increased fishing opportunities.

Projection 3. 0 percent of the 2016 adult KRFC catch limit: In the event of continued fishery closure for adult KRFC, but with the re-opening of fishing for grilse KRFC (salmon 22 inches or less) in all Klamath River Basin areas, the Commission anticipates a slight increase in expenditures by anglers associated with limited fishing opportunities for grilse KRFC which is not expected to have any impacts on the expansion of businesses in California.

(d) Benefits of the Regulation to the Health and Welfare of California Residents:

Under all projections, the Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a Klamath River Basin sport salmon and steelhead fisheries encourages a healthy outdoor activity and the consumption of a nutritious food. Salmon and steelhead sport fishing also contributes to increased mental health of its practitioners as fishing is a hobby and form of relaxation for many. Salmon and steelhead sport fishing also provides opportunities for multi-generational family activities and promotes respect for California's environment by the future stewards of California's natural resources.

(e) Benefits of the Regulation to Worker Safety:

Under all projections, the Commission does not anticipate benefits to worker safety because the proposed regulations will not impact working conditions.

(f) Benefits of the Regulation to the State's Environment:

Under all projections, the Commission anticipates benefits to the environment in the sustainable management of Klamath River Basin salmonid resources. It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and inland waters under the jurisdiction and influence of the State for the benefit of all the citizens of the State. In addition, it is the policy of

this State to promote the development of local California fisheries in harmony with federal law respecting fishing and the conservation of the living resources of the ocean and inland waters under the jurisdiction and influence of the State. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use. Adoption of scientifically-based Klamath River Basin seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations of salmon and steelhead to ensure their continued existence.

(g) Other Benefits of the Regulation:

Concurrence with Federal Law: California's salmon sport fishing regulations need to conform to the new Federal regulations to achieve optimum yield in California. The PFMC annually reviews the status of west coast salmon populations. As part of that process, it recommends west coast adult salmon fisheries regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Salmon Fishery Management Plan. These recommendations coordinate west coast management of sport and commercial ocean salmon fisheries off the coasts of Washington, Oregon, and California and California inland sport salmon fisheries. These recommendations are subsequently implemented as ocean fishing regulations by the NMFS and as sport salmon regulations for State marine and inland waters by the Commission.

In addition, the proposed regulations promote businesses that rely on salmon sport fishing in the Klamath River Basin.

Informative Digest/Policy Statement Overview

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed through a cooperative system of State, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin sport fisheries which are consistent with federal fishery management goals.

Two tribal entities within the Klamath River Basin, the Hoopa Valley Tribe and the Yurok Tribe, maintain fishing rights for ceremonial, subsistence and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by the Hoopa and Yurok tribes.

For the purpose of PFMC mixed-stock fishery modeling and salmon stock assessment, salmon greater than 22 inches are defined as adult salmon (ages 3-5) and salmon less than or equal to 22 inches are defined as grilse salmon (age 2).

Klamath River Fall-Run Chinook Salmon

Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural spawning escapement goals are established by the PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

All proposed closures for adult KRFC are designed to ensure sufficient spawning escapement in the Klamath River Basin and equitably distribute harvest while operating within annual allocations.

Klamath River Spring-Run Chinook Salmon

The Klamath River Basin also supports Klamath River spring-run Chinook Salmon (KRSC). Naturally produced KRSC are both temporally and spatially separated from KRFC in most cases.

Presently, KRSC stocks are not managed or allocated by the PFMC. The in-river sport fishery is managed by general basin seasons, daily bag limit, and possession limit regulations. KRSC harvest will be monitored on the lower Klamath River in 2018 and ensuing years by creel survey.

KRFC Allocation Management

In 2017, the PFMC approved a historically low 129 adult KRFC quota for in-river sport harvest allocation for 2017. Preseason stock projections of 2018 adult KRFC abundance will not be available from the PFMC until March 2018. The 2018 basin allocation will be recommended by the PFMC in April 2018 and presented to the Commission for adoption prior to its April 2018 meeting.

The Commission may modify the KRFC in-river sport harvest allocation which is normally 15 percent of the non-tribal PFMC harvest allocation. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the PFMC Salmon Fishery Management Plan otherwise harvest opportunities may be reduced in the California ocean and in-river fisheries.

The annual KRFC in-river harvest allocation is split into four geographic areas with subquotas assigned to each. They are as follows:

1. for the main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec -- 17 percent of the sport fishery allocation;
2. for the main stem Klamath River from downstream of the Highway 96 bridge at Weitchpec to the mouth -- 50 percent of the sport fishery allocation;
3. for the Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the sport fishery allocation; and
4. for the Trinity River downstream from the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the sport fishery allocation.

From 2014-2016, the spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closed to all fishing after 15 percent of the total Klamath River Basin quota had been taken downstream of the Highway 101 bridge. This regulatory language was removed in 2017 to eliminate catch and release mortality.

These geographic areas are based upon the historical distribution of angler effort and ensure equitable harvest of adult KRFC in the upper Klamath River and Trinity River. The subquota system requires the Department to monitor angler harvest of adult KRFC in each geographic area. All areas will be monitored on a real time basis except for the following:

Klamath River upstream of Weitchpec and the Trinity River: Due to funding and personnel reductions, the Department will be unable to deploy adequate personnel to conduct harvest monitoring in the Klamath River upstream of Weitchpec and in the Trinity River for the 2018 season. The Department has reviewed salmon harvest and run-timing data for these areas. Based on this review, the Department has developed a Harvest Predictor Model (HPM) which incorporates historic creel survey data from the Klamath River downstream of Iron Gate Dam to the confluence with the Pacific Ocean and the Trinity River downstream of Lewiston Dam to the confluence with the Klamath River. The HPM is driven by the positive relationship between KRFC harvested in the lower and upper Klamath River and the Trinity River. The HPM will be used by the Department to implement fishing closures to ensure that anglers do not exceed established subquota targets.

Current Sport Fishery Management

The KRFC in-river sport harvest allocation is divided into geographic areas and harvest is monitored under real time subquota management. KRSC in-river sport harvest is managed by general season, daily bag limit, and possession limit regulations.

The Department presently differentiates the two stocks by the following dates:

Klamath River

1. January 1 through August 14 - General Season KRSC.
For purposes of clarity, daily bag and possession limits apply to that section of the Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth.
2. August 15 to December 31 - KRFC quota management.

Trinity River

1. January 1 through August 31 – General Season KRSC.
For purposes of clarity, daily bag and possession limits apply to that section of the Trinity River downstream of the Old Lewiston Bridge to the confluence with the South Fork Trinity River.
2. September 1 through December 31 – KRFC quota management.

The daily bag and possession limits apply to both stocks within the same sub-area and time period.

Due to the extremely small quota, take and possession of adult and grilse KRFC was prohibited in 2017.

Proposed Changes

Because PFMC recommendations are not known at this time, a range (shown in brackets in the text below) of bag and possession limits, which encompass historical quotas, is being proposed for the 2018 KRFC fishery in the Klamath and Trinity rivers. The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law or established in the PFMC Salmon Fishery Management Plan, otherwise harvest opportunities may be reduced in the California ocean fisheries.

If the full closure of the fall salmon fishing season is deemed necessary again for 2018, the no change alternative provides this option.

