

## STAFF SUMMARY FOR DECEMBER 11-12, 2019

**17. WILDLIFE AREAS / PUBLIC LANDS AND ECOLOGICAL RESERVES****Today's Item****Information** ☐**Action** ☒

Consider authorizing publication of notice of intent to amend regulations to designate certain department-managed lands as ecological reserves or wildlife areas, remove some lands from designation, and make minor, site-specific changes.

**Summary of Previous/Future Actions**

- |                                 |                                    |
|---------------------------------|------------------------------------|
| • WRC vetting                   | May 16, 2019; WRC, Sacramento      |
| • <b>Today's notice hearing</b> | <b>Dec 11-12, 2019; Sacramento</b> |
| • Discussion hearing            | Feb 5-6, 2020; Sacramento          |
| • Adoption hearing              | Apr 15-16, 2020; Sacramento        |

**Background**

Pursuant to California Fish and Game Code sections 1525, 1526 and 1580, FGC may adopt regulations designating and governing the public uses of wildlife areas and ecological reserves. The purposes of wildlife areas are to conserve wildlife and their associated habitats and to allow for compatible recreation. The purposes of ecological reserves are to conserve threatened or endangered plants and/or animals, and/or specialized habitat types, provide opportunities for the public to observe native plants and wildlife, and provide opportunities for environmental research. Recreation on ecological reserves must be compatible with conserving the property's biological resources. Public use of department-managed lands is prohibited until they are designated as a wildlife area or ecological reserve.

At its Jun 2019 meeting, FGC adopted a WRC recommendation to advance a rulemaking focused on designating new properties, removing other properties, and making minor changes to clean up existing regulations governing public uses.

DFW requests that FGC authorizes FGC staff to publish a notice of intent to consider amendments to existing regulations to designate and remove designations for certain properties as well as make other minor amendments. Notice includes designation of eight properties—one as a wildlife area and seven as ecological reserves—and removing designations in the existing regulations for four properties that DFW no longer possesses or manages.

If approved, the proposed regulation changes would:

- Designate seven ecological reserves in subsection 630(b) and one wildlife area in subsection 551(b).
- Remove one ecological reserve and three wildlife areas from, respectively, subsections 630(b) and 551(b).
- Make site-specific regulation changes for certain properties to improve public safety, increase compatible recreational opportunities on certain properties, prohibit general public access on certain properties, provide natural resource protection, and manage staff resources for the conservation and recreational purposes of these properties.

## STAFF SUMMARY FOR DECEMBER 11-12, 2019

- Improve consistency between federal regulations and state regulations in Section 552 for nine federal refuges on which DFW manages hunting programs, and remove text that is duplicative or otherwise unnecessary in this section. These refuges are also listed as state wildlife areas in subsection 551(c).
- Update information in the “Permit Application For Special Use of Department Lands” (DFW 730 (New 01/14)) which is incorporated by reference in Subsection 702(d)(1) and associated subsections of 702 to improve their clarity and consistency.

Editorial changes are also proposed to improve the clarity and consistency of the regulations and to streamline the regulations by removing unnecessary text.

### Significant Public Comments (N/A)

### Recommendation

**FGC staff:** Authorize publication of a notice as recommended by DFW.

**Committee:** Authorize publication of a notice as recommended by DFW.

**DFW:** Authorize publication of a notice as proposed in the ISOR.

### Exhibits

1. [DFW memo, received Nov 18, 2019](#)
2. [Draft economic and fiscal impact statement \(Std. 399\)](#)
3. [Draft ISOR](#)
4. [ISOR attachments 1 – 12](#)

### Motion/Direction

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission authorizes publication of a notice of its intent to amend Section 550 et al. related to wildlife areas and ecological reserves regulations.

# Memorandum

**Date:** November 14, 2019

**To:** Melissa Miller-Henson  
Executive Director  
Fish and Game Commission

**From:** Charlton H. Bonham  
Director

**Subject:** **Agenda item for December 11, 2019, Fish and Game Commission Meeting  
Re: Request for Notice Authorization Amending Sections 550, 550.5, 551, 552, 630, and 702, Title 14, CCR, Regulations for Public Use of Department of Fish and Wildlife Lands; Designation of Ecological Reserves and a Wildlife Area**

The Department of Fish and Wildlife (Department) requests the Fish and Game Commission (Commission) authorize publication of a notice of its intent to consider amendments to existing regulations in Title 14, California Code of Regulations (CCR). The Department proposes designating recently acquired lands: one as a wildlife area pursuant to Fish and Game Code sections 1525 and 1526; and seven as ecological reserves pursuant to Fish and Game Code Section 1580. The Department also proposes removing four properties that the Department no longer possesses or manages from the regulations. The general public's use of Department lands is governed by regulations in sections 550, 550.5, 551, 552, and 630; fees are set forth in Section 702.

Authorization of this request to publish notice allows for discussion on February 6, 2020, and possible adoption at the April 16, 2020 meetings, respectively. The Department requests a quarterly effective date of July 1, 2020 for these regulations.

If you have any questions or need additional information, please contact Julie Horenstein, Senior Environmental Scientist (Supervisor) Lands Program, Wildlife Branch. The public notice for this rulemaking should identify Julie Horenstein, as the Department's point of contact for this rulemaking at (916) 324-3772 or [Julie.Horenstein@wildlife.ca.gov](mailto:Julie.Horenstein@wildlife.ca.gov).

## Attachments

ec: Stafford Lehr, Deputy Director  
Wildlife and Fisheries Division  
[Stafford.Lehr@Wildlife.ca.gov](mailto:Stafford.Lehr@Wildlife.ca.gov)

Melissa Miller-Henson, Executive Director  
Fish and Game Commission  
November 14, 2019  
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Kari Lewis, Chief  
Wildlife Branch  
[Kari.Lewis@wildlife.ca.gov](mailto:Kari.Lewis@wildlife.ca.gov)

Joel Trumbo, Env. Program Manager  
Lands Program  
[Joel.Trumbo@wildlife.ca.gov](mailto:Joel.Trumbo@wildlife.ca.gov)

Wendy Bogdan, Chief  
Office of General Counsel  
[Wendy.Bogdan@wildlife.ca.gov](mailto:Wendy.Bogdan@wildlife.ca.gov)

Nicole Dale, Attorney  
Office of General Council  
[Nicole.Dale@wildlife.ca.gov](mailto:Nicole.Dale@wildlife.ca.gov)

Patrick Foy, Captain  
Law Enforcement Division  
[Patrick.Foy@wildlife.ca.gov](mailto:Patrick.Foy@wildlife.ca.gov)

Michelle Selmon, Env. Program Manager  
Regulations Unit  
[Michelle.Selmon@wildlife.ca.gov](mailto:Michelle.Selmon@wildlife.ca.gov)

Mike Randall, Analyst  
Regulations Unit  
[Mike.Randall@wildlife.ca.gov](mailto:Mike.Randall@wildlife.ca.gov)



**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

Signed original received Nov 18, 2019 at 11:45 a.m.  
and is on file with the Commission.**ECONOMIC IMPACT STATEMENT**

DEPARTMENT NAME <b>Fish and Game Commission</b>	CONTACT PERSON <b>Margaret Duncan@</b>	EMAIL ADDRESS <b>wildlife.ca.gov</b>	TELEPHONE NUMBER <b>916 653-4674</b>
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 <b>Amend Sections 550, 550.5, 551, 552, 630, and 702, Title 14, CCR. re: Department of Fish &amp; Wildlife L</b>			NOTICE FILE NUMBER <b>Z</b>

**A. ESTIMATED PRIVATE SECTOR COST IMPACTS** *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- ☐ a. Impacts business and/or employees
 ☐ e. Imposes reporting requirements  
☐ b. Impacts small businesses
 ☐ f. Imposes prescriptive instead of performance  
☐ c. Impacts jobs or occupations
 ☐ g. Impacts individuals  
☐ d. Impacts California competitiveness
 ☒ h. None of the above (Explain below):

**Proposed regulation changes have no cost impacts to individuals or business*****If any box in Items 1 a through g is checked, complete this Economic Impact Statement.******If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.***2. The \_\_\_\_\_ estimates that the economic impact of this regulation (which includes the fiscal impact) is:  
(Agency/Department)

- ☐ Below \$10 million  
☐ Between \$10 and \$25 million  
☐ Between \$25 and \$50 million  
☐ Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a [Standardized Regulatory Impact Assessment](#) as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: \_\_\_\_\_

Describe the types of businesses (Include nonprofits): \_\_\_\_\_

Enter the number or percentage of total  
businesses impacted that are small businesses: \_\_\_\_\_

