

2019 JUL 11 PM 1:30

**gState of California
Office of Administrative Law**

In re:
Fish and Game Commission

Regulatory Action:

Title 14, California Code of Regulations

Amend section: 7.50

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2019-0531-01

OAL Matter Type: Regular (S)

This action sets bag and possession limits for the recreational take of Chinook salmon in the American, Feather, Mokelumne, and Sacramento rivers.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/16/2019.

Date: July 9, 2019



Nicole C. Carrillo
Attorney

For: Kenneth J. Pogue
Director

Original: Melissa Miller-Henson, Acting
Executive Director

Copy: Craig Castleton

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-2019-0108-01	REGULATORY ACTION NUMBER 2019-0531-018	EMERGENCY NUMBER
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

JUL 09 2019
at 1:42 PM

For use by Office of Administrative Law (OAL) only

2019 MAY 31 A 10:22
OFFICE OF ADMINISTRATIVE LAW

NOTICE REGULATIONS

AGENCY FILE NUMBER (if any)

AGENCY WITH RULEMAKING AUTHORITY
California Fish and Game Commission

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 <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER 2019 03-2	PUBLICATION DATE 1-18-19

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Central Valley Salmon Sport Fishing	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 7.50
TITLE(S) 14	REPEAL

3. TYPE OF FILING

Regular Rulemaking (Gov. Code §11346)
 Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
 Emergency (Gov. Code, §11346.1(b))

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.
 Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)

Emergency Readopt (Gov. Code, §11346.1(h))
 File & Print
 Other (Specify) _____

Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
 Print Only

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)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
 Effective on filing with Secretary of State
 §100 Changes Without Regulatory Effect
 Effective other (Specify) 07/16/19, per Gov Code 11343.4(b)(4)(A)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660)
 Fair Political Practices Commission
 State Fire Marshal
 Other (Specify) _____

7. CONTACT PERSON Craig Castleton	TELEPHONE NUMBER (916) 651-1329	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) craig.castleton@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 5/30/2019
TYPED NAME AND TITLE OF SIGNATORY David Thesell, Program Manager	

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
JUL 09 2019
Office of Administrative Law

Proposed Regulatory Language (Option 1 approved)

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

§ 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.) Co.		
(A) From Nimbus Dam to the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site.	Closed to all fishing all year.	
(B) From the U.S. Geological Survey gauging station cable crossing about 300 yards downstream 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** steelhead** . 4 hatchery trout or 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. 4 Chinook Salmon. 24 Chinook Salmon in possession.

<p>(C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park downstream to the Jibboom Street bridge.</p>	<p>Jan. 1 through July 15.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
	<p>July 16 through Dec. 31.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 42 Chinook Salmon. 24 Chinook Salmon in possession.</p>
<p>(D) From the Jibboom Street bridge to the mouth.</p>	<p>Jan. 1 through July 15.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
	<p>July 16 through Dec. 16.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 42 Chinook Salmon. 24 Chinook Salmon in possession.</p>

	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
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... [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 <u>year</u> .	
(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 <u>31</u> .	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. <u>12</u> Chinook Salmon. <u>24</u> Chinook Salmon in possession.
	Oct. 16 <u>Nov. 1</u> 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. 42 Chinook Salmon. 24 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)(122)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(124) Mokelumne River (San Joaquin Co.).		
(A) From Camanche Dam to Highway 99 bridge Elliott Road.	Jan. 1 through Mar. 31.	1 hatchery trout or 1 hatchery steelhead**.
	Fourth Saturday in May through July 15.	1 hatchery trout or 1 hatchery steelhead**.

	July 16 through Oct. 15.	1 hatchery trout or hatchery steelhead**. 2 Chinook salmon. <u>2 Chinook Salmon.</u> <u>4 Chinook Salmon in possession.</u>
(B) From Highway 99 bridge Elliott Road to the Woodbridge Irrigation District Dam including Lodi Lake.	Jan. 1 through July 15.	1 hatchery trout or 1 hatchery steelhead** steelhead**.
	July 16 through Dec. 31.	1 hatchery trout or hatchery steelhead**. 2 Chinook salmon. <u>2 Chinook Salmon.</u> <u>4 Chinook Salmon in possession.</u>
(C) Between the Woodbridge Irrigation District Dam and the Lower Sacramento Road bridge.	Closed to all fishing all <u>year</u> .	
(D) From the Lower Sacramento Road bridge to the mouth. For purposes of this regulation, this river segment is defined as Mokelumne River and its tributary sloughs downstream of the Lower Sacramento Road bridge and east of Highway 160 and north of Highway 12.	Jan. 1 through July 15.	1 hatchery trout or 1 hatchery steelhead**.
	July 16 through Dec. 16.	1 hatchery trout or hatchery steelhead**. 2 Chinook salmon. <u>2 Chinook Salmon.</u> <u>4 Chinook Salmon in possession.</u>
	Dec. 17 through Dec. 31.	1 hatchery trout or 1 hatchery

		steelhead** <u>steelhead**</u> .
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... [No changes to subsections (b)(125) 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. 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. 42 Chinook Salmon. 24 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 the 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	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or

Moulton, Colusa and Tisdale Weirs.		hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. <u>42</u> Chinook Salmon. <u>24</u> 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 unlawful to take fish 0-250 feet downstream from the overflow side of the Fremont and Sacramento 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. <u>42</u> Chinook Salmon. <u>24</u> Chinook Salmon in possession.

	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
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. . . [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.