The proposed open seasons and range of bag and possession limits for KRFC stocks are as follows:

KRFC QUOTA MANAGEMENT: Seasons, Bag and Possession Limits

For public notice requirements, the Department recommends the Commission consider an allocation range of 0 – 67,600 adult KRFC in the Klamath River Basin for the river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows the PFMC and Commission to make adjustments during the 2018 regulatory cycle.

As in previous years, no retention of adult KRFC is proposed for the following areas, once the subquota has been met.

The proposed open seasons and range of bag and possession limits for KRFC stocks are as follows:

1. Klamath River - August 15 to December 31
2. Trinity River - September 1 to December 31
3. Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over 22 inches total length may be retained until the subquota is met, then 0 fish over 22 inches total length.
4. Possession limit - [0-12] Chinook Salmon of which [0–4] fish over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

The proposed regulatory action will also re-establish the pre-2017 fishery measures and structure for KRFC to maximize fishing opportunities and maintain previous protective measures during the open fishing season.

The word “adult” will be reinserted in subsection (A)2. so that the text will be as it existed prior to 2017: During closures to the take of adult salmon, it shall be unlawful to remove any adult Chinook Salmon from the water by any means.

In subsection (D)1., the proposed regulatory language re-inserts pre-2017 language concerning how the Department will notify the Commission and the public concerning any restrictions triggered by the quotas and language describing the information provided on the Department’s hotline and repeals text that states all fishing is prohibited for KRFC.

Subsection (D)2.b.(i) will be reinserted as it existed prior to 2017:
The Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) will close when 15% of the total Klamath River Basin quota is taken downstream of the Highway 101 bridge.

Subsection (E)2.a. will be reinserted as it existed prior to 2017:
Fall Run Quota Exception: Chinook Salmon over 22 inches total length may be retained from 3,500 feet downstream of Iron Gate Dam to the Interstate 5 bridge when the Department determines that the adult fall-run Chinook Salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish. Daily bag and possession limits specified for fall-run Chinook Salmon apply during this exception.

Subsection (E)2.b. will be reinserted as it existed prior to 2017:
Fall Run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth). This area will be closed to all fishing after 15% of the Total Klamath River Basin Quota has been taken.

All legally caught Chinook Salmon must be retained. Once the adult (greater than 22 inches) component of the total daily bag limit has been retained anglers must cease fishing in the spit area.

Subsection (E)6.b. will be reinserted as it existed prior to 2017:
Fall Run Quota Exception: Chinook Salmon over 22 inches total length may be retained downstream of the Old Lewiston Bridge to the mouth of Indian Creek when the Department determines that the adult fall-run Chinook Salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish. Daily bag and possession limits specified for fall-run Chinook Salmon apply during this exception.

No changes are proposed for the general (KRSC) opening and closing season dates, and bag, possession and size limits.

Other changes are proposed for clarity and consistency.

Benefits of the Proposed Regulations

It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and inland waters under the jurisdiction and influence of the State for the benefit of all the citizens of the State. In addition, it is the policy of this State to promote the development of local California fisheries in harmony with federal law respecting fishing and the conservation of the living resources of the ocean and inland waters under the jurisdiction and influence of the State. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use. Adoption of scientifically-based Klamath River Basin salmon seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence.

The benefits of the proposed regulations are conformance with federal law, sustainable management of Klamath River Basin fish resources, health and welfare of California residents and promotion of businesses that rely on sport salmon fishing in the Klamath River Basin.

Consistency and Compatibility with Existing Regulations

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. The Legislature has delegated authority to the Commission to promulgate sport fishing regulations (Sections 200, 205, 315, and 316.5, Fish and Game Code). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. Commission staff has searched the California Code of Regulations and has found no other State regulations related to sport fishing in the Klamath River Basin.

Regulatory Language

Subsection (b)(91.1) of Section 7.50. Alphabetical List of Waters with Special Fishing Regulations.

(91.1) Anadromous Waters of the Klamath River Basin Downstream of Iron Gate and Lewiston dams. The regulations in this subsection apply only to waters of the Klamath River Basin which are accessible to anadromous salmonids. They do not apply to waters of the Klamath River Basin which are inaccessible to anadromous salmon and trout, portions of the Klamath River system upstream of Iron Gate Dam, portions of the Trinity River system upstream of Lewiston Dam, and the Shasta River and tributaries upstream of Dwinnel Dam. Fishing in these waters is governed by the General Regulations for non-anadromous waters of the North Coast District (see Section subsection 7.00(a)(4)).

(A) Hook and Weight Restrictions.

1. Only barbless hooks may be used. (For definitions regarding legal hook types, hook gaps and rigging see Chapter 2, Article 1, Section 2.10.)
2. During closures to the take of adult salmon, it shall be unlawful to remove any adult Chinook Salmon from the water by any means.

(B) General Area Closures.

1. No fishing is allowed within 750 feet of any Department of Fish and Wildlife fish-counting weir.
2. No fishing is allowed from the Ishi Pishi Road bridge upstream to and including Ishi Pishi Falls from August 15 through December 31. EXCEPTION: members of the Karuk Indian Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.
3. No fishing is allowed from September 15 through December 31 in the Klamath River within 500 feet of the mouths of the Salmon, the Shasta and the Scott rivers and Blue Creek.
4. No fishing is allowed from June 15 through September 14 in the Klamath River from 500 feet above the mouth of Blue Creek to 500 feet downstream of the mouth of Blue Creek.

(C) Klamath River Basin Possession Limits.

1. Trout Possession Limits.

- a. The Brown Trout possession limit is 10.
- b. The hatchery trout or hatchery steelhead possession limits are as follows:
 - (i) Klamath River - 4 hatchery trout or hatchery steelhead.
 - (ii) Trinity River - 4 hatchery trout or hatchery steelhead.

2. Chinook Salmon Possession Limits.

- a. Klamath River downstream of the Highway 96 bridge at Weitchpec from January 1 to August 14 and the Trinity River downstream of the Old Lewiston Bridge to the confluence of the South Fork Trinity River from January 1 to August 31: 2 Chinook Salmon.
- b. Klamath River from August 15 to December 31 and Trinity River from September 1 to December 31: ~~Closed to salmon fishing. No take or possession of Chinook Salmon.~~[0-12] Chinook Salmon. No more than [0-4] Chinook Salmon over 22 inches total length may be

retained when the take of salmon over 22 inches total length is allowed.

(D) Klamath River Basin Chinook Salmon Quotas.

The Klamath River fall-run Chinook Salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest is closely monitored from August 15 through December 31 each year. These quota areas are noted in subsection (b)(91.1)(E) with "Fall Run Quota" in the *Open Season and Special Regulations* column.

1. Quota for Entire Basin.

The ~~2017~~2018 Klamath River Basin quota is ~~0~~[0-67,600] Klamath River fall-run Chinook Salmon over 22 inches total length. The department shall inform the Commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. All fishing for Klamath River fall-run Chinook Salmon is prohibited. (NOTE: A department status report on progress toward the quotas for the various river sections is updated weekly, and available at 1-800-564-6479.)

2. Subquota Percentages.

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

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

(ii) The subquota for the Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat is 16.5% of the total Klamath River Basin quota.

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

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

(i) The Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) ~~is closed to all fishing from August 15, 2017 to December 31, 2017.~~will close when 15% of the total Klamath River Basin quota is taken downstream of the Highway 101 bridge.