4. Enter the number of businesses that will be created: \_\_\_\_\_ eliminated: \_\_\_\_\_

Explain: \_\_\_\_\_

5. Indicate the geographic extent of impacts: ☐ Statewide  
☐ Local or regional (List areas): \_\_\_\_\_

6. Enter the number of jobs created: \_\_\_\_\_ and eliminated: \_\_\_\_\_

Describe the types of jobs or occupations impacted: \_\_\_\_\_

7. Will the regulation affect the ability of California businesses to compete with  
other states by making it more costly to produce goods or services here? ☐ YES ☐ NO

If YES, explain briefly: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**ECONOMIC IMPACT STATEMENT (CONTINUED)****B. ESTIMATED COSTS** *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ \_\_\_\_\_
  - a. Initial costs for a small business: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_
  - b. Initial costs for a typical business: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_
  - c. Initial costs for an individual: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_
  - d. Describe other economic costs that may occur: \_\_\_\_\_  
\_\_\_\_\_
2. If multiple industries are impacted, enter the share of total costs for each industry: \_\_\_\_\_  
\_\_\_\_\_
3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements.  
*Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ \_\_\_\_\_
4. Will this regulation directly impact housing costs? ☐ YES ☐ NO  
If YES, enter the annual dollar cost per housing unit: \$ \_\_\_\_\_  
Number of units: \_\_\_\_\_
5. Are there comparable Federal regulations? ☐ YES ☐ NO  
Explain the need for State regulation given the existence or absence of Federal regulations: \_\_\_\_\_  
\_\_\_\_\_  
Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ \_\_\_\_\_

**C. ESTIMATED BENEFITS** *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Are the benefits the result of: ☐ specific statutory requirements, or ☐ goals developed by the agency based on broad statutory authority?  
Explain: \_\_\_\_\_
3. What are the total statewide benefits from this regulation over its lifetime? \$ \_\_\_\_\_
4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. ALTERNATIVES TO THE REGULATION** *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 1: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 2: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: \_\_\_\_\_

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? ☐ YES ☐ NOExplain: \_\_\_\_\_  
\_\_\_\_\_**E. MAJOR REGULATIONS** *Include calculations and assumptions in the rulemaking record.****California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.***1. Will the estimated costs of this regulation to California business enterprises **exceed \$10 million**? ☐ YES ☐ NO***If YES, complete E2. and E3******If NO, skip to E4***

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: \_\_\_\_\_

Alternative 2: \_\_\_\_\_

*(Attach additional pages for other alternatives)*

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 1: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 2: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

☐ YES ☒ NO*If YES, agencies are required to submit a [Standardized Regulatory Impact Assessment \(SRIA\)](#) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.*

5. Briefly describe the following:

The increase or decrease of investment in the State: \_\_\_\_\_

The incentive for innovation in products, materials or processes: \_\_\_\_\_

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**FISCAL IMPACT STATEMENT****A. FISCAL EFFECT ON LOCAL GOVERNMENT** *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

- ☐ a. Funding provided in \_\_\_\_\_  
Budget Act of \_\_\_\_\_ or Chapter \_\_\_\_\_, Statutes of \_\_\_\_\_

- ☐ b. Funding will be requested in the Governor's Budget Act of \_\_\_\_\_  
Fiscal Year: \_\_\_\_\_

- ☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

*Check reason(s) this regulation is not reimbursable and provide the appropriate information:*

- ☐ a. Implements the Federal mandate contained in \_\_\_\_\_
- ☐ b. Implements the court mandate set forth by the \_\_\_\_\_ Court.

Case of: \_\_\_\_\_ vs. \_\_\_\_\_

- ☐ c. Implements a mandate of the people of this State expressed in their approval of Proposition No. \_\_\_\_\_

Date of Election: \_\_\_\_\_

- ☐ d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: \_\_\_\_\_  
\_\_\_\_\_

- ☐ e. Will be fully financed from the fees, revenue, etc. from: \_\_\_\_\_

Authorized by Section: \_\_\_\_\_ of the \_\_\_\_\_ Code;

- ☐ f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

- ☐ g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in \_\_\_\_\_

- ☐ 3. Annual Savings. (approximate)

\$ \_\_\_\_\_

- ☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

- ☒ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

- ☐ 6. Other. Explain \_\_\_\_\_  
\_\_\_\_\_

**FISCAL IMPACT STATEMENT (CONTINUED)**

**B. FISCAL EFFECT ON STATE GOVERNMENT** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)
- \$ \_\_\_\_\_
- It is anticipated that State agencies will:*
- ☐ a. Absorb these additional costs within their existing budgets and resources.
- ☐ b. Increase the currently authorized budget level for the \_\_\_\_\_ Fiscal Year

- ☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

- ☒ 3. No fiscal impact exists. This regulation does not affect any State agency or program.

- ☐ 4. Other. Explain \_\_\_\_\_
- \_\_\_\_\_

**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

- ☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

- ☒ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

- ☐ 4. Other. Explain \_\_\_\_\_
- \_\_\_\_\_

FISCAL OFFICER SIGNATURE	DATE
	

*The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

AGENCY SECRETARY	DATE
	

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER	DATE
	

# DRAFT

## STATE OF CALIFORNIA FISH AND GAME COMMISSION INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION

Amend Sections 550, 550.5, 551, 552, 630, 702  
Title 14, California Code of Regulations (CCR)  
Re: Regulations for Public Use of Department of Fish and Wildlife Lands

I. Date of Initial Statement of Reasons: November 13, 2019

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing: Date: December 11, 2019  
Location: Sacramento, CA

(b) Discussion Hearing: Date: February 6, 2020  
Location: Sacramento, CA

(c) Adoption Hearing: Date: April 16, 2020  
Location: Sacramento, CA

III. Description of Regulatory Action

(a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

The Department proposes designating recently acquired lands; one as a wildlife area pursuant to Fish and Game Code sections 1525 and 1526; and seven as ecological reserves pursuant to Fish and Game Code Section 1580. The Department proposes removing four properties, that it no longer possesses or manages, from the regulations. The general public's use of Department lands is governed by regulations in sections 550, 550.5, 551, 552 and 630; fees are set forth in Section 702.

The purposes of wildlife areas are to conserve wildlife and their associated habitats and to allow for compatible recreation. The main uses of wildlife areas include hunting, fishing, wildlife viewing, photography, environmental education and research. The purposes of ecological reserves are to conserve threatened or endangered plants and/or animals, and/or specialized habitat types, provide opportunities for the public to observe native plants and wildlife, and provide opportunities for environmental research. Recreation on ecological reserves must be compatible with the conservation of the property's biological resources.

A map showing the distribution of the properties being designated in, or removed from, the regulations is included in Attachment 1. More detailed information and maps for the properties are included in the land management summaries provided in Attachment 2.

## Background Information

The majority of acreage the Department of Fish and Wildlife (the Department) administers is classified as either wildlife areas or ecological reserves. Wildlife areas are acquired for the conservation of wildlife and the habitats on which they depend, and to provide opportunities for recreational uses compatible with those conservation goals (Fish and Game Code 1525 -1530, 1745). There are currently 110 designated wildlife areas encompassing approximately 712,383 acres. Ecological reserves are acquired primarily for the purpose of protecting rare and/or endangered native plant and animal species and specialized habitat types (Fish and Game Code 1580). Certain public uses, deemed compatible with those goals, are authorized for ecological reserves, typically this includes hiking on established trails to observe native plants and wildlife (Fish and Game Code 1584). Designated ecological reserves currently include 135 properties, encompassing approximately 230,175 acres. Both wildlife areas and ecological reserves are often used for environmental education and scientific research. The designation of Department lands as wildlife areas or ecological reserves, and the authorization of public uses on those lands is the responsibility of the California Fish and Game Commission (the Commission) (Fish and Game Code sections 1526, 1580, 1584).

Existing regulations that govern public uses of lands administered by the Department are in sections 550, 550.5, 551, 552, 630 and 702 of Title 14, CCR. Section 550 contains regulations that pertain to all Department lands. Section 550.5 contains more detailed regulations about reservations, passes, and permits used on Department lands. Section 551 pertains to wildlife areas only. Section 552 pertains to nine National Wildlife Refuges where the Department manages hunting programs, Section 630 pertains to the Department's ecological reserves, and the subsections of concern in Section 702 pertain to the Special Use Permit application and fees.

