

**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: 7.50**

**Repeal sections:**

**NOTICE OF APPROVAL OF EMERGENCY  
REGULATORY ACTION**

**Government Code Sections 11346.1 and  
11349.6**

**OAL Matter Number: 2019-0618-03**

**OAL Matter Type: Emergency (E)**

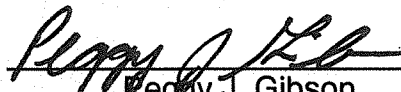
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In this emergency rulemaking the Fish and Game Commission is opening the lower Klamath River and upper Trinity River for Upper Klamath-Trinity River Spring Chinook Salmon fishing.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 6/26/2019 and will expire on 12/24/2019. The Certificate of Compliance for this action is due no later than 12/23/2019.

Date: June 26, 2019

  
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Peggy J. Gibson  
Senior Attorney

For: Holly Pearson  
Acting Director

Original: Melissa Miller-Henson, Acting  
Executive Director  
Copy: Sherrie Fonbuena

# EMERGENCY

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER	EMERGENCY NUMBER <b>2019-0618-03E</b>
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For use by Office of Administrative Law (OAL) only

2019 JUN 18 P 12:00  
OFFICE OF ADMINISTRATIVE LAW

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

JUN 26 2019  
1:32 pm

NOTICE

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)
<b>OAL USE ONLY</b>	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER	PUBLICATION DATE

### B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Special Order Regarding Take of Chinook Salmon	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)	
<b>SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b>	ADOPT
	AMEND
	7.50
TITLE(S) 14	REPEAL

3. TYPE OF FILING			
<input 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 checked="" 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 checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify)

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
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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 	DATE 6/18/19
TYPED NAME AND TITLE OF SIGNATORY David Thesell, Program Manager	

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

JUN 26 2019

Office of Administrative Law

**Proposed Emergency Regulatory Language**

Subsection (b)(91.2) is added to Section 7.50, Title 14, CCR, as follows:

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

... [No changes to subsections (a) through (b)(91.1)]

**(91.2) Special Order Regarding Take of Chinook Salmon in Anadromous Waters of the Klamath River Basin Downstream of Iron Gate and Lewiston dams.**

Notwithstanding subsection (b)(91.1) of Section 7.50, between January 1 and August 14 on the Klamath River and between January 1 and August 31 on the Trinity River, South Fork Trinity River and New River, Chinook Salmon may not be taken or possessed except as authorized on the identified segments of rivers as listed in the following table. All other restrictions apply.

<u>Body of Water</u>	<u>Open Season and Special Regulations</u>	<u>Daily Bag and Possession Limit</u>
<u>(A) Klamath River segment identified in subsection 7.50(b)(91.1)(E)2.b.</u>	<u>July 1 through August 14</u>	<u>1 Chinook Salmon 2 Chinook Salmon in possession</u>
<u>(B) Trinity River segment identified in subsection 7.50(b)(91.1)(E)6.b.</u>	<u>July 1 through August 31</u>	<u>1 Chinook Salmon 2 Chinook Salmon in possession</u>
<u>(C) Trinity River segment identified in subsection 7.50(b)(91.1)(E)6.c.</u>	<u>July 1 through August 31</u>	<u>1 Chinook Salmon 2 Chinook Salmon in possession</u>
<u>(D) New River segment identified in subsection 7.50(b)(91.1)(E)6.d.</u>	<u>July 1 through August 31</u>	<u>1 Chinook Salmon 2 Chinook Salmon in possession</u>
<u>(E) Trinity River segment identified in subsection 7.50(b)(91.1)(E)6.e.</u>	<u>July 1 through August 31</u>	<u>1 Chinook Salmon 2 Chinook Salmon in possession</u>

... [No changes subsections 7.50(b)(92) 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~~316.5, 399 and 2084, Fish and Game Code. Reference: Sections 200, 205, 265, ~~270 and 316.5~~270, 316.5 and 2084, Fish and Game Code.