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

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

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag Limit</i>
1. Bogus Creek and tributaries.	Fourth Saturday in May through August 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**

2. Klamath River main stem from 3,500 feet downstream of Iron Gate Dam to the mouth.		
a. Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec.	January 1 to August 14	0 Chinook Salmon 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 0[0-11,492] Chinook Salmon August 15 to December 31, 20172018.	Closed to salmon fishing. No take of Chinook Salmon. [0-4] Chinook Salmon – no more than [0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length. 2 hatchery trout or hatchery steelhead**
	<u>Fall Run Quota Exception: Chinook Salmon over 22 inches total length may be retained from 3,500 feet downstream of Iron Gate Dam to the Interstate 5 bridge when the department determines that the adult fall-run Chinook Salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish. Daily bag and possession limits specified for fall-run Chinook Salmon apply during this exception.</u>	
b. Klamath River downstream of the Highway 96 bridge at Weitchpec.	January 1 to August 14.	2 Chinook Salmon 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 0[0-33,800] Chinook Salmon August 15 to December 31, 20172018.	Closed to salmon fishing. No take of Chinook Salmon. [0-4] Chinook Salmon – no more than [0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length. 2 hatchery trout or hatchery steelhead**
	<u>Fall Run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth). This area will be closed to all fishing after 15% of the Total Klamath River Basin Quota has been taken.</u> <u>All legally caught Chinook Salmon must be retained. Once the adult (greater than 22 inches) component of the total daily bag</u>	

	<u>limit has been retained anglers must cease fishing in the spit area.</u>	
3. Salmon River main stem, main stem of North Fork downstream of Sawyer's Bar bridge, and main stem of South Fork downstream of the confluence of the East Fork of the South Fork.	November 1 through February 28.	2 hatchery trout or hatchery steelhead**
4. Scott River main stem downstream of the Fort Jones-Greenview bridge to the confluence with the Klamath River.	Fourth Saturday in May through February 28.	2 hatchery trout or hatchery steelhead**
5. Shasta River main stem downstream of the Interstate 5 bridge north of Yreka to the confluence with the Klamath River.	Fourth Saturday in May through August 31 and November 16 through February 28.	2 hatchery trout or hatchery steelhead**
6. Trinity River and tributaries.		
a. Trinity River main stem from 250 feet downstream of Lewiston Dam to the Old Lewiston Bridge.	April 1 through September 15. Only artificial flies with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**
b. Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat.	January 1 to August 31.	2 Chinook Salmon 5 Brown Trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 0[0-11,154] Chinook Salmon September 1 through	Closed to salmon fishing. No take of Chinook Salmon. [0-4] Chinook Salmon – no more than

	December 31, 2017 2018.	<u>[0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.</u> 5 Brown Trout 2 hatchery trout or hatchery steelhead**
	<u>Fall Run Quota Exception: Chinook Salmon over 22 inches total length may be retained downstream of the Old Lewiston Bridge to the mouth of Indian Creek when the department determines that the adult fall-run Chinook Salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish. Daily bag and possession limits specified for fall-run Chinook Salmon apply during this exception.</u>	
c. Trinity River main stem downstream of the Highway 299 West bridge at Cedar Flat to the Denny Road bridge at Hawkins Bar.	January 1 through August 31.	2 Chinook Salmon 5 Brown Trout 2 hatchery trout or hatchery steelhead**
	September 1 through December 31.	Closed to all fishing.
d. New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity River.	September 15 through November 15. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**
e. Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the mouth of the South Fork Trinity River.	January 1 to August 31.	2 Chinook Salmon 5 Brown Trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 0 <u>[0-11,154]</u> Chinook Salmon September 1 through December 31, 2017 2018. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	Closed to salmon fishing. No take of Chinook Salmon. <u>[0-4] Chinook Salmon – no more than [0-4] fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.</u> 5 Brown Trout

		2 hatchery trout or hatchery steelhead**
f. Trinity River main stem downstream of the mouth of the South Fork Trinity River to the confluence with the Klamath River.	January 1 to August 31.	0 Chinook Salmon 5 Brown Trout 2 hatchery trout or hatchery steelhead**
	Fall Run Quota 0[0-11,154] Chinook Salmon September 1 through December 31, 20172018. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	Closed to salmon fishing. No take of Chinook Salmon. <u>0-4 Chinook Salmon – no more than 0-4 fish over 22 inches total length until subquota is met, then 0 fish over 22 inches total length.</u> 5 Brown Trout 2 hatchery trout or hatchery steelhead**
g. Hayfork Creek main stem downstream of the Highway 3 bridge in Hayfork to the confluence with the South Fork Trinity River.	November 1 through March 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**
h. South Fork Trinity River downstream of the confluence with the East Fork of the South Fork Trinity River to the South Fork Trinity River bridge at Hyampom.	November 1 through March 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**
i. South Fork Trinity River downstream of the South Fork Trinity River bridge at Hyampom to the	November 1 through December 3 <u>March 31.</u>	Closed to salmon fishing. No take of Chinook Salmon. <u>0 Chinook Salmon.</u> 2 hatchery trout or hatchery steelhead**

confluence with the Trinity River.	January 1 through March 31.	0 Chinook Salmon. 2 hatchery trout or hatchery steelhead.**
------------------------------------	--	--

...

* Wild Chinook Salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

**Hatchery trout or steelhead in anadromous waters are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 205, 265, 270, 315, 316.5 and 399, Fish and Game Code. Reference: Sections 200, 205, 265, 270 and 316.5, Fish and Game Code.

Memorandum

2018 MAR -8 PM 12:52

Date: March 7, 2018

To: Valerie Termini
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Klamath Salmon Regulations CEQA Overview**

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed through a cooperative system of state, federal and tribal management agencies. Salmonid regulations are designed to meet the natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service.

The Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin sport fisheries consistent with federal fishery management goals. Two tribes, the Hoopa Valley Tribe and Yurok Tribe, promulgate tribal fishing regulations for ceremonial, subsistence, and commercial fisheries purposes, consistent with federal fishery management goals.

At the request of the Commission, the Department of Fish and Wildlife (Department) developed a range of bag and possession limit recommendations because the PFMC recommendations for 2018 are not yet known. The range of 0 to 67,600 adult Klamath River Fall Chinook (KRFC) in the Klamath River Basin for the in-river sport fishery is recommended, as it encompasses the historical range of Klamath River Basin allocations and allows the PFMC and Commission to make adjustments during the 2018 regulatory cycle.

Categorical Exemptions to Protect Natural Resources and the Environment

The Commission's adoption of sport fishing regulations is an action subject to CEQA. The review effort by Department staff pursuant to CEQA Guidelines section 16061 lead staff to conclude that an action within the range of alternatives recommended would fall within Class 7 and Class 8 categorical exemptions (CEQA Guidelines §§ 15307, 15308).

These two exemptions are related to agency actions authorized by statute to protect natural resources and the environment. The intent of the 2018 amendment to sport fishery regulations for the Klamath River Basin is to create scientifically-based Klamath River Basin salmon seasons, size limits, and bag and possession limits to ensure the maintenance of sufficient populations of salmon and their continued existence. In the Department's view, the Commission's adoption of a regulation within the range identified above is an activity that is the proper subject of CEQA's Class 7 and 8 categorical exemptions.