If approved, these proposed regulation changes would:

- 1) Designate land the Department acquired relatively recently as seven ecological reserves and one wildlife area (subsections 630(b) and 551(b) respectively).
- 2) Remove three wildlife areas and one ecological reserve from subsections 551(b) and 630(b).
- 3) Improve the clarity and consistency of the regulations that govern public use of lands owned and/or managed by the Department.
- 4) Make site-specific regulation changes for certain properties to improve public safety, increase recreational opportunities, provide resource protection and manage staff resources.
- 5) Improve consistency between federal regulations and the state regulations in Section 552 for nine National Wildlife Refuges on which the Department manages hunting programs and remove text that is duplicative or otherwise unnecessary in this section. These refuges are also listed as state wildlife areas in subsection 551(c).

- 6) Update information in the Permit Application for Special Use of Department Lands (DFW 730 (New 01/14)) which is incorporated by reference in Subsection 702(d)(1) and associated subsections of 702 to improve their clarity and consistency.

## **Designate Recently Acquired Properties in Title 14**

The Department proposes new designations of eight recently acquired lands as either wildlife areas pursuant to Fish and Game Code sections 1525 and 1526 or ecological reserves pursuant to Fish and Game Code Section 1580. Justifications for the designations are provided below. A map showing the distribution of these properties within the State is provided in Attachment 1. More detailed information for the properties are included in the land management summaries provided in Attachment 2.

The purposes of wildlife areas are to conserve wildlife and their associated habitats and to allow for compatible recreation. The main uses of wildlife areas include hunting, fishing, wildlife viewing, photography, environmental education and research. The purposes of ecological reserves are to conserve threatened or endangered plants and/or animals, and/or specialized habitat types, provide opportunities for the public to observe native plants and wildlife, and provide opportunities for environmental research. Recreation on ecological reserves must be compatible with the conservation of the property's biological resources.

### Wildlife Areas

1. Designate the Round Valley Wildlife Area (RVWA) in subsection 551(b)(81)

The proposed Round Valley Wildlife Area (RVWA) is composed of two separate management units; the approximately 272-acre Swall Meadows Unit located in southern Mono County at 6,000 feet in elevation, and the approximately 100-acre Pine Creek Unit located 6 miles south in Inyo County (elevation 4,900 ft). The Pine Creek and Swall Meadows Units are located 12 miles and 16 miles northwest of the City of Bishop, California, respectively, with the Pine Creek Unit centrally located in Round Valley proper.

The primary purpose for the RVWA is to provide high quality winter range, migration corridor, and spring holding area habitats for the Round Valley mule deer (*Odocoileus hemionus ssp. hemionus*) herd. This herd, which occupies one of the most popular deer hunt zones in the state (X9A), has experienced significant population fluctuations over the last 25-years with habitat loss due to residential development and wildfire identified as significant threats.

The Swall Meadows Unit (Map 1a) is adjacent to lands managed by the Inyo National Forest (INF) to the west and the Bureau of Land Management (BLM) Bishop Field Office to the east. To the south, the land is owned by the City of Los Angeles Department of Water and Power (LADWP) with a single 10-acre private inholding served by a gated private road. To the north and northeast is the residential community of Swall Meadows. In this area the deer migration route between winter range in Round Valley below and the High Sierra above is constrained to only about 1.3 miles in width between the steep Wheeler Ridge of the Sierra Nevada mountain range and the Rock Creek Gorge. Much of Swall Meadows is subdivided into ½-acre parcels with single family homes, which, along with domestic pets, cars, lights, and noise, can impede the natural movement of the deer and provide added



stressors in this key connective habitat. The RVWA parcels, along with a number of private conservation easements, have been acquired to help protect the migration corridor.

Management Objectives of the proposed RVWA include:

- a. Management of the Round Valley Deer Herd: Protect and enhance winter range, migration corridor, and spring holding area habitats for the herd.
- b. Biodiversity: Conduct surveys and monitoring to document biodiversity and population trends, identify and track special-status species that utilize the area, and detect potentially harmful introduced plants, animals or pathogens.
- c. Cooperative Partnerships: Continue to partner with non-governmental organizations and government agencies on projects to restore or enhance habitats, monitor species and environmental conditions, conduct research, provide educational activities, and reduce the risk of damaging wildfires.
- d. Public Uses: Based on the experience and expertise of the Department's staff on the biology of the local wildlife and habitats, as well as the management of public uses, walking, hiking, and wildlife viewing from appropriate access points should be encouraged. Hunting is compatible with the purposes of the proposed RVWA; however due to proximity to a residential community hunting will be prohibited on portions of the property under Fish and Game Code Section 3004 (150 yard "safety zone" for buildings and shooting across public roads).

The RVWA is proposed for designation as a Type C wildlife area, therefore, it would be open daily for hunting all legal species (outside of the safety zone) and would not require that hunters purchase a hunting pass for entry. The addition of the RVWA to Section 551(b) clarifies that the primary management purpose of the property is to contribute to a statewide program of ecological conservation, restoration, preservation, development and management of wildlife and wildlife habitat and hunting. The designation also allows the property to be available for public use in a manner that is compatible with the primary purpose.

### Ecological Reserves

1. Designate the Cañada de San Vicente Ecological Reserve in subsection 630(b)(32).

The proposed Cañada de San Vicente Ecological Reserve (CSVER), located in the County of San Diego southeast of the town of Ramona, is an approximately 5,014-acre reserve. 392 acres were transferred to the Department as mitigation for San Diego County Water Authority's (SDCWA) Carryover Storage and San Vicente Dam Raise Project. The balance of the acreage was acquired between 2008 and 2014 utilizing federal grant funds to conserve, protect and restore core habitat areas and provide crucial wildlife linkages in the San Diego County Subarea Plan under the Multiple Species Conservation Program (San Diego County, 1997). There are known occurrences of multiple plant and animal species of concern on the property. Among others, there are two animals that are federally-listed as endangered: Arroyo toad (*Anaxyrus californicus*) and Quino checkerspot butterfly (*Euphydryas editha quino*), as well as a plant that is state-listed as endangered, and federally-listed as threatened: San Diego thornmint (*Acanthomintha illicifolia*).

Management objectives for the CSVER include:

- a. Endangered Species/Critical Habitats: Protect, restore, and enhance native habitats, aid the recovery of federally and state-listed endangered and threatened species.
- b. Connectivity: Provide habitat linkages and migration corridors for wildlife in the Department's South Coast Region (Region).
- c. Biodiversity: Protect, manage, and restore the riparian woodlands, oak woodlands, grass lands, and upland habitats representative to support the biological diversity of the Region.
- d. Public Use: Provide limited, safe, and high-quality opportunities for compatible educational and recreational activities that foster public appreciation of the unique natural heritage of the Region. The CSVER would have limited public access for public use/recreation that would include a single trail open from sunrise to sunset for hiking and horseback riding and would allow additional access via occasional special hunts and conditioned special use permits geared toward education or horseback riding.

Based upon the purposes for which the property was acquired, and the management objectives developed during the land management planning process, the Department recommends that this property be designated as an ecological reserve as defined in the Fish and Game Code (FGC), Section 1580-1585. Justification for proposed site-specific regulations that close the property to public use, with the exception of a single trail, and authorization for occasional special hunts are addressed in more detail under the subsection of this document titled: "Changes to Site-Specific Regulations for Ecological Reserves (Section 630)".

## 2. Designate the Cienega Springs Ecological Reserve in subsection 630(b)(39).

The proposed Cienega Springs Ecological Reserve (CSER) is approximately 282 acres located along the Santa Clara River (SCR) in the Santa Clara River Valley, Ventura County. It shares an approximate 0.62-mile boundary with the Department's Fillmore Fish Hatchery, and borders property owned by the Nature Conservancy and private farmland.

The primary purposes for acquiring the property were the protection of threatened and endangered species and riparian floodplain habitat along the SCR, as well as providing for potential wildlife-oriented public use opportunities associated with the fish hatchery.

Federally-listed wildlife species associated with Santa Clara riverine habitat include: Southern steelhead trout (*Oncorhynchus mykiss*), least Bell's vireo (*Vireo bellii pusillus*), Southwestern willow flycatcher (*Empidonax traillii extimus*) and Western yellow-billed cuckoo (*Coccyzus americanus*). The vireo and the cuckoo are also state-listed as endangered.

Various habitat types create a diverse array of vegetation communities providing habitat, refugia, and food for the different species that reside there. Riparian scrub, active river channels, willow-cottonwood forests, and the abandoned agricultural fields are the main habitat types present at the proposed CSER.

