

**State of California
Office of Administrative Law**

In re:
Fish and Game Commission

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:
Amend sections: 502
Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3


OAL Matter Number: 2018-0523-02

OAL Matter Type: Regular (S)

This rulemaking action for waterfowl hunting establishes a new special management area, identified as the Klamath Basin, and the waterfowl species, hunting season, and daily bag and possession limits for that area. It creates three hunting season segments for geese in the Northeastern California Zone. It adjusts the dates for the 2018-2019 season for the various California waterfowl hunting zones, and it increases the daily bag limit for pintail ducks.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 6/28/2018.

Date: June 28, 2018



**Dale P. Mentink
Senior Attorney**

**For: Debra M. Cornez
Director**

**Original: Valerie Termini, Executive
Director**
Copy: Jon Snellstrom

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2017-1226-02	2018-0523-02S	

ENDORSED - FILED
In the office of the Secretary of State of the State of California

JUN 28 2018

1:44 pm

For use by Office of Administrative Law (OAL) only	
RECEIVED DATE DEC 26 '17 PUBLICATION DATE JAN 05 '18 Office of Administrative Law NOTICE	2018 MAY 23 P 2:53 OFFICE OF ADMINISTRATIVE LAW REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
Fish and Game Commission

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Waterfowl 2018-2019		TITLE(S) 14	FIRST SECTION AFFECTED 502	2. REQUESTED PUBLICATION DATE January 5, 2018
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Jon Snellstrom	TELEPHONE NUMBER (916) 643-4899	FAX NUMBER (Optional) (916) 653-5040
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2018 01-2	PUBLICATION DATE 1-5-2018

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Waterfowl 2018-2019	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 502
TITLE(S) 14	REPEAL

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) Eff. on filing w/SOS pers 355 F&G Code
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Jon Snellstrom	TELEPHONE NUMBER 916-653-4899	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) jon.snellstrom@fgc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Thesell</i>	DATE 5/23/18
TYPED NAME AND TITLE OF SIGNATORY David Thesell, Program Manager	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUN 28 2018

Office of Administrative Law

REGULATORY TEXT

Section 502, Title 14, CCR, is amended as follows:

... [No changes to subsections (a) through (b)(5)]

(6) Special Management Areas

(A) North Coast. All of Del Norte and Humboldt counties.

(B) Humboldt Bay South Spit (West Side). Beginning at the intersection of the north boundary of Table Bluff County Park and the South Jetty Road; north along the South Jetty Road to the South Jetty; west along the South Jetty to the mean low water line of the Pacific Ocean; south along the mean low water line to its intersection with the north boundary of the Table Bluff County Park; east along the north boundary of the Table Bluff County Park to the point of origin.

(C) Klamath Basin. Beginning at the intersection of Highway 161 and Highway 97; east on Highway 161 to Hill Road; south on Hill Road to N Dike Road West Side; east on N Dike Road West Side until the junction of the Lost River; north on N Dike Road West Side until the Volcanic Legacy Scenic Byway; east on Volcanic Legacy Scenic Byway until N Dike Road East Side; south on the N Dike Road East Side; continue east on N Dike Road East Side to Highway 111; south on Highway 111/Great Northern Road to Highway 120/Highway 124; west on Highway 120/Highway 124 to Hill Road; south on Hill Road until Lairds Camp Road; west on Lairds Camp Road until Willow Creek; west and south on Willow Creek to Red Rock Road; west on Red Rock Road until Meiss Lake Road/Old State Highway; north on Meiss Lake Road/Old State Highway to Highway 97; north on Highway 97 to the point of origin.

~~(C)-(D)~~ Sacramento Valley. Beginning at the town of Willows; south on Interstate 5 to the junction with Hahn Road; east on Hahn Road and the Grimes-Arbuckle Road to the town of Grimes; north on Highway 45 to its junction with Highway 162; north on Highway 45-162 to the town of Glenn; west on Highway 162 to the point of beginning.

