

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 Z-2016-1220-04 | REGULATORY ACTION NUMBER 2017-0421-025 | EMERGENCY NUMBER |
|------------------|--------------------------------------|---|------------------|

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

MAY 01 2017

1:40pm

For use by Office of Administrative Law (OAL) only

NOTICE

2017 APR 21 P 1:22
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 | TITLE(S) | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE |
| 3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | 4. AGENCY CONTACT PERSON | TELEPHONE NUMBER | FAX NUMBER (Optional) |
| 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 Disapproved/Withdrawn | NOTICE REGISTER NUMBER 2016 53-2 | PUBLICATION DATE 12/30/2016 |

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| | |
|---|--|
| 1a. SUBJECT OF REGULATION(S) Recreational Ocean Salmon Fishing During May- November 2017 | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) |
|---|--|

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|---|----------------|
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related) | ADOPT |
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | AMEND 27.80 |
| 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) May 1, 2017, per 11343.4(b)(4), GC and F4C 265 |
|---|--|---|--|

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 Sherrie Fonbuena | TELEPHONE NUMBER (916) 654-9866 | FAX NUMBER (Optional) | E-MAIL ADDRESS (Optional) Sherrie.Fonbuena@fgc.ca.gov |
|---------------------------------------|------------------------------------|-----------------------|--|

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>Melissa A. Miller-Henson</i> | DATE April 21, 2017 |
| TYPED NAME AND TITLE OF SIGNATORY Melissa Miller-Henson, Deputy Executive Director | |

For use by Office of Administrative Law (OAL) only

per agency request S.J.C. 05-01-2017

Regulatory Language

Subsection (d) of Section 27.80, Title 14, CCR, is amended to read:

§27.80. Salmon.

...

(d) Open Fishing Days, Daily Bag Limits, and Minimum Size in effect on or after May 1, ~~2016~~2017.

(1) North of Horse Mountain (40°05'00" N. lat.) and in Humboldt Bay.

(A) ~~Open to salmon fishing May 16 to May 31, June 16 to June 30, July 16 to August 16, and September 1 to September 5, 2016. Fishing is authorized 7 days per week.~~

~~Exception: See Section 27.75 for specific fishery closure areas around the Smith, Klamath and Eel rivers.~~ Closed to salmon fishing.

(B) ~~Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~

(C) ~~Minimum Size: 20 inches total length.~~

(2) Between Horse Mountain and Point Arena (38°57'30" N. lat.).

(A) ~~Open to salmon fishing May 1 to November 13, 2016~~May 1 to May 31 and August 15 to November 12, 2017. Fishing is authorized 7 days per week.

(B) ~~Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~

(C) ~~Minimum Size: 20 inches total length.~~

(3) Between Point Arena and Pigeon Point (37°11'00" N. lat.).

(A) ~~Open to salmon fishing May 1 to October 31, 2016~~May 15 to October 31, 2017. Fishing is authorized 7 days per week.

(B) ~~Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~

(C) ~~Minimum Size: 20 inches total length.~~

(4) Between Pigeon Point and Point Sur (36°18'00" N. lat.).

(A) ~~Open to salmon fishing May 1 to July 15, 2016~~May 1 to July 15, 2017. Fishing is authorized 7 days per week.

(B) ~~Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~

(C) ~~Minimum Size: 24 inches total length.~~

(5) South of Point Sur.

(A) ~~Open to salmon fishing May 1 to May 31, 2016~~May 1 to May 31, 2017. Fishing is authorized 7 days per week.

(B) ~~Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~

(C) ~~Minimum Size: 24 inches total length.~~

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Note: Authority cited: Sections 200, ~~202, 205, 220, 240, 316.5~~265, 316.5, 399 and 2084, Fish and Game Code. Reference: Sections 200, ~~202, 205, 265,~~ 265, 316.5 and 2084, Fish and Game Code.