Management objectives for CSER include:

- a. Listed Species/Critical Habitats: Protect, restore, and enhance native habitats, and aid the recovery of federally and state-listed endangered and threatened species.
- b. Connectivity: Provide habitat linkage and migration corridors for wildlife in the SCR to adjacent habitats.
- c. Flood Flow Conveyance: Reconnect leveed portions of the property with its historic active floodplain and river channel to facilitate flood flow conveyance and the transportation of additional flows through the CSER in a manner that benefits wildlife.
- d. Biodiversity: Protect, manage, and restore the riparian woodlands, riverine wetlands, and upland habitats to support the biological diversity of the SCR. Support on-site riverine functions. Conserve breeding, foraging, cover and migration habitat for listed wildlife species.
- e. Cooperative Partnerships: Work in cooperation with our restoration, education, and outreach partners at the University of California at Santa Barbara RIVRLAB and the Santa Clara River Conservancy.
- f. Public Use: Based on the experience and expertise of the Department's land management staff, it is appropriate to provide limited, safe, and high-quality opportunities for compatible educational and recreational activities that foster public appreciation of the unique natural heritage of the SCR. This would include perimeter trails open from sunrise to sunset for passive recreation (e.g., bird watching, native plant tours), fishing and occasional, managed special hunts.

The Cienega Springs property is proposed for designation as an ecological reserve. The addition of the Cienega Springs Ecological Reserve to Section 630(b) to these regulations clarifies that the primary management purpose of the property is the conservation of the sensitive natural resources. The designation also allows the property to be available for public use in a manner that is compatible with the primary purpose.

Justification for the proposed site-specific regulation that would authorize occasional, Department-directed, special hunts is addressed in more detail in the subsection of this document titled: "Changes to Site-Specific Regulations for Ecological Reserves (Section 630)".

3. Designate the Deep Springs Lake Ecological Reserve in subsection 630(b)(49).

The proposed Deep Springs Lake Ecological Reserve (DSLER) is approximately 719 acres located at an elevation of 4,900 feet in Deep Springs Valley in Inyo County. The property consists of the Deep Springs Lake playa, a seasonal salt lake which typically dries in summer, and portions of wetlands associated with peripheral springs including Bog Mound Spring to the north, and Corral and Buckhorn Springs to the east and south respectively. The springs, spring brooks, freshwater marshes and alkali meadows associated with these springs provide habitat for the black toad (*Anaxyrus exsul*) which is found only in Deep Springs Valley and is State-listed as threatened and is also a Fully Protected species in

California Fish and Game Code subsection 5050(b)(5). The seasonal lake is frequented by migratory birds including western snowy plover (*Charadrius alexandrinus nivosus*) a California Species of Special Concern (California Department of Fish and Wildlife, 2018) and federally-listed as threatened.

The primary purpose for acquiring the Deep Spring Lake property was to protect and manage habitat for black toad and western snowy plover. The property was acquired using funds from the State Beach, Park, Recreational and Historical Facilities Fund of 1974 (PRC 5096.71-5096.97) after being identified by the Department as a priority for conservation.

Management objectives for the DSLER include:

- a. Listed Species/ Critical Habitats: Protect, restore, and enhance native habitats, and protect the current stability of the black toad population and the federally-listed snowy plover.
- b. Biodiversity: Survey and monitor native wildlife and plant populations, particularly the western snowy plover. Monitor for early detection of potentially harmful introduced plants, animals or pathogens and respond if necessary.
- c. Cooperative Partnerships: Continue to coordinate with Deep Springs College and the Bureau of Land Management to ensure that management of the neighboring properties are conducted in a cooperative manner that is beneficial to the black toad.
- d. Public Use: Passive recreation such as walking, hiking, and wildlife viewing from appropriate access points is encouraged. An increase in visitors to black toad habitat should be avoided to minimize risks such as trampling or the introduction of pathogens that cause diseases in amphibians, such as Chytrid fungus.

Both access routes to the Department's property from public land (Bureau of Land Management) are extremely rugged dirt roads. Due to the remote location and challenging nature of access to the Deep Springs Lake property, and the fact that the majority of the toad habitat is located on private lands, the Department determined that impacts to black toad habitat from members of the public would be minimal if at all. As a result, the Department determined it is unnecessary to implement a closure or any other special regulations for the site at this time. Furthermore, the Department's Regional Manager can close the area to the public in the future to protect natural resources if conditions change and the habitat is affected by the public (Section 550(i)).

The Deep Springs Lake property is proposed for designation as an ecological reserve. The addition of the DSLER to Section 630(b) of these regulations clarifies that the primary management purpose of the property is the conservation of the sensitive natural resources.

4. Designate the Indian Wells Valley Ecological Reserve in subsection 630(b)(64).

The proposed Indian Wells Valley Ecological Reserve (IWVER) consists of five parcels totaling 200 acres near the city of Ridgecrest and east of the Red Rock Canyon State Park in the western Mojave Desert, Kern County. The parcels were acquired as mitigation for impacts to two species that are state-listed as threatened: desert tortoise (*Gopherus*

*agassizii*) and Mojave ground squirrel (*Xerospermophilus mohavensis*) and have been maintained in their native creosote scrub habitat since their acquisition. It is anticipated that additional mitigation parcels will be added to this ecological reserve in the future.

Management objectives of the proposed IWVER include:

- a. Listed Species/ Critical Habitats: Protect and enhance native habitats within the ecological reserve to benefit special status species such as desert tortoise and Mojave ground squirrel.
- b. Biodiversity: Survey and monitor native wildlife and plant populations to document biodiversity, population trends, and potentially, the occurrence of additional special status species. Monitor for early detection of potentially harmful introduced plants, animals or pathogens and respond if necessary.

Based on the experience and expertise of Department land management staff, general public access would not be compatible with maintaining the IWVER as a mitigation area. Educational and research uses would be compatible with the purpose of the area, as well as occasional, Department-managed special hunts (particularly when the reserve is enlarged as expected). Justification for proposed site-specific regulations that close the property to general public access, and authorize occasional, department-managed special hunts are addressed in more detail under the subsection of this document titled: "Changes to Site-Specific Regulations for Ecological Reserves (Section 630)"

5. Designate the North Carrizo Ecological Reserve in subsection 630(b)(89).

The proposed North Carrizo Ecological Reserve (NCER) surrounds the Topaz Solar Farm, a 3,510-acre installation of photovoltaic modules and related facilities that was constructed in eastern San Luis Obispo County and became fully operational in 2013. Due to the solar farm project impacts to the following native species and habitats, mitigation for the project included the permanent protection and management of the 12,168 acres that comprise the proposed ecological reserve.

- a. San Joaquin kit fox (*Vulpes macrotis mutica*), State-listed: Threatened, federally-listed: Endangered,
- b. Giant kangaroo rat (*Dipodomys ingens*), State-listed: Endangered; federally-listed: Endangered, and
- c. Vernal pool fairy shrimp (*Branchinecta lynchi*), federally-listed: Threatened.

These lands were transferred in fee title to the Department in 2013. The proposed reserve also supports a herd of approximately 200 tule elk (*Cervus elaphus*), as well as a resident herd of pronghorn (*Antilocapra americana*).

Management objectives for the proposed NCER include:

- a. Listed Species/Critical Habitats: Protect, restore, and enhance native habitats, aid the recovery of federally and state-listed endangered and threatened species.
- b. Connectivity: Enhance passage of pronghorn, elk and San Joaquin kit fox through

the reserve and to other protected lands in the vicinity, such as the Carrizo Plains Ecological Reserve, and the Carrizo Plains National Monument.

- c. Biodiversity: Protect and enhance native grassland, buckwheat shrub, and vernal pool habitats on-site. Monitor and manage the sensitive native species on site, in addition to those that are state or federally-listed. Conserve diversity of native plant and animal species within the reserve.
- d. Cooperative Partnerships: Continue to work cooperatively with the Bureau of Land Management staff assigned to the Carrizo Plains National Monument to benefit the conservation value of both areas.

The subject lands are proposed to be designated as an ecological reserve because the intent of this acquisition was to conserve endangered species and the overall biodiversity of the area in order to mitigate for the loss of habitat caused by the development of the Topaz Solar Farm. Due to limited staff resources to manage public use, and the likely appeal of this site for illegal uses (e.g., riding off-road vehicles, poaching, target shooting, illegal camping that may lead to wildfires), protection of these resources would not be assured if unsupervised public access were allowed. The Department proposes to offer occasional, chaperoned special hunts to provide a safe, compatible recreational opportunity on the site. Justification for proposed site-specific regulations for this property are addressed in more detail under the subsection of this document titled: "Changes to Site-Specific Regulations for Ecological Reserves (Section 630)".