~~(D)-(E)~~ Morro Bay. Beginning at a point where the high tide line intersects the State Park boundary west of Cuesta by the Sea; northeasterly to a point 200 yards offshore of the high tide line at the end of Mitchell Drive in Baywood Park; northeasterly to a point 200 yards offshore of the high tide line west of the Morro Bay State Park Boundary, adjacent to Baywood Park; north to a point 300 yards south of the high tide line at the end of White Point; north along a line 400 yards offshore of the south boundary of the Morro Bay City limit to a point adjacent to Fairbanks Point; northwesterly to the high tide line on the sand spit; southerly along the high tide line of the sand spit to the south end of Morro Bay; easterly along the Park boundary at the high tide line to the beginning point.

~~(E)-(F)~~ Martis Creek Lake. The waters and shoreline of Martis Creek Lake, Placer and Nevada counties.

~~(F)-(G)~~ Northern Brant. Del Norte, Humboldt and Mendocino counties.

~~(G)~~ (H) Balance of State Brant. That portion of the state not included in the Northern Brant Special Management Area.

~~(H)-(I)~~ Imperial County. Beginning at Highway 86 and the Navy Test Base Road; south on Highway 86 to the town of Westmoreland; continue through the town of Westmoreland to Route S26; east on Route S26 to Highway 115; north on Highway 115 to Weist Rd.; north on Weist Rd. to Flowing Wells Rd.; northeast on Flowing Wells Rd. to the Coachella Canal; northwest on the Coachella Canal to Drop 18; a straight line

from Drop 18 to Frink Rd.; south on Frink Rd. to Highway 111; north on Highway 111 to Niland Marina Rd.; southwest on Niland Marina Rd. to the old Imperial County boat ramp and the water line of the Salton Sea; from the water line of the Salton Sea, a straight line across the Salton Sea to the Salinity Control Research Facility and the Navy Test Base Road; southwest on the Navy Test Base Road to the point of beginning.

(c) Seasons and Bag and Possession Limits for American Coots, and Common Moorhens.		
(1) Statewide Provisions.		
(A) Species	(B) Season	(C) Daily Bag and Possession Limits
American Coot and Common Moorhen	Concurrent with duck season(s)	Daily bag limit: 25, either all of one species or a mixture of these species. Possession limit: triple the daily bag limit.
(d) Seasons and Bag and Possession Limits for Ducks and Geese by Zone.		
(1) Northeastern California Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)		
(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers)	From the first Saturday in October extending for 105 days. Scaup: from the first Saturday in October extending for a period of 58 days and from the fourth Saturday in December extending for a period of 28 days.	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females. • 4 <u>2</u> pintails (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). Possession limit: triple the daily bag limit.
Geese	Regular Season: Dark geese from the first Saturday in October extending for 100 days. <u>Large Canada Geese: from the first Saturday in October extending for 100 days.</u> <u>White-fronted geese and White white geese</u> from the first Saturday in October extending for a period of 58 days and from the first Saturday in January extending for a period of 14 days.	Daily bag limit: 30 Daily bag limit may include: • 20 white geese. • 10 dark geese but not more than 2 Large Canada geese (see definitions: 502(a)). Possession limit: triple the daily bag limit.

	<p>Late Season: <u>White-fronted and white geese</u> from March 3 extending for 5 days. <u>White geese</u> from the first Tuesday in February extending for 33 days. <u>February 6</u> extending for 33 days.</p> <p>During the Late Season, hunting is only permitted on Type C wildlife areas listed in Section 550-552, navigable waters, and private lands with the permission of the land owner under provisions of Section 2016, Fish and Game Code. Hunting is prohibited on Type A and Type B wildlife areas, the Klamath Basin National Wildlife Refuge Complex, the Modoc National Wildlife Refuge, and any waters which are on, encompassed by, bounded over, flow over, flow through, or are adjacent to any Type A and Type B wildlife areas, the Klamath Basin National Wildlife Refuge Complex, or the Modoc National Wildlife Refuge.</p>	
<p>(2) Southern San Joaquin Valley Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)</p>		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
<p>Ducks (including Mergansers)</p>	<p>From the third Saturday in October extending for 100 days. Scaup: from the first Saturday in November extending for 86 days.</p>	<p>Daily bag limit: 7 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 7 mallards, but not more than 2 females. • 1 <u>2</u> pintails (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). <p>Possession limit: triple the daily bag limit.</p>
<p>Geese</p>	<p>From the third Saturday in October extending for 100 days.</p>	<p>Daily bag limit: 30 Daily bag limit may include:</p> <ul style="list-style-type: none"> • 20 white geese. • 10 dark geese (see definitions: 502(a)).

