

REGULAR

(See instructions on reverse)

For use by Secretary of State only

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2019-0108-07	REGULATORY ACTION NUMBER 2019-0618-045	EMERGENCY NUMBER
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ENDORSED - FILED
in the office of the Secretary of State
of the State of California

JUL 30 2019
2:59 pm

For use by Office of Administrative Law (OAL) only	
NOTICE	REGULATIONS

2019 JUN 18 P 12:06
OFFICE OF ADMINISTRATIVE LAW

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, Migratory Hunting Regulations 2019-20	TITLE(S) 14	FIRST SECTION AFFECTED 502	2. REQUESTED PUBLICATION DATE Jan. 18, 2019
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) 653-4899	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2019 03-2	PUBLICATION DATE 1/18/2019	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Waterfowl, Migratory Hunting Regulations 2019-20	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)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT
AMEND 502, 509
REPEAL
TITLE(S) 14 per agency request

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> 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) **Eff. on filing w/SOS pers 355 F&G Code**

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 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 	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

JUL 30 2019

Office of Administrative Law

**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, 509

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2019-0618-04

OAL Matter Type: Regular (S)

This rulemaking action by the Fish and Game Commission adjusts the dates for the 2019-2020 season for various California waterfowl hunting zones and decreases 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 7/30/2019.

Date: July 30, 2019



Lindsey S. McNeill
Attorney

For: Kenneth J. Pogue
Director

Original: Melissa Miller-Henson, Acting
Executive Director

Copy: Jon Snellstrom

REGULATORY TEXT

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

§ 502. Waterfowl, Migratory; American Coot and Common Moorhen (Common Gallinule).

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

(c) Seasons and Bag and Possession Limits for American Coots, and Common Moorhens.		
(1) Statewide Provisions.		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
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.)		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
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 <u>third</u> 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. • <u>2-1</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: <u>Small and Large</u> Canada Geese: from the first Saturday in October extending for 100 days. White-fronted geese and white geese from the first Saturday in October extending for a period of 58 days and from the first Saturday	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)).

	<p>in January extending for a period of 14 days. Late Season: White-fronted and white geese from February 6<u>7</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>	Possession limit: triple the daily bag limit.
(2) Southern San Joaquin Valley 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)	<p>From the third Saturday in October extending for 400<u>105</u> days.</p> <p>Scaup: from the first Saturday in November <u>7</u> 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. • 2<u>1</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>
Geese	From the third Saturday in October extending for 400 <u>105</u> days.	<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.)		
<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 400 <u>105</u> days. Scaup: from the first Saturday in November <u>7</u> extending for 86 days.	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females. • 2 <u>1</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 400 <u>105</u> 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.)		
<i>(A) Species</i>	<i>(B) Season</i>	<i>(C) Daily Bag and Possession Limits</i>
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. • 2 <u>1</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 400 <u>105</u> days. Scaup: from the first Saturday in November <u>7</u> extending for 86 days.	Daily bag limit: 7 Daily bag limit may include: • 7 mallards, but not more than 2 females. • 2 <u>1</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 October 31 <u>November 6</u> extending for a period of 89 <u>87</u> days (Regular Season) and from February 23 <u>22</u> extending for a period of 46 <u>18</u> days (Late Season). During the Late Season, hunting is only permitted on private lands with the permission of the landowner 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	Geese	<u>Small and Large</u> Canada Geese from the first Saturday in October extending for 100 days. White-fronted and white geese from the first Saturday in October extending for 105 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.
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.
5. Morro	All species	Open in designated area only	

Bay		from the opening day of brant season through the remainder of waterfowl season.	
6. Martis Creek Lake	All species	Closed until November 16.	
7. Northern Brant	Black Brant	From November 8 extending for 37 days.	Daily bag limit: 2 Possession limit: triple the daily bag limit.
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.
9. Imperial County	White Geese	From the first Saturday in November <u>7</u> extending for a period of 86 days (Regular Season) and from the first <u>second</u> Saturday in February extending for a period of 47 <u>19</u> 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 <u>second</u> Saturday in <u>February</u> following the closing of waterfowl</p>	Same as regular season.

	<p>season extending for 2 days.</p> <p>3. Southern California Zone: The <u>second Saturday in February</u> following the closing of waterfowl season extending for 2 days.</p> <p>4. Colorado River Zone: The Saturday following the closing of waterfowl season extending for 2 days.</p> <p>5. Balance of State Zone: The <u>second Saturday in February</u> 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) <i>Species</i>	(B) <i>Season</i>	(C) <i>Daily Bag and Possession Limits</i>
Ducks (including Mergansers), Geese, American Coot and Common Moorhen	<p>1. Northeastern California Zone. Open concurrently with duck season through January 13, 2019. <u>12, 2020.</u></p> <p>2. Balance of State Zone. Open concurrently with duck season and February 2-3, 2019 <u>February 8-9, 2020</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>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>

3. Southern San Joaquin Valley Zone. Open concurrently with duck season and ~~January 28-30, 2019.~~ February 8-9, 2020. Goose hunting in this zone by means of falconry is not permitted.

4. Southern California Zone. Open concurrently with duck season and ~~January 28-February 1, 2019-February 8-9, 2020~~ 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 28-31, 2019.~~ 27-30, 2020. 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.

Section 509, Title 14, California Code of Regulations, is amended to read:

§ 509. Concurrence with Federal Regulations.

(a) The regulations adopted by the United States through its Secretary of Interior under the Migratory Bird Treaty Act, as amended annually in Part 10, subparts A and B, and Part 20, Title 50, Code of Federal Regulations, are hereby adopted and made a part of this Title 14 except where said federal regulations are less restrictive than the provisions of Chapter 7 of this Title 14 (sections 500-509), the provisions of Chapter 7 prevail.

(b) Any violations of the regulations adopted pursuant to subsection (a) are violations of this section.

(c) It shall be unlawful for any person aged sixteen years or older to take any migratory waterfowl unless at the time of such taking the person carries in his or her immediate possession an unexpired Federal migratory-bird hunting and conservation stamp validated by his or her signature written by him or herself in ink across the face of the stamp or an unexpired Federal migratory-bird hunting and conservation electronic stamp issued in his or her name prior to any taking of such birds.

Note: Authority cited: Section 355, Fish and Game Code. Reference: Part 10, subparts A and B, and Part 20, Title 50, CFR, amended Sept. 18, 1987, 52 Fed. Reg. 35248; 16 USC 718a; and Sections 355 and 356, Fish and Game Code.