6. Designate the Santa Margarita River Ecological Reserve in subsection 630(b)(121).

The proposed Santa Margarita River Ecological Reserve (SMRER) consists of 251 acres within the City of Temecula in Riverside County, west of Highway 15. It forms the northeastern end of a much larger, similarly named, cooperatively managed open-space area known as the Santa Margarita Ecological Reserve (SMER). Several entities own land within the SMER, but day-to-day management throughout the reserve is conducted by San Diego State University.

The Santa Margarita River, one of the last nearly free-flowing rivers in Southern California, provides critical habitat for state and/or federally-listed species, such as Stephen's kangaroo rat (*Dipodomys stephensi*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*) and least Bell's vireo (*Vireo bellii pusillus*). The river also leads to the only passable undercrossing of Interstate 15, a formidable barrier to wildlife movements in the area. The proposed SMRER is practically adjacent to the undercrossing. Human activity here may have a negative effect on use of the undercrossing by carnivores (Clevenger and Waltho, 2000). The Nature Conservancy has preserved the property that includes the opposite side of the undercrossing, east of Highway 15, which improves its likelihood of it being used by wildlife.

Management objectives of the proposed SMRER include

- a. Listed Species/Critical Habitats: Protect, restore, and enhance native habitats, to benefit the recovery of federally and state-listed endangered and threatened

species.

- b. Connectivity: Provide habitat linkage and migration corridors for wildlife in the Department's South Coast Region (Region) to adjacent habitats.
- c. Biodiversity: Protect, manage, and restore riparian and upland habitats which support conservation of listed and non-listed native species. This includes providing habitat for breeding, foraging, cover, and migration.
- d. Cooperative Partnerships: Continue to work with San Diego State University to protect the biological resources of the SMRER while providing educational and research opportunities.
- e. Public Use: Due to the environmental sensitivity of the area, and the need to maintain the integrity of many research sites, the entire SMER is closed to regular public access, but through the cooperative management agreement, organized group hikes and other interpretive activities are provided to the public. School groups of all levels, and researchers also use the SMER.

Because of the listed species and sensitive habitats that are present, and high value of the site as wildlife movement/migration corridor, it is appropriate to designate the Santa Margarita River property as an ecological reserve in Section 630(b) of these regulations.

7. Designate the Tecopa Ecological Reserve in subsection 630(b)(133)

The proposed Tecopa Ecological Reserve (TER) is approximately 84 acres located in extreme southeastern Inyo County at an elevation of 1,400 feet. The property consists of several disjunct parcels managed as a single unit around the community of Tecopa Hot Springs near Death Valley National Park. The TER parcels are part of a larger complex of protected habitat. They are adjacent to, or surrounded by, approximately 250 acres owned by the U.S. Bureau of Land Management (BLM) and near 40 acres owned by the Nature Conservancy. The key natural feature in the area is a system of small marsh patches called the Tecopa Marsh which are fed by natural warm springs in the area.

The primary purpose of the TER will be the protection of habitat for the Amargosa vole (*Microtus californicus scirpensis*) which is both state and federally-listed as endangered. The vole is highly vulnerable due to its limited range, narrow niche, declining habitat quality, and low population size. Between 50 and 500 Amargosa voles remain in the wild. Amargosa voles depend on wetland vegetation dominated by three-square bulrush (*Schoenoplectus americanus*). The small rodent occurs in a single watershed with only 198 acres of habitat occurring in fragmented disjunct patches. The ecological reserve also preserves habitat for the Amargosa niterwort (*Nitrophila mohavensis*), a state and federally endangered plant that occurs only on highly alkaline, moist, salt-encrusted clay soils in the region. Additional rare species of plants and animals are known from the property (see land management summary in Attachment 2).

Management Objectives of the proposed TER include:

- a. Listed Species/Critical Habitats: Protect and manage alkali meadow and marsh

habitats to benefit the recovery of the Amargosa vole and Amargosa niterwort, and other sensitive species that benefit from the marsh habitat.

- b. Connectivity: The proposed TER parcels were acquired as part of an effort to maintain connectivity between the patches of marsh habitat.
- c. Biodiversity: Protect and manage the unique complex of alkali marsh, meadow and scrub habitats, which supports the conservation of listed and non-listed native species.
- d. Cooperative Partnerships: Continue to partner with BLM, Cal Fire, academic institutions and non-governmental organizations on collaborative management, research, and public education opportunities.
- e. Public Use: The parcels of the proposed reserve are inside of, or adjacent to, the town of Tecopa Hot Springs, so it is infeasible to prevent public access. Walking, hiking and wildlife viewing from appropriate access points will be encouraged with signs posted to avoid incompatible uses such as motorized vehicles, camping and campfires.

Because this property was acquired to protect the listed species and sensitive habitats that are present, it is appropriate to designate the Tecopa property as an ecological reserve in Section 630(b) of these regulations.

## **Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14**

A map showing the approximate locations of the properties proposed to be removed from Title 14 is included in Attachment 1.

### **1. Remove Lake Berryessa Wildlife Area from subsection 551(b)(55)**

The Lake Berryessa Wildlife Area is in Napa County and is comprised of approximately 2000 acres along the eastern shore of Lake Berryessa from Eticuera Creek to Monticello Dam. The land is owned by the U.S. Bureau of Reclamation (BOR), and in 1995, the Department and BOR signed a 30-year Memorandum of Understanding (MOU), under which the Department managed wildlife, habitats and public use on the area. The land was designated as the Lake Berryessa Wildlife Area by the Fish and Game Commission in 1998. In 2015, the BOR and the Department mutually decided to terminate the MOU (see Attachment 3). The termination of the MOU resulted in the Department no longer having management authority over the Lake Berryessa Wildlife Area, and since that time, the BOR has managed the property according to its own regulations. No signs identify the property as a state wildlife area. The BOR has no plan to enter into a new MOU with the Department in the future. Retaining the designation as a Department wildlife area, as well as the site-specific regulations that allow for Department-organized special hunts (subsections 551(o),(q) and (r)) may confuse the public, partner agencies, and Department staff. Removing the designation and site-specific regulations for Lake Berryessa Wildlife Area would clarify the situation and avoid confusion.



2. Remove the South Fork Wildlife Area from Section 551(b)(96)

The South Fork Wildlife Area is located on the South Fork of the Kern River, ten miles east of the town of Lake Isabella, in Kern County. The approximately 1,400 acres were under the jurisdiction of the U.S. Army Corp of Engineers (COE) until 1991 when it was transferred to the U.S. Forest Service (USFS). In 1988, the COE issued a management license to the Department to manage the South Fork property, and it was designated as a wildlife area in 1990. The license expired in 2008, and the USFS notified the Department in 2013 that it did not intend to renew it (Attachment 3). Since that time, the USFS has managed the property according to its own regulations, and no signs identifying the property as a state wildlife area are posted. There is no plan to enter into a new license in the future. Retaining the designation as a Department wildlife area may confuse the public, partner agencies, and Department staff. Removing the designation for the South Fork Wildlife Area would clarify the situation and avoid confusion.

3. Remove the White Slough Wildlife Area from subsection 551(b)(109)

White Slough Wildlife Area is located about seven (7) miles west of the city of Lodi in San Joaquin County and consists of approximately 880 acres divided among several narrow north/south-oriented units from Thornton-Walnut Grove Road in the north to North Rio Blanco Road in the south. The units include barrow ponds surrounded by a variety of habitats: riparian, marsh, and grassland. The land belongs to the California Department of Water Resources (DWR), and in 1980, the Department received a five-year encroachment permit to manage public uses on the White Slough property. These included hunting, fishing and wildlife-viewing. In that same year, the property was designated as the White Slough Wildlife Area. Draft agreements were written in 1985, 1993, 1995 and 1998 in order to continue the Department's management of recreation on the wildlife area, but none were signed due to a lack of consensus between DWR and the Department. The Department continued to operate a hunting program on the property without a written agreement with DWR but eventually ceased that practice. DWR has recently installed new gates on the property that make certain ponds less accessible to the public, which further detracts from the property's value as a wildlife area. Under the circumstances, retaining the designation as a Department wildlife area may confuse the public, partner agencies, and Department staff. Removing the designation of the White Slough Wildlife Area would clarify the situation and avoid confusion.