		Possession limit: triple the daily bag limit.
(3) Southern California Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)		
(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers)	From the third Saturday in October extending for 100 days. Scaup: from the first Saturday in November extending for 86 days.	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females. • 1 <u>2</u> pintails (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). Possession limit: triple the daily bag limit.
Geese	From the third Saturday in October extending for 100 days.	Daily bag limit: 23 Daily bag limit may include: • 20 white geese. • 3 dark geese (see definitions: 502(a)). Possession limit: triple the daily bag limit.
(4) Colorado River Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)		
(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers).	From the third Friday in October extending for 101 days. Scaup: from the first Saturday in November extending for 86 days.	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females or Mexican-like ducks. • 1 <u>2</u> pintails (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). Possession limit: triple the daily bag limit.
Geese	From the third Friday in October extending for 101 days.	Daily bag limit: 24 Daily bag limit may include: • 20 white geese. • 4 dark geese (see definitions: 502(a)).

		Possession limit: triple the daily bag limit.
(5) Balance of State Zone (NOTE: SEE SUBSECTION 502(d)(6) BELOW FOR SPECIAL SEASONS AND CLOSURES.)		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
Ducks (including Mergansers).	From the third Saturday in October extending for 100 days. Scaup: from the first Saturday in November extending for 86 days.	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females. • 4 <u>2</u> pintails (either sex). • 2 canvasback (either sex). • 2 redheads (either sex). • 3 scaup (either sex). Possession limit: triple the daily bag limit.
Geese	Early Season: Large Canada geese only from the Saturday closest to October 1 for a period of 5 days EXCEPT in the North Coast Special Management Area where Large Canada geese are closed during the early season. Regular Season: Dark and white geese from the third Saturday in October extending for 100 days EXCEPT in the Sacramento Valley Special Management Area where the white-fronted goose season will close after December 21. Late Season: White-fronted geese and white geese from the second Saturday in February extending for a period of 5 days EXCEPT in the Sacramento Valley Special Management Area where the white-fronted goose season is closed. During the Late Season, hunting is not permitted on wildlife areas listed in Sections 550-552 EXCEPT on Type C wildlife areas in the North Central and Central regions.	Daily bag limit: 30 Daily bag limit may include: • 20 white geese. • 10 dark geese EXCEPT in the Sacramento Valley Special Management Area where only 3 may be white-fronted geese (see definitions: 502(a)). Possession limit: triple the daily bag limit.

(6) Special Management Areas (see descriptions in 502(b)(6))			
	(A) Species	(B) Season	(C) Daily Bag and Possession Limits
1. North Coast	All Canada Geese	From November 7 <u>October 31</u> extending for a period of 83 <u>89</u> days (Regular Season) and from February 17 <u>23</u> extending for a period of 22 <u>16</u> days (Late Season). During the Late Season, hunting is only permitted on private lands with the permission of the land owner under provisions Section 2016, Fish and Game Code.	Daily bag limit: 10 Canada Geese of which only 1 may be a Large Canada goose (see definitions: 502(a)), EXCEPT during the Late Season the bag limit on Large Canada geese is zero. Possession limit: triple the daily bag limit.
2. Humboldt Bay South Spit (West Side)	All Species	Closed during brant season	
3. Klamath Basin	<u>Geese</u>	<u>Large Canada Geese from the first Saturday in October extending for 100 days.</u> <u>White-fronted and white geese from the first Saturday in October extending for 105 days.</u>	<u>Daily bag limit: 30</u> <u>Daily bag limit may include:</u> • <u>20 white geese.</u> • <u>10 dark geese but not more than 2 Large Canada geese (see definitions: 502(a)).</u> <u>Possession limit: triple the daily bag limit.</u>
3-4. Sacramento Valley	White-Fronted Geese	Open concurrently with the goose season through December 21, and during Youth Waterfowl Hunting Days.	Daily bag limit: 3 white-fronted geese. Possession limit: triple the daily bag limit.
4-5. Morro Bay	All species	Open in designated area only from the opening day of brant season through the remainder of waterfowl season.	
5-6. Martis Creek Lake	All species	Closed until November 16.	
6-7. Northern	Black Brant	From November 8 extending for 37 days.	Daily bag limit: 2 Possession limit: triple