No Exceptions to Categorical Exemptions Apply

As to the exceptions to categorical exemptions set forth in CEQA Guidelines section 15300.2, including the prospect of unusual circumstances and related effects, the Department's review was guided by the California Supreme Court's decision in *Berkeley Hillside Preservation v. City of Berkeley*. Staff has reviewed all of the available information possessed by the Department relevant to the issue and does not believe any option within the range identified above poses any unusual circumstances that would constitute an exception to the categorical exemptions set forth above. Compared to the activities that fall within Class 7 and Class 8 generally, which include the example of wildlife preservation activities such as the effort here, there is nothing unusual about the proposed regulations.

In addition, even if there were unusual circumstances, no potentially significant effects on either a project-specific or cumulative basis are expected. In the event the Commission approves a regulation to continue the fishery closure implemented in 2017, there are no anticipated environmental effects. Sport fishing for KRFC would not occur during the August through December fishing season in the Klamath and Trinity rivers. Consequently, fewer people would travel to the Klamath River Basin which reaches into Siskiyou, Trinity, Del Norte and Humboldt counties, resulting in potential benefits to the KRFC population.

In the event the Commission approves a regulation that implements the highest bag and possession limit based on the in-river fishing quota established by the PFMC, staff reached a similar conclusion that there are no anticipated significant effects. Because the range of potential bag and possession limits for the 2018 season is aligned with historical allowances and would be scientifically based on the PFMC recommendation,

the regulation is anticipated to have an insignificant impact on the KRFC population. Under all projections, staff anticipate benefits to the environment in the sustainable management of the Klamath River Basin salmonid resources. In particular, staff considered the highest bag and possession limit adopted by the Commission to date, which was a four fish daily bag and 12 fish possession limit in 2013, and determined that the KRFC population would not be significantly impacted if this scenario was repeated in 2018 because any bag and possession limit adopted by the Commission is required to meet KRFC harvest allocation and natural spawning escapement goals established by the PFMC.

Additionally, the capacity for the sport fishery to harvest KRFC is limited and generally, the sport fishery will not harvest the full amount of the quota in high quota years.

In 2013, the in-river sport fishery adult KRFC quota was 40,006 and the estimated angler harvest was 19,800 adult KRFC. KRFC stocks are managed for spawning escapement goals. Current PFMC management requires a review and rebuilding plan in the event KRFC spawning escapement goals are not met during a three-year consecutive period. This ensures measures are developed and put in place for long-term stock sustainability.

Therefore, staff does not believe that the Commission's reliance on the Class 7 and Class 8 categorical exemptions is precluded by the exceptions set forth in CEQA Guidelines section 15300.2.

If you have any questions, please contact Kevin Shaffer, Chief, Fisheries Branch, at (916) 327-8841 or at Kevin.Shaffer@wildlife.ca.gov.

Attachments

cc: California Department of Fish and Wildlife

Stafford Lehr, Deputy Director
Wildlife and Fisheries Division
Stafford.Lehr@wildlife.ca.gov

Kevin Shaffer, Chief
Fisheries Branch
Kevin.Shaffer@wildlife.ca.gov

Neil Manji, Regional Manager
Northern Region (Region 1)
Neil.Manji@wildlife.ca.gov

David Bess, Chief
Law Enforcement Division
David.Bess@wildlife.ca.gov

Valerie Termini, Executive Director
Fish and Game Commission
March 7, 2018
Page 4

Wade Sinnen, Senior Environmental
Scientist (Supervisor)
Northern Region (Region 1)
Wade.Sinnen@wildlife.ca.gov

Michelle Selmon, Program Manager
Regulations Unit
Wildlife and Fisheries Division
Michell.Selmon@wildlife.ca.gov

Karen Mitchell, Senior Environmental
Scientist (Specialist)
Fisheries Branch
Wildlife and Fisheries Division
Karen.Mitchell@wildlife.ca.gov

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: N/A

From: (Public Agency): CA Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090

(Address)

Project Title: Amend subsection 7.50(b)(91.1), Title 14, CCR, Re: Klamath River Sport Fishing Regulation

Project Applicant: N/A

Project Location - Specific:

Del Norte, Siskiyou, and Humboldt counties

Project Location - City: N/A

Project Location - County: N/A

Description of Nature, Purpose and Beneficiaries of Project:

Klamath River Basin fisheries are managed through a cooperative system of State, federal, and tribal management agencies. The Fish and Game Commission has taken concurrent action to conform State recreational regulations to federal regulations to ensure consistency between State and federal laws.

Name of Public Agency Approving Project: California Fish and Game Commission

Name of Person or Agency Carrying Out Project: California Department of Fish and Wildlife

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Cal. Code Regs., tit. 14, §§ 15307, 15308
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

See attached.

Lead Agency

Contact Person: Valerie Termini

Area Code/Telephone/Extension: (916) 653-4899

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: _____ Date: 4/13/2018 Title: Executive Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

April 13, 2018

**ATTACHMENT TO NOTICE OF EXEMPTION
Adoption of Klamath River Sport Fishing Regulations**

The California Fish and Game Commission (Commission) has taken final action with respect to the project mentioned above. On _____, 2018, the Commission adopted sport fishing regulations for the Klamath River Basin consistent with the Pacific Fishery Management Council (PFMC) recommendations for this area. In taking this final action for the purposes of the California Environmental Quality Act (CEQA, Pub. Resources Code §21000 et seq.), the Commission approved the amendment to the current regulations relying on the categorical exemption for "Actions by Regulatory Agencies for Protection of Natural Resources" contained in CEQA Guidelines § 15307, and the categorical exemption for "Actions by Regulatory Agencies for Protection of the Environment" contained in CEQA Guidelines § 15308. (Cal. Code Regs., tit. 14, §§15307, 15308.)

Categorical Exemptions to Protect Natural Resources and the Environment

In adopting the amendment to the sport fishing regulations for the Klamath River Basin consistent with PFMC recommendations in 2018, the Commission relied for purposes of CEQA on the Class 7 and Class 8 categorical exemptions. The intent of the 2018 amendment to sport fishery regulations for the Klamath River Basin is to create scientifically-based Klamath River Basin salmon seasons, size limits, and bag and possession limits to ensure the maintenance of sufficient populations of salmon and their continued existence. Therefore, the activity is one that is the proper subject of CEQA's Class 7 and 8 categorical exemptions.

State of California
Department of Fish and Wildlife

RECEIVED
CALIFORNIA
FISH AND GAME
COMMISSION

2017 NOV 16 AM 9:06

Memorandum

Date: November 13, 2017

To: Valerie Termini
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Submittal of Initial Statement of Reasons to Amend Central Valley Chinook Salmon Sport Fishing Regulations**

Please find attached the Initial Statement of Reasons (ISOR) to amend subsections (b)(5), (b)(68), and (b)(156.5) of Section 7.50, Title 14, California Code of Regulations, for Central Valley salmon sport fishing regulations.

The California Department of Fish and Wildlife (Department) is proposing a range of bag and possession limits in the American, Feather, and Sacramento rivers to encompass possible Pacific Fishery Management Council (PFMC) 2018 recommendations for Central Valley salmon stocks in mid-April. The scope of this option is intentionally broad to increase flexibility for development of the final Central Valley salmon sport fishing regulations. Specific bag and possession limits for Central Valley adult fall-run Chinook Salmon will be presented to the Fish and Game Commission after PFMC adopts its final recommendations at its April 2018 meeting.

The draft negative declaration will be provided to the Commission prior to the discussion hearing.