4. Remove the Yaudanchi Ecological Reserve from subsection 630(b)(135)

The approximately 166-acre Yaudanchi Ecological Reserve (YER) is located two miles south of the town of Porterville, on Highway 190 in Tulare County. It is adjacent to the Porterville Developmental Center (formerly Porterville State Hospital) and is on land owned by the California Department of Developmental Services (DDS). The YER was designated as an ecological reserve by the Commission in 1977 and was managed by the Department under an agreement with DDS. In 2017, DDS terminated the agreement with the Department due to plans for the property that were not compatible with the operation of an ecological reserve (Attachment 3). Because the Department no longer has legal authority to work on the property, retaining the designation as a Department

ecological reserve may confuse the public and staff from public agencies. Removing the designation of the YER from subsection 630(b) would clarify the situation and avoid confusion.

### **Minor Corrections and Clarifications to Statewide Regulations (sections 550, 550.5, 702)**

**550(b)(2):** Delete the word “visitors” from the definition of “compatible uses” because compatible uses are sometimes conducted by people who are carrying out official duties (e.g. teachers, researchers) and who, therefore, do not meet the definition of “visitor” in Section 550(b)(5). This change is necessary to clarify the applicability of this definition.

**550(b)(7) and (8):** Replace the upper-case “D” with a lower case “d” in the word “department” in order to be consistent with the convention used in regulatory language for referring to the subject department.

**550(b)(11):** Move the definition of “non-shooter” to 550(b)(11) from 550.5(a)(1)(E) because all of the other definitions in the land regulations are in 550(b). This improves consistency. “Hunter” replaced “reservation-holder” within the definition of non-shooter, when the definition was moved to 550(b). This is because on Type A wildlife areas, hunters who do not have a reservation often wait until hunters with reservations either do not show up or are done for the day. The vacancies in the hunting blinds are filled by these hunters who have waited, and who are allowed to bring the same number of people in their party as hunters with a reservation, and this often includes a non-shooter. Therefore, not all non-shooters accompany “reservation holders” and to say that a non-shooter may accompany a hunter is more accurate. This change is necessary to improve the clarity of the subject definitions.

**550(c)(2)(B):** Insert the word “day” into the regulation to correct an omission which was created when subsection 550.5(c)(11) was amended in 2016. The amendment requires visitors to Department properties that require a lands pass, who do not have a hunting or fishing license, to obtain and carry a one-day or seasonal lands pass with them while they are on the property. One-day passes for hunters on Type A or Type B wildlife areas are exchanged at the hunter check-in station for an entry permit, so hunters on those properties never have a one-day hunting pass on their person after they enter beyond the check-in station.

**550(cc)(2) and 550(ee):** Delete references to trapping on CDFW lands. These deletions are necessary because fur trapping will be prohibited statewide as of January 1, 2020, per AB 273 (Chapter 216, Statutes of 2019).

**550.5(a)(1)(A):** Delete “or at the address specified on the application” because all applications are now submitted on-line or filled out in-person at Department license sales offices or sales agents. There is no mailing address provided on the application. This is to ensure that all hunting reservation applications are entered into the Department’s Automated License Data System.

**550.5(a)(1)(E):** Move the definition of “non-shooter” from 550.5(a)(1)(E) to 550(b)(11) because all of the other definitions in the land regulations are in 550(b). Add “(as defined in subsection 550(b)(11))” to the last sentence in this subsection, so it is clear where to find the definition of a “non-shooter”. These changes are necessary to improve consistency within the regulations, provide clarity and to avoid confusion of the public.

**550.5(c)(7):** Replace the existing first sentence with two new sentences. Change “visitors” in the first amended sentence to “any visitor” because subsections (c)(6) through (c)(8) discuss closely related rules, and the other sentences in these subsections refer to “visitor” in the singular. This change is necessary to make the regulations easier to read and understand.

In the new second sentence, text is proposed that clarifies that visitors who are under 16 years old must be accompanied by an adult to receive an entry permit and hunt. This is necessary to provide clarification of that requirement, because “junior hunters” who are 16 or older are not required to be accompanied by an adult.

The current upper age of junior hunters is 17 years of age (Fish and Game Code Section 3031). The upper age limit for junior hunters will expire on July 1, 2020, and the age of a junior hunter will return to 16. The proposed regulatory text will remain accurate when the change occurs.

**550.5(c)(8):**

Sixteen and 17-year olds were allowed to hunt without adults prior to being classified as “junior hunters” in 2015. It is suggested that “junior” in the first sentence of 550.5(c)(8) be deleted because 16 and 17-year olds will be able to obtain an entry permit and hunt without an adult present, whether their hunting license is a junior license or if they are required to purchase one of the hunting license options sold to adults (i.e., whether or not the current age limit in Fish and Game Code Section 3031 is retained after July 1, 2020). This change is necessary for the regulation to remain accurate regardless of whether the upper age limit for a junior hunting license remains 17 years old as of July 1 of the licensing year.

**550.5(d)(2)(B):** A minor revision that explains that the entire special use permit fee must be paid before the special use permit application will begin to be processed was made to this section. Although the application instructs applicants to mail or deliver the application and fee together, the Department has had problems with applications arriving before the fee is paid in full and applicants expecting the processing to begin as soon as the application is received. This clarification is necessary for the public’s understanding of how to apply for a Special Use Permit and the timing of processing a permit application. Also, for special use permits that include a cost in addition to the permit fee, it has not been clear to some applicants that the additional cost must be sent to the Region before the Regional Manager or their designee approves the permit. This is clarified by the sentence added to the end of this subsection. Corresponding changes will also be recommended for the Special Use Permit application (DFW 730) that is included with this regulation package. Rather than being unnecessarily duplicative, this confirmation between the regulatory language and the permit application is necessary to improve the public and the Department staff’s understanding of the requirements and processing of Special Use Permits.

**550.5(d)(2)(B):** The application for Special Use Permits (currently form DFW 730(New 01/14)) is incorporated by reference into Section 702. It requires that the special use permit fee be submitted with the completed application. This requirement is not clearly stated in this subsection, and that may contribute to the problem that some applicants do not understand when the permit fee is due. It is necessary to state this requirement clearly and consistently in this regulation as well as in the Special Use Permit application.

**550.5(d)(2)(B)1.:** Add language to clarify the cancellation of special use permits and conditions for obtaining a refund of the special use permit fee.

Special Use Permits can be written to include multiple special uses over 12 months. The permit fee covers the cost of processing a permit application, whether one or multiple events are to take place on a given permit. Occasionally, permittees conduct one or more of the events allowed by the permit, cancel one or more of the remaining events, and request a partial refund of the permit fee. The proposed change to the regulatory text is necessary because the existing text does not explain that no partial refunds are available.

Existing regulatory language only requires that a cancellation notice be provided in writing for the largest type of special use ("Type 3"). For the other two types of events, not requiring cancellations in writing has led to scheduling conflicts, extra work for staff, and confusion when multiple people are involved in organizing an event. The hardcopy or email format facilitates processing a refund and storing the cancellation notice. It is necessary to amend the regulatory text to clarify that a cancellation for any type of special use be submitted via email or hardcopy in order for it to qualify for a refund.

**550.5(d)(2)(B)2.:** Clarify that the written notice of cancelation of Type 3 events must be in hardcopy or email before any of the permitted activities have taken place, in order to qualify for a refund of the permit fee. See the preceding justification for adding similar language to subsection (B)1. Subsection (B)2. is separate from (B)1. because it addresses conditions unique to Type 3 Special Use Permits (i.e. the category of the largest events).

**550.5(d)(4)(A):** In the second sentence, "daily use" was replaced by "lands pass" for internal consistency within the subsection (which refers to "lands passes" multiple times). Additionally, a participant in a special use event occurring on a lands pass property does not need to purchase a daily lands pass if they already own an annual lands pass, a hunting license or a fishing license. This change is necessary to improve the consistency and accuracy of the regulatory text.

**550.5(d)(4)(D):** The existing text explains that it is prohibited to conduct special use activities or events held for the purpose of generating revenue on Department land without providing adequate compensation for the use of State resources. The Department uses information on Attachment C of the application for Special Use Permits (incorporated by reference into Section 702), to determine the suitable amount of compensation. Often this attachment is improperly left blank because applicants for a Special Use Permit for a revenue-generating event do not understand that it is required by regulation. This unnecessarily delays the Special Use Permit application process. The added text proposed for this section is necessary to clarify this regulatory requirement and expedite the application process.

**550.5(d)(6)(A) and (B):** The existing text for these subsections lists the payment of the permit fee as one of the items that is necessary for a Special Use Permit to be considered complete. It is incorrect to list the permit fee in this context because it needs to be paid when the Special Use Permit application is submitted. A proposed amendment to (d)(2)(B) clarifies this. The application will not be processed, let alone result in a complete permit, if the entire permit fee is not submitted with the application. It is necessary to replace the word "permit" with the word "additional" to avoid confusing the public about when the permit fee is due.