Brant			the daily bag limit.
7-8. Balance of State Brant	Black Brant	From November 9 extending for 37 days.	Daily bag limit: 2 Possession limit: triple the daily bag limit.
8-9. Imperial County	White Geese	From the first Saturday in November extending for a period of 86 days (Regular Season) and from the first Saturday in February extending for a period of 16 17 days (Late Season). During the Late Season, hunting is only permitted on private lands with the permission of the land owner under provisions of Section 2016, Fish and Game Code.	Daily bag limit: 20 Possession limit: triple the daily bag limit.

(e) Youth Waterfowl Hunting Days Regulations (NOTE: To participate in these Youth Waterfowl Hunts, federal regulations require that hunters must be 17 years of age or younger and must be accompanied by a non-hunting adult 18 years of age or older.)

(1) Statewide Provisions.

(A) Species	(B) Season	(C) Daily Bag Limit
Ducks (including Mergansers), American Coot, Common Moorhen, Black Brant, Geese	<p>1. Northeastern California Zone: The Saturday fourteen days before the opening of waterfowl season extending for 2 days.</p> <p>2. Southern San Joaquin Valley Zone: The Saturday following the closing of waterfowl season extending for 2 days.</p> <p>3. Southern California Zone: The Saturday following the closing of waterfowl season extending for 2 days.</p> <p>4. Colorado River Zone:</p>	Same as regular season.

	<p>The Saturday following the closing of waterfowl season extending for 2 days.</p> <p>5. Balance of State Zone: The Saturday following the closing of waterfowl season extending for 2 days.</p>	
(f) Falconry Take of Ducks (including Mergansers), Geese, American Coots, and Common Moorhens.		
(1) Statewide Provisions		
(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers), Geese, American Coot and Common Moorhen	<p>1. Northeastern California Zone. Open concurrently with duck season through January 14, 2018. <u>13, 2019.</u></p> <p>2. Balance of State Zone. Open concurrently with duck season and February 3-4, 2018 <u>2-3, 2019</u> EXCEPT in the North Coast Special Management Area where the falconry season for geese runs concurrently with the season for Small Canada geese (see 502(d)(6))</p> <p>3. Southern San Joaquin Valley Zone. Open concurrently with duck season and January 29-31, 2018. <u>28-30, 2019.</u> Goose hunting in this zone by means of falconry is not permitted.</p> <p>4. Southern California Zone. Open concurrently with duck season and January 29 February 2,</p>	<p>Daily bag limit: 3 Daily bag limit makeup: • Either all of 1 species or a mixture of species allowed for take.</p> <p>Possession limit: 9</p>

~~2018. 28-February 1,~~
~~2019 EXCEPT~~ in the
Imperial County Special
Management Area where
the falconry season for
geese runs concurrently
with the season for white
geese.

5. Colorado River Zone.
Open concurrently with
duck season and
~~January 29-February 1,~~
~~2018. 28-31, 2019.~~

Goose hunting in this
zone by means of
falconry is not permitted.
Federal regulations
require that California's
hunting regulations
conform to those of
Arizona, where goose
hunting by means of
falconry is not permitted.

Note: Authority cited: Sections 265 and 355, Fish and Game Code. Reference:
Sections 265, 355 and 356, Fish and Game Code.