If you have any questions or need additional information, please contact Kevin Shaffer, Chief, Fisheries Branch, by telephone at (916) 327-8841 or by e-mail at Kevin.Shaffer@wildlife.ca.gov. The public notice should identify Environmental Program Manager, Roger Bloom, as the Department's point of contact for this rulemaking. Mr. Bloom can be reached at (916) 445-3777 or by e-mail at Roger.Bloom@wildlife.ca.gov.

Attachment

cc: Stafford Lehr, Deputy Director
Wildlife and Fisheries Division
Stafford.Lehr@wildlife.ca.gov

Valerie Termini, Executive Director
Fish and Game Commission
November 13, 2017
Page 2

Kevin Shaffer, Chief
Fisheries Branch
Wildlife and Fisheries Division
Kevin.Shaffer@wildlife.ca.gov

Roger Bloom, Fisheries Branch
Environmental Program Manager
Wildlife and Fisheries Division
Roger.Bloom@wildlife.ca.gov

Gary Kelley, Acting Regional Manager
North Central Region (Region 2)
Garry.Kelley@Wildlife.ca.gov

Kevin Thomas
Environmental Program Manager
North Central Region (Region 2)
Kevin.Thomas@wildlife.ca.gov

Karen Mitchell, Fisheries Branch
Senior Environmental Scientist (Specialist)
Wildlife and Fisheries Division
Karen.Mitchell@wildlife.ca.gov

Scott Barrow, Acting Program Manager
Regulations Unit
Wildlife and Fisheries Branch
Scott.Barrow@wildlife.ca.gov

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend Subsections (b)(5), (b)(68), and (b)(156.5) of Section 7.50,
Title 14, California Code of Regulations

Re: Alphabetical List of Waters with Special Fishing Regulations:
Central Valley Chinook Salmon Sport Fishing

I. Date of Initial Statement of Reasons: September 15, 2017

II. Dates and Locations of Scheduled Hearings:

(a) Notice Hearing: Date: December 6, 2017
 Location: San Diego

(b) Discussion Hearing: Date: February 8, 2018
 Location: Sacramento

(c) Adoption Hearing: Date: April 12, 2018
 Location: Teleconference

III. Description of Regulatory Action:

(a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

The current, 2017, sport fishing regulations prescribe seasons and daily bag and possession limits for Chinook Salmon fishing in the American, Feather, and Sacramento rivers. Each year, the Department of Fish and Wildlife (Department) recommends new Chinook Salmon bag and possession limits for consideration by the Fish and Game Commission (Commission). The regulation change is necessary to align the 2018 fishing limits with up-to-date management goals, as set forth below.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2018 meeting and will adopt its final regulatory recommendations at its April 2018 meeting. Based on the recommendations adopted by PFMC, the Department will recommend specific bag and possession limits to the Commission during a scheduled teleconference meeting on April 12, 2018.

The regulations for the American, Feather, and Sacramento rivers may increase or decrease the current Chinook Salmon bag and possession limits based on the PPMC salmon abundance estimates and recommendations for ocean harvest for the coming season.

The Commission will then consider the Department's recommendations and consider and adopt final regulations. This is anticipated to occur at the Commission's April 12, 2018 teleconference meeting.

Proposed Regulations

Because the PPMC recommendations are not known at this time, a range (shown in brackets in the text below) of bag and possession limits is indicated where it is desirable to continue Chinook Salmon fishing in the American, Feather and Sacramento rivers. The open seasons and proposed range of bag and possession limits for Central Valley fall-run Chinook Salmon stocks are as follows:

American River, subsection 7.50(b)(5)

- (A) From Nimbus Dam to the Hazel Avenue bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (B) From Hazel Avenue bridge to the USGS gauging station cable crossing near Nimbus Hatchery.

July 16 through August 15 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (C) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (D) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (E) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

Feather River, subsection 7.50(b)(68)

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to the Live Oak boat ramp.

July 16 through October 15 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (E) From the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5)

- (C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (D) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (E) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

As set forth in Fish and Game Code Section 1700, it is “the policy of the state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the oceans and other waters under the jurisdiction and influence of the state.

“This policy shall include [as applicable to inland fisheries] all of the following objectives:

- “(a) The maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence.

. . .

- “(c) The maintenance of a sufficient resource to support a reasonable sport use, where a species is the object of sport fishing, taking into consideration the necessity of

regulating individual sport fishery bag limits to the quantity that is sufficient to provide a satisfying sport.

. . .

- “(e) The management, on a basis of adequate scientific information promptly promulgated for public scrutiny, of the fisheries under the state’s jurisdiction, and the participation in the management of other fisheries in which California fishermen are engaged, with the objective of maximizing the sustained harvest. . .”

Adoption of scientifically based Central Valley Chinook Salmon bag and possession limits provides for the maintenance of sufficient populations of Chinook Salmon to ensure their continued existence. The benefits of the proposed regulations are concurrence with federal law, sustainable management of Central Valley Chinook Salmon resources, general health and welfare of California residents, and promotion of businesses that rely on Central Valley Chinook Salmon sport fishing.

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 205, 265, 270, 315, 316.5 and 399, Fish and Game Code.

Reference: Sections 200, 205, 265, 270 and 316.5, Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change: None.
- (d) Identification of Reports or Documents Supporting Regulation Change: None.
- (e) Public Discussions of Proposed Regulations Prior to Notice Publication:

No public meetings are being held prior to the notice publication. The 45-day comment period provides adequate time for review of the proposed amendments.

IV. Description of Reasonable Alternatives to Regulatory Action:

- (a) Alternatives to Regulation Change:

No alternatives were identified by or brought to the attention of Commission staff that would have the same regulatory effect.

- (b) No-Change Alternative:

The no-change alternative would leave existing regulations in place. The no-change alternative would not be consistent with state policy to maintain harmony with federal and international law related to fisheries management, and the proposed regulations will allow the state to harmonize its bag and possession limits with NMFS’ regulations.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the resource and, therefore, the prevention of adverse economic impacts.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any significant impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The minor variations in the bag and possession limits as may be established in the regulations are, by themselves, unlikely to impact business.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a Chinook Salmon sport fishery encourages consumption of a nutritious food. The Commission anticipates benefits to the environment by the sustainable management of California's Chinook Salmon resources.

The Commission does not anticipate any non-monetary benefits to worker safety.

Other benefits of the proposed regulations are concurrence with federal law and promotion of businesses that rely on Central Valley Chinook Salmon sport fishing.

(c) Cost Impacts on a Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

(h) Effect on Housing Costs: None.

VII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California

The Commission does not anticipate substantial impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses, or the expansion of California businesses that provide services to inland sport fishermen from the proposed regulations. The proposed changes in subsections 7.50(b)(5), (b)(68), and (b)(156.5) affect the bag and possession limits for Chinook Salmon in the American, Feather, and Sacramento rivers. These minor variations in the bag and possession limits as may be established in the regulations are, by themselves, unlikely to stimulate the creation of new businesses or cause the elimination of existing businesses. The number of fishing trips and the economic contributions from them are expected to remain more or less the same.

(b) Benefits of the Regulation to the State's Environment

As set forth in Fish and Game Code Section 1700, it is "the policy of the state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the oceans and other waters under the jurisdiction and influence of the state..."

In accordance with this policy, adoption of scientifically based inland Chinook Salmon bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence.