**630(h):** Add text following the title of this subsection that explains what is meant by closure to public entry or access.

- Although the property is closed to general public access, the proposed additional text clarifies that the Department may authorize special access to a closed property through written authorization. This is consistent with existing subsection 550(c)(2)(D)2.. 550(c) provides statewide regulations regarding visitor entry on all types of Department lands.
- The other five subsections of 630(b) that apply to multiple properties throughout the state provide this type of clarifying text following their title, and Department experience indicates that adding this text facilitates the public's awareness and understanding of this subsection. The subject text is proposed to be added to provide clarification for the public and consistency within Section 630(b).

### **Changes to Site-Specific Regulations for Wildlife Areas (Section 551)**

**551(b)(41):** Since the previous update of the land regulations, the Gold Hills and Garibaldi units of the Grizzly Island Wildlife Area (GIWA), were exchanged for roughly the same amount of acreage adjacent to the existing Crescent Unit. They will be "Type A" areas because hunters will need to check into the check station to show their day/annual passes to exchange for a permit and then need to check out before leaving. This is consistent with the closest GIWA units. It avoids confusion for the public if access is administrated in a consistent manner.

The names of the "Cordelia" and "Montezuma Slough" units are proposed to be deleted because they are outdated. These were smaller units that were incorporated into larger units as more land was acquired. The Cordelia Unit property is part of the Garibaldi Unit that was transferred to the Pacific Flyway Center, and the Montezuma Slough Unit is managed as part of the Grizzly Island Unit. In summary, the proposed changes to this subsection are necessary to avoid confusion for the public.

**551(b)(55):** Delete the current subsection for Lake Berryessa Wildlife Area. This property is no longer managed by the Department. See item "1." under the above subheading: "Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14".

**551(b)(57):** Delete the current subsection for Lake Sonoma Wildlife Area because 551(b) is for wildlife areas that are owned by the Department, and that wildlife area is owned by the federal government. It is also correctly listed in 551(c).

**551(b)(71):** Delete "Coon Island" because it is an outdated name for land that is now part of the Huichica Creek Unit. The Huichica Creek Unit is included in the list of units for the Napa-Sonoma Marshes Wildlife Area.

**551(b)(81):** Add the proposed text for the Round Valley Wildlife Area. See item "2." under "Wildlife Area", under the above subheading: "Designate Recently Acquired Properties in Title 14".

**551(b)(102):** Update the list of counties that include units of the Truckee River Wildlife Area (TRWA). Since the last time this subsection was updated, two units were added to this wildlife

area. The Canyon and the Grey Creek Canyon units are located in Sierra and Placer Counties, respectively.

**551(b)(109):** Delete the current subsection for the White Slough Wildlife Area. This property is no longer managed by the Department. See item “3.” under the subheading: “Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14”.

**551(c)(5):** Delete the current subsection for the Lake Berryessa Wildlife Area. This property is no longer managed by the Department. See item “3.” under the subheading: “Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14”.

**551(d)(6):** This change is to add the Bogg’s Bend Unit to the list of units within the Sacramento River National Wildlife Refuge. This is not a new unit, and this was an inadvertent omission of the name. Adding the name improves the accuracy of the information provided in subsection 551(c)(6).

**551(j)(4):** Under subsection 551(j), the use of bicycles is prohibited on wildlife areas unless allowed within this subsection. The proposed changes for the Napa-Sonoma Marshes Wildlife Area will allow regulated bicycle use on two (2) units of the wildlife area, in accordance with the area’s land management plan. (See Attachment 4):

- a. Green Island Unit: Bicycles would be allowed on the designated Bay Trail which runs on top of a perimeter levee on the eastern border of the property. Signs will be posted along the trail to eliminate confusion over wildlife area regulations and Bay Trail users. The Bay Trail was planned in 1989 by the Association of Bay Area Governments in 1989, and currently includes approximately 400 miles, linking cities and nine counties in the Bay Area.
- b. Southern Crossing Unit: Bicycles would be allowed on the public access easement which bisects the unit. The easement allows for recreational opportunities and access by Stanly Ranch LLC and the City of Napa to the Napa River. Signs will be posted, and fences erected to keep visitors on the trail and avoid confusion over the prohibition of bicycles on the rest of the unit.

**551(o)(17):** Delete the existing subsection for Garibaldi Unit because it was transferred to the Pacific Flyway Fund in exchange for land that is adjacent to the existing Crescent Unit. The Unit is no longer part of the Grizzly Island Wildlife Area.

**551(o)(18):** Delete reference to the Gold Hills Unit because it was transferred to the Pacific Flyway Fund in exchange for land that is adjacent to the existing Crescent Unit. It is no longer part of the Grizzly Island Wildlife area.

**551(o)(20):** Delete current subsection because the Cordelia Unit was part of the Garibaldi Unit that was transferred to the Pacific Flyway Fund, and the Montezuma Slough Unit is now managed as part of the larger Grizzly Island Unit. For management and public use purposes, there is no longer a separately managed unit named the “Montezuma Slough Unit.”

**551(o)(24):** Currently, all hunting on the Hollenbeck Canyon Wildlife Area (HCWA) is prohibited between February 1 and August 31. To increase hunting opportunities while

minimizing negative effects on nesting wildlife, the Department recommends allowing crow hunting in a designated area until the end of the statewide crow season in early April (per Section 485(a)(1)). This change was requested of the Commission by the San Diego Wildlife Federation in December 2018 (see Attachment 5). Based on the Department's experience and expertise, crow hunting at this wildlife area is expected to attract minimal numbers of hunters, particularly later in the season. For that reason, and by restricting this use to one part of the property, the Department's opinion is that this change will not significantly increase disruption to wildlife at the HCWA above what already occurs through existing public uses during the early spring (e.g. hiking, bird-watching, photography).

**551(o)(30):** Delete the current subsection for Lake Berryessa Wildlife Area. This property is no longer managed by the Department. See item "1." under the above subheading: "Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14".

**551(o)(39):** This subsection includes two recommended changes for the Southern Crossing Unit of the Napa-Sonoma Marshes Wildlife Area:

- a. Delete the text that closes the section to all visitor uses during restoration. The original restoration plan was very intensive, and the area was closed for public safety and to maximize the establishment of new vegetation. That plan was cancelled, and there is no longer a need to prohibit all public use of the unit.
- b. Prohibit hunting, firearms and archery use. This is a narrowly-shaped property that the Department anticipates will be very popular for walks and bike rides to the Napa River. A public access easement bisects the property. These characteristics make it difficult to ensure safe hunting opportunities, and there are other nearby units of the wildlife area that offer hunting.

**551(o)(62):** Delete current subsection 551(o)(62) for the White Slough Wildlife Area. This property is no longer managed by the Department. See item "3." under the above subheading: "Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14".

**551(q)(9):** Delete current subsection 551(q)(9) for the Lake Berryessa Wildlife Area. This property is no longer managed by the Department. See item "1." under the above subheading: "Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14".

**551(r)(20):** Delete current subsection 551(r)(20) for the Cordelia and Montezuma Slough units of the Grizzly Island Wildlife Area. These units are no longer managed by the Department. See the justification for the amendments to subsection 551(b)(41).

**551(r)(27):** Delete current subsection 551(r)(27) for the Lake Berryessa Wildlife Area. This property is no longer managed by the Department. See item "1." under the above subheading: "Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14".

**551(r)(37):** Add the Southern Crossing Unit to the units of the Napa-Sonoma Marshes Wildlife Area on which all firearms and archery equipment are prohibited. Currently the Southern Crossing Unit is closed to public use in subsection (551)(o)(36), but this regulation package includes a proposal to remove that closure. This is a long, narrow property that the Department anticipates will be very popular for walks and bike rides to the Napa River. A public access

easement bisects the property. These characteristics make it difficult to ensure safe hunting opportunities, and there are other nearby units of the wildlife area that offer hunting.

**551(r)(52):** Prohibit all firearms and archery equipment on the Boca, Polaris, and West River Units of the Truckee River Wildlife Area (TRWA). Under the current version of this subsection, three units of the TRWA have a rifle and pistol prohibition. Due to their proximity to the town of Truckee, and ongoing concerns received at the Department's Regional Headquarters by other users and neighbors, we are proposing that the Boca, Polaris and West River Units have a firearm and archery prohibition. These units were purchased for fishing access, and hunting is not a reasonable option here because of the lack of legal distance from occupied dwellings and/or Interstate 80. Hunting will still occur on the other nearby units of the TRWA, and this proposal affects less than 4% of the overall acreage of the TRWA. This regulation change will increase safety for non-shooters, including hikers and anglers, and according to Department law enforcement staff, will help prevent illegal take of game, as well as inappropriate target shooting.