(c) Benefits of the Regulation to the Health and Welfare of California Residents

The Commission anticipates benefits to the health and welfare of California residents. Chinook Salmon is a nutritious food source and providing inland sport fishery opportunities encourages consumption of this nutritious food. Sport fishing also contributes to increased mental health of its practitioners, as fishing is a hobby and form of relaxation for many. Sport fishing also provides opportunities for multi-generational family activities and promotes respect for California's environment by younger generations, the future stewards of California's natural resources.

(d) Benefits of the Regulation to Worker Safety

The Commission does not anticipate any benefits to worker safety from the proposed regulations because inland sport fishing does not impact working conditions.

(e) Other Benefits of the Regulation

Other benefits of the regulation include concurrence with federal law and the promotion of businesses that rely on Central Valley Salmon sport fishing.

Informative Digest/Policy Statement Overview

The current, 2017, sport fishing regulations prescribe seasons and daily bag and possession limits for Chinook Salmon fishing in the American, Feather, and Sacramento rivers. The Department of Fish and Wildlife (Department) is recommending new Chinook Salmon bag and possession limits in the American, Feather, and Sacramento rivers for the 2018 season.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2018 meeting and develop the final PFMC regulatory recommendations for adoption by NMFS at its April 2018 meeting.

Based on the action taken by NMFS and the recommendation of the Department, the Commission will adopt bag and possession limits for the American, Feather, and Sacramento rivers which may increase or decrease the current Chinook Salmon bag and possession limits based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season.

Benefits of the Regulations

The proposed regulations will provide benefits to the environment. Adoption of scientifically based Central Valley Chinook Salmon bag and possession limits provides for the maintenance of sufficient populations of Chinook Salmon to ensure their continued existence. Other benefits of the proposed regulations are concurrence with Federal law, sustainable management of the Central Valley Chinook Salmon resources, general health and welfare of California residents, and promotion of businesses that rely on Central Valley Chinook Salmon sport fishing.

Consistency with State Regulations

Article IV, Section 20, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate recreational fishing in waters of the state (Fish & Game Code, Sections 200 and 205). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to recreational fishing seasons or bag and possession limits.

Proposed Regulatory Language

Section 7.50, Title 14, CCR is amended to read as follows:

§ 7.50. Alphabetical List of Waters with Special Fishing Regulations.

. . . [No changes to subsections (a) through (b)(4)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(5) American River (Sacramento Co.)		
(A) From Nimbus Dam to the Hazel Avenue bridge piers.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 <u>[0-4]</u> Chinook Salmon. 4 <u>[0-8]</u> Chinook Salmon in possession.
(B) From Hazel Avenue bridge piers to the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

	July 16 through Aug. 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 [0-4] Chinook Salmon. 4 [0-8] Chinook Salmon in possession.
(C) From the U.S. Geological Survey gauging station cable crossing about 300 yards down- stream from the Nimbus Hatchery fish rack site to the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Oct. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 [0-4] Chinook Salmon. 4 [0-8] Chinook Salmon in possession.
(D) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park downstream to the Jibboom Street bridge.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

	July 16 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 <u>[0-4]</u> Chinook Salmon. 4 <u>[0-8]</u> Chinook Salmon in possession.
(E) From the Jibboom Street bridge to the mouth.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession 2 <u>[0-4]</u> Chinook Salmon. 4 <u>[0-8]</u> Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

. . . [No changes to subsections (b)(6) through (b)(67)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(68) Feather River below Fish Barrier Dam (Butte, Sutter and Yuba cos.).		
(A) From Fish Barrier Dam to Table Mountain bicycle bridge in Oroville.	Closed to all fishing all year.	
(B) From Table Mountain bicycle bridge to Highway 70 bridge.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(C) From Highway 70 bridge to the unimproved boat ramp above the Thermalito Afterbay Outfall.	All year.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

	July 16 through Oct. 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 [0-4] Chinook Salmon. 4 [0-8] Chinook Salmon in possession.
	Oct. 16 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(E) From 200 yards above Live Oak boat ramp to the mouth. For purposes of this regulation, the lower boundary is defined as a straight line drawn from the peninsula point on the west bank to the Verona Marine boat ramp.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 [0-4] Chinook Salmon. 4 [0-8] Chinook Salmon in possession.

	Dec. 17 to Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
--	---------------------	---

. . . [No changes to subsections (b)(68.1) through (b)(156)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(156.5) Sacramento River and tributaries below Keswick Dam (Butte, Colusa, Contra Costa, Glenn, Sacramento, Shasta, Solano, Sutter, Tehama and Yolo cos.).	Also see Sierra District General Regulations (See Section 7.00(b)).	
(A) Sacramento River from Keswick Dam to 650 feet below Keswick Dam.	Closed to all fishing all year.	
(B) Sacramento River from 650 feet below Keswick Dam to the Deschutes Road bridge.		
1. Sacramento River from 650 feet below Keswick Dam to the Highway 44 bridge.	Jan. 1 to Mar. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Closed to all fishing from Apr. 1 through July 31.	
	Aug. 1 through Dec. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
2. Sacramento River from the Highway 44 bridge to the Deschutes Road bridge.	All year. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

(C) Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam.	Jan. 1 through July 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Aug. 1 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2[0-4] Chinook Salmon. -4[0-8] Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(D) Sacramento River from Red Bluff Diversion Dam to the Hwy 113 bridge near Knights Landing. Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa and Tisdale Weirs.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2[0-4] Chinook Salmon. -4[0-8] Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(E) Sacramento River from the Hwy 113 bridge near Knights Landing to the Carquinez Bridge (includes Suisun Bay, Grizzly Bay and all tributary sloughs west of Highway 160). Note: It is	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

unlawful to take fish 0-250 feet downstream from the overflow side of the Fremont and Sacramento Weirs.		
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 <u>[0-4]</u> Chinook Salmon. 4 <u>[0-8]</u> Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

. . . [No changes subsections 7.50(b)(157) through (b)(212)]

* Wild Chinook Salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

**Hatchery trout or steelhead in anadromous waters are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 205, 265, 270, 315, 316.5 and 399, Fish and Game Code.
Reference: Sections 200, 205, 265, 270 and 316.5, Fish and Game Code.

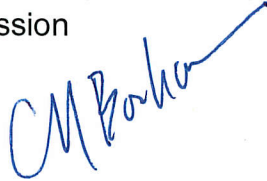
Memorandum

2018 JAN 24 PM 12:20

Date: January 24, 2018

To: Valerie Termini
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Initial Study/Negative Declaration for Proposed Amendments to Central Valley Salmon Sport Fishing Regulations, Title 14, California Code of Regulations**

In compliance with the California Environmental Quality Act, the Department of Fish and Wildlife has prepared the enclosed *Initial Study/Negative Declaration for Proposed Amendments to Central Valley Salmon Sport Fishing Regulations, Title 14, California Code of Regulations* for the Fish and Game Commission 2018 Sport Fishing Regulation Cycle.

If you have any questions regarding the enclosed documents, please contact Karen Mitchell, Senior Environmental Scientist, at (916) 445-0826 or at Karen.Mitchell@wildlife.ca.gov.

cc: Department of Fish and Wildlife

Stafford Lehr, Deputy Director
Wildlife and Fisheries Division
Stafford.Lehr@wildlife.ca.gov

Kevin Shaffer, Chief
Fisheries Branch
Kevin.Shaffer@Wildlife.ca.gov

Roger Bloom
Inland Fisheries Program Manager
Fisheries Branch
Roger.Bloom@wildlife.ca.gov

STATE OF CALIFORNIA
NATURAL RESOURCES AGENCY
FISH AND GAME COMMISSION
NEGATIVE DECLARATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SALMON SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS

Prepared by:

California Department of Fish and Wildlife
Fisheries Branch

This Report Has Been Prepared Pursuant to the
California Environmental Quality Act of 1970
State of California
Natural Resources Agency
Fish and Game Commission

State Clearinghouse #

**INITIAL STUDY AND NEGATIVE DECLARATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SALMON SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS**

The Project

The Fish and Game Commission (Commission) proposes to amend the Central Valley salmon sport fishing regulations as set forth in Title 14 of the California Code of Regulations. The current 2017 sport fishing regulations, California Code of Regulations, Title 14, Section 7.50, allow for salmon fishing in the American, Feather and Sacramento rivers. Each year, the Department of Fish and Wildlife (Department) evaluates the potential need to amend the existing Chinook Salmon bag and possession limits and seasons to align with management goals. Any proposed changes to the salmon fishing regulations are presented to the Commission for consideration.

The Findings

The initial study and the Commission's review of the project showed that the project will not have any significant or potentially significant effects on the environment. Therefore, no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. The project will not have a significant effect on aesthetics, agriculture and forest resources, air quality, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, tribal cultural resources, or utilities and service systems.

Basis of the Findings

Based on the initial study, implementation of the proposed project will not have any significant or potentially significant effects on the environment. Therefore, a negative declaration is filed pursuant to the California Environmental Quality Act, Public Resource Code Section 21080, subdivision (c).

This proposed negative declaration consists of the following:

- Introduction – Project Description and Background Information on the Proposed Amendments to Central Valley Salmon Sport Fishing Regulations
- Initial Study Environmental Checklist Form
- Explanation of the Response to the Initial Study Environmental Checklist Form

**PROJECT DESCRIPTION AND BACKGROUND INFORMATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SALMON SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS**

Introduction

Annually, the Department recommends Central Valley salmon sport fishing regulations to the Commission. The Commission then makes the final determination on what amendments to the regulations should be implemented and is the lead agency for the purposes of CEQA. Under Fish and Game Code Section 200, the Commission has the authority to regulate the taking or possession of fish for the purpose of sport fishing.

Project goals and objectives

The goal of this project is to amend the Central Valley salmon sport fishing regulations in furtherance of the state's policy on conservation, maintenance, and utilization of California's aquatic resources stated in Fish and Game Code Section 1700. This section includes the following objectives:

1. Maintain sufficient populations of all aquatic species to ensure their continued existence.
2. Maintain sufficient resources to support a reasonable sport use.
3. Manage using best available science and public input.

Background

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone, which is located three to 200 miles off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2018 meeting and develop the final PFMC regulatory recommendations for adoption by NMFS at its April 2018 meeting. Based on the regulations adopted by NMFS, the Department will recommend specific bag and possession limits to the Commission during a scheduled teleconference call on April 12, 2018.

The new regulations for the American, Feather, and Sacramento rivers may:

- (1) allow for additional harvest of salmon to reduce impacts to spawning habitat if low instream flow conditions occur; and

- (2) increase or decrease the current salmon bag and possession limits based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season.

Project Location

Central Valley salmon sport fishing addressed by this environmental document occurs in the waters of the American, Feather, and Sacramento rivers in northern California in the counties of Siskiyou, Shasta, Tehama, Colusa, Butte, Yuba, Sutter, Placer, El Dorado, Sacramento, Yolo, Solano, and Contra Costa.

Schedule

If adopted by the Commission and approved by the Office of Administrative Law, the proposed regulatory amendments described below will go into effect June 1, 2018.

Project Description

Because the PFMC/NMFS recommendations are not known at this time, a range (shown in brackets in the text below) of bag and possession limits is indicated where it is desirable to continue Chinook Salmon fishing in the American, Feather and Sacramento rivers:

American River, subsection 7.50(b)(5)

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through October 31 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

- (D) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

Feather River, subsection 7.50(b)(68)

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to the Live Oak boat ramp.

July 16 through October 15 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

(E) From the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5)

(C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

(D) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

(E) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon and a possession limit of [0-8] Chinook Salmon.

ENVIRONMENTAL CHECKLIST FORM

1. Project Title:
Proposed Amendments to Central Valley Salmon Sport Fishing Regulations, Title 14, California Code of Regulations
2. Lead Agency Name and Address:
California Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814
3. Contact Person and Phone Number:
Valerie Termini, (916) 653-4899
4. Project Location:
The Sacramento, Feather, and American rivers.
5. Project Sponsor's Name and Address:
California Department of Fish and Wildlife
Fisheries Branch
830 S Street
Sacramento, CA 95811
6. General Plan designation:
N/A (statewide)
7. Zoning:
N/A (statewide)
8. Description of Project:
Potentially amend the daily bag and possession limits for the Central Valley salmon sport fishery to maintain consistency with the Department's mission to manage California's diverse fisheries resources for their ecological value, their use and for the public's enjoyment.
9. Surrounding land uses and setting:
N/A
10. Other Public Agencies Whose Approval Is Required:
None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Tribal Cultural Resources	<input type="checkbox"/>	Utilities/Service Systems
<input type="checkbox"/>	Mandatory Findings of Significance				

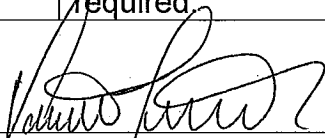
This project will not have a "Potential Significant Impact" on any of the environmental factors listed above; therefore, no boxes are checked.

DETERMINATION:

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to

applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Valerie Termini, Executive Director

2/12/18

Date

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS:				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. NOISE: Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. POPULATION AND HOUSING:				
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. PUBLIC SERVICES:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. TRANSPORTATION/TRAFFIC:				
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				
XVIII. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXPLANATION OF RESPONSES TO INITIAL STUDY ENVIRONMENTAL CHECKLIST

I. AESTHETICS

- a) The project will not have an adverse effect on a scenic vista. Such an impact will not occur because the project will not involve any construction, land alternation, or modification of any buildings or structures.
- b) The project will not damage scenic resources such as trees, rock outcroppings, and historic buildings. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.
- c) The project will not substantially degrade the existing visual character or quality of the work sites and their surroundings. Such an impact will not occur because the project will not involve any construction, land alternation, or modification of any buildings or structures.
- d) The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

II. AGRICULTURE RESOURCES

- a) The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- b) The project will not conflict with existing zoning for agricultural use or a Williamson Act contract. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- c) The project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timber zoned Timberland Production. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- d) There will be no loss of forest land and the project will not result in the conversion of forest land to non-forest use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- e) The project will not involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

III. AIR QUALITY

- a) The project will not conflict with or obstruct implementation of the applicable air quality plan. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- b) The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- c) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors). Such an impact will not occur because the project involves no ongoing sources of air pollution.
- d) The project will not expose sensitive receptors to substantial pollutant concentrations. Such an impact will not occur because the project will not increase pollutant concentrations.
- e) The project will not create objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES

- a) The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the CDFW, National Marine Fisheries Service (NMFS) or U. S. Fish and Wildlife Service (USFWS).

An increase in the daily bag and possession limit for Central Valley fall-run Chinook Salmon would not directly or indirectly affect candidate, sensitive, or special-status species. Although listed fish species including Central Valley Steelhead, Central Valley spring-run Chinook Salmon, and winter-run Chinook Salmon could be present in the lower American, Sacramento, or Feather rivers during the Central Valley fall-run Chinook Salmon sport fishing season, existing sport fishing regulations prohibit take of these species.