**551(r)(54):** Delete current subsection 551(r)(54) for the White Slough Wildlife Area. This property is no longer managed by the Department. See item "3." under the above subheading: "Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14".

**551(s)(4), 551(s)(7), 551(s)(15), 551(s)(17), 551(s)(19), 551(s)(27), 551(s)(29):** Delete these seven subsections that provide "extra" pheasant hunt days on the subject Type A wildlife areas. The subsections contain regulations that are very similar to one another. These seven "Type A" wildlife areas include, respectively: Gray Lodge, Grizzly Island, Los Banos, Mendota, North Grasslands, Upper Butte Basin, and Yolo Bypass. Under Section 551(e)(1), during the waterfowl hunting season (early fall to late winter), these wildlife areas are open for hunting on Saturdays, Sundays and Wednesdays. In the above-listed subsections of 551(s), these areas are also open for hunting pheasants for an additional five to twelve consecutive days (depending on the wildlife area) at the beginning of the pheasant season in early November.

However, because of the decline in the pheasant population, the Department has utilized its authority, under subsection 550.5(c)(2)(D), to cancel the extra pheasant hunt days on all seven wildlife areas for the last eight years (with the exception that two of those areas have been open on Veteran's Day).

A major factor in the decline of the pheasant population in California is thought to be habitat lost due to development and changes in farming practices over the last three decades (Coates et al, 2017). Given that most farming is unlikely to revert to practices that are more beneficial to pheasants, and that cities will continue to expand into farmland, it is unlikely that there will be a significant, sustained rebound in the wild pheasant population in the foreseeable future.

At the same time, staff resources on wildlife areas are limited. Department land managers are directed to avoid scheduling staff for overtime, and there is a need to reserve the available staff hours to prepare for and operate during the regular three hunt days per week. For these reasons, the Department recommends deleting the seven subsections listed above.

Pheasant hunting will continue to be available on Saturdays, Sundays and Wednesdays on the Department's Type A and B wildlife areas during the six-week pheasant season. Unless otherwise restricted in Section 551, hunting is available seven days a week on Type C wildlife



areas for all legal species. Colusa, Delevan and Sacramento National Wildlife Refuges (NWRs) offer pheasant hunting on Veteran's Day in addition to the three regular hunt days per week.

**551(s)(5):** Existing subsection (s)(5), authorizes quail and rabbit hunting on "pheasant hunt days" on Gray Lodge Wildlife Area. This includes the "extra" pheasant hunt days proposed to be eliminated in the preceding justification. If the recommendation to delete the extra pheasant hunt days is adopted (i.e., delete existing 551(s)(4)), then what remains are the regular waterfowl hunt days during the pheasant season (i.e. Saturdays, Sundays and Wednesdays during that six-week period in November and December). This will change the language in renumbered (s)(4) to "waterfowl shoot days during the pheasant season" for the sake of accuracy and internal consistency within the regulations.

**551(s)(9):** Existing subsection (s)(9), authorizes rabbit hunting daily in July, and on pheasant hunt days during the pheasant season on the Grizzly Island Wildlife Area (Crescent and Grizzly Island Units). As used here, "pheasant hunt days" are the extra, early season, pheasant hunt days that are proposed to be eliminated in this regulation package. If that change is adopted (i.e., delete existing 551(s)(7)), then the rabbit hunt days in the fall will be limited to the regular waterfowl hunt days during the pheasant season, as proposed in renumbered (s)(7). This change will be necessary for the regulations to remain accurate and internally consistent.

**551(s)(20):** Existing subsection (s)(20) authorizes rabbit hunting during the waterfowl season on waterfowl and pheasant hunt days on the North Grasslands Wildlife Area. As used here, "pheasant hunt days" are the extra, early season, pheasant hunt days that are proposed to be eliminated in this regulation package. If that change is adopted (i.e., delete existing 551(s)(19)), then the rabbit hunt days in the fall will be limited to the regular waterfowl hunt days as proposed in renumbered (s)(15). This change will be necessary for the regulations to remain accurate and internally consistent.

**551(s)(25):** Existing (s)(25) authorizes rabbit hunting to take place on the Upper Butte Basin Wildlife Area during the late dove season on waterfowl or pheasant hunt days. As used here, "pheasant hunt days" are the extra, early season, pheasant hunt days that are proposed to be eliminated in this regulation package. If that change is adopted (i.e. delete existing 551(s)(27)), then the rabbit hunt days during the late dove season will be limited to the regular waterfowl hunt days as proposed in renumbered (s)(20). This change will be necessary for the regulations to remain accurate and internally consistent.

**551(t)(27):** Delete current subsection 551(t)(27) for the White Slough Wildlife Area. This property is no longer managed by the Department. See item "3." under the subheading in this document: "Remove Properties from the List of Wildlife Areas or Ecological Reserves in Title 14".

**551(u):** Delete "and Pheasant" from "Type A Wildlife Areas Which Allow Archery Equipment During Waterfowl and Pheasant Season...". Los Banos is the only wildlife area listed in this subsection. The current text allows archery equipment to be used during the existing "extra" pheasant hunt days that are proposed to be removed from Los Banos (see above discussion for 551(s)(15)). If the extra pheasant hunt days are deleted, hunting pheasants will only be allowed on waterfowl hunt days during the pheasant season (which is shorter and completely

within the waterfowl season). The proposed change will be necessary in order for 551(u) to be consistent with the change proposed for 551(s)(15).

**551(w):** Delete “trapping” as one of the licenses that provides an exemption from the lands pass requirement on certain wildlife areas. This deletion is necessary because fur trapping will be prohibited statewide as of January 1, 2020, per AB 273 (Chapter 216, Statutes of 2019).

**551(x)(2):** Per a request from the U.S. Fish and Wildlife Service (USFWS) (Attachment 6), it is proposed to change the time at which hunting reservations expire on the Delevan National Wildlife Refuge. This is to improve the hunter check-in process. The proposed change is from an expiration time of one hour before shoot time, to one and one-half hours before shoot time. This change will improve consistency between the state regulations and federal rules for public uses of National Wildlife Refuges.

### **Improve Consistency with Federal Regulations on National Wildlife Refuges and Remove Duplication (Section 552)**

Section 552 contains state regulations for National Wildlife Refuges (NWRs) that are also listed as state wildlife areas in Section 551(c). The Department manages the hunting program on these NWRs under an agreement with the U.S. Fish and Wildlife Service (USFWS). Federal regulations change over time and making associated changes to Section 552 improves the consistency between the state and federal regulations that govern public uses. Improved consistency should minimize confusion for the public and for staff from both agencies who cooperate on managing these refuges. A letter of support for the proposed changes from the USFWS is included with this ISOR as Attachment 7.

**552(a), 552(a)(1)(A), (2)(A), (3)(A), (4)(A), (5)(A), (6)(B)(4), (7)(A), (8)(A), (9)(A):** Delete references to federal requirement for non-toxic shot. It is unnecessary since non-toxic shot became required for all hunting in California on July 1, 2019, per Section 250.1 of these regulations.

**552(a)(1)(B):** The proposed text for the Colusa National Wildlife Refuge (CNWR) adds pheasant hunting on the first Monday of pheasant season and adds turkey as a species to be hunted during the fall turkey season on waterfowl hunt days. These changes were made to 50 CFR section 32.24 on October 1, 2018 for pheasant, and on September 10, 2019 for turkey. Changes to make state regulations consistent with federal regulations will avoid confusion for the public and for staff from both agencies who cooperate on managing this refuge.

**552(a)(1)(C), (2)(C), (3)(C), (4)(D), (5)(C), (6)(K), (7)(C), (8)(C), (9)(C):**

- Following “Authorized Species”, these subsections will add the words “to be Hunted” for the sake of clarification. This change is necessary because the current text, in which “Authorized species”, is followed immediately by a list of species, is inadequate to convey to members of the public that these are the species that are authorized for hunting on the subject wildlife refuge.
- Subsections (1)(C), (2)(C), (5)(C) and (9)(C) add “turkey” to the list of species that are authorized for hunting in these subsections. The justification for adding turkey to the lists

within these subsections is for internal consistency with the earlier subsections that introduce the addition of turkey hunting on these refuges: 552(a