- b) The project will not have an adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies and regulations, or by the CDFW or the USFWS. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- c) The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological

interruption, or other means. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

- d) The project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- e) The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Such an impact will not occur because the project will not result in any construction, land alteration, or land use changes.
- f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

V. CULTURAL RESOURCES

- a) The project will not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5. There is no ground disturbing work and thus no potential to affect historical resources.
- b) The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. There is no ground disturbing work and thus no potential to affect archaeological resources.
- c) The project will not directly or indirectly destroy any unique paleontological resources or sites, or unique geologic features. There is no ground disturbing work and thus no potential to affect paleontological resources.
- c) The project will not disturb any human remains, including those interred outside of formal cemeteries. There is no ground disturbing work and thus no potential to affect human remains.

VI. GEOLOGY AND SOILS

- a i) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault. Such an impact will not occur because the project will not involve ground disturbing work.

- a ii) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Such an impact will not occur because the project will not involve ground disturbing work.
- a iii) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Such an impact will not occur because the project will not involve ground disturbing work.
- a iv) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Such an impact will not occur because the project will not involve ground disturbing work.
- b) The project will not result in substantial soil erosion or the loss of topsoil. Such an impact will not occur because the project will not involve ground disturbing work.
- c) The project will not be located on a geologic unit or soil that unstable, or that would become unstable and potentially result in on- or off- site landslides, lateral spreading, subsidence, liquefaction, or collapse. Such an impact will not occur because the project will not involve ground disturbing work.
- d) The project will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. Such an impact will not occur because the project will not involve ground disturbing work.
- d) The project will not create any sources of waste water requiring a septic system

VII. GREENHOUSE GAS EMISSIONS

- a. The project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The project will not involve any construction, land alternation, or land use changes.
- b. The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG. The impacts of GHG produced by the use of vehicles to and from the Sacramento River during the angling season will be negligible.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- a) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project will not involve the transport, use, or disposal of hazardous materials.

- b) The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The project will not involve the transport, use, or disposal of hazardous materials.
- c) The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The project will not involve the transport, use, or disposal of hazardous materials.
- d) The project will not be located on any site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- e) The project will not be located within an airport land use plan area.
- f) The project will not be located within the vicinity of a private airstrip.
- g) The project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The project will not involve any construction, land alteration, or land use changes.
- h) The project will not expose people or structures to a significant risk of loss, injury, or death involving wild land fires. The project will not involve any construction, land alteration, or land use changes.

IX. HYDROLOGY AND WATER QUALITY

- a) The project will not violate any water quality standards or waste discharge requirements. The project will not involve any construction, land alteration, water use, or water discharge.
- b) The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project will not involve any construction, land alteration, or groundwater use.
- c) The project will not substantially alter the existing drainage pattern of the work sites in a manner that would result in substantial erosion or siltation on- or off-site because the project will not involve any construction or land alteration.
- d) The project will not substantially alter the existing drainage pattern of the work sites, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site because the project will not involve any construction or land alteration.
- e) The project will not create or contribute runoff water that would exceed the capacity of existing or planned storm-water drainage systems, or provide substantial

additional sources of polluted runoff because the project will not involve any construction or land alteration.

- f) The project will not substantially degrade water quality. The project will not involve any construction or land alteration, and thus will not have any adverse impacts on water quality.
- g) The project will not place housing within a 100-year flood hazard area as mapped on any flood hazard delineation map. No housing will be created as part of this project.
- h) The project will not place within a 100-year flood hazard area structures which would significantly impede or redirect flood flows. No new structures will be associated with this project.
- i) The project will not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. The project will not involve any construction, land alteration, or land use changes.
- j) The project will not expose people or structures to a significant risk of inundation by seiche, tsunami, or mudflow. The project will not involve any construction, land alteration, or land use changes.

X. LAND USE AND PLANNING

- a) The project will not physically divide an established community. The project will not involve any construction, land alteration, or land use changes.
- b) The project does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. The project will not involve any construction, land alteration, or land use changes.
- e) The project will not conflict with any Habitat Conservation or Natural Community Conservation plan. The project will not involve any construction, land alteration, or land use changes.

XI. MINERAL RESOURCES

- a) The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

- b) The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

XII. NOISE

- a) The project will not result in exposure of persons to, or generation of noise levels in excess of, standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The project will not involve construction or physical alteration of land, and its implementation will not generate noise levels in excess of agency standards.
- b) The project will not result in exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels. The project will not involve construction or physical alteration of land.
- c) The project will not result in a substantial permanent increase in ambient noise levels in the project vicinity. The project will not involve construction or physical alteration of land, or the creation of any permanent noise sources.
- f) The project will not result in a substantial temporary, or periodic, increase in ambient noise levels in the project vicinity above levels existing without the project. The project will not involve construction or physical alteration of land.
- e) The project will not be located within an airport use plan or within two miles of a public airport or public use airport.
- g) The project will not be located within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING

- a) The project will not induce substantial population growth in an area, either directly or indirectly. Such an impact will not occur because the project will not construct any new homes, businesses, roads, or other human infrastructure.
- b) The project will not displace any existing housing and will not necessitate the construction of replacement housing elsewhere.
- c) The project will not displace any people and will not necessitate the construction of replacement housing elsewhere.

XIV. PUBLIC SERVICES

- a) The project will not have any significant environmental impacts associated with new or physically altered governmental facilities. The project will not involve any construction, land alteration, or land use changes.

XV. RECREATION

- a) The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b) The project will not involve any construction, land alternation, or land use changes. There will be no construction or expansion of recreational facilities.

XVI. TRANSPORTATION/TRAFFIC

- a) The project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- b) The project will not conflict, either individually or cumulatively, with any applicable congestion program established by the county congestion management agency for designated roads or highways.
- c) The project will not result in any change in air traffic patterns.
- d) The project will not alter terrestrial features or is incompatible with uses of equipment.
- e) The project will not result in inadequate emergency access. The project does not involve construction.
- g) The project will not significantly affect parking capacity or demand for parking.

XVII. TRIBAL CULTURAL RESOURCES

- a) The Project will not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). There is no ground disturbing work and thus no potential to affect tribal cultural resources.

- b) The Project will not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. There is no ground disturbing work and thus no potential to affect tribal cultural resources.

XVIII. UTILITIES AND SERVICE SYSTEMS

- a) The project will not produce wastewater.
- b) The project will not require, or result in the construction of, new water or wastewater treatment facilities or expansion of existing facilities. Such an impact will not occur because the project will not produce wastewater.
- c) The project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities.
- d) The project will have sufficient water supplies available to serve the project from existing entitlements and resources.
- e) The project will not produce wastewater.
- f) The project will not generate solid waste requiring disposal in a landfill.
- g) The project will not create solid waste. Thus, the project will be in compliance with federal, state, and local statutes related to solid waste.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- a) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The project is consistent with the Department's mission to manage California's diverse fisheries resources for their ecological value, their use and for the public's enjoyment.
- b) The project does not have adverse impacts that are individually limited, but cumulatively considerable. Cumulative adverse impacts will not occur because there are no potential adverse impacts due to project implementation.
- c) The project does not have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly. The project will not involve any construction, land alteration, or the creation of new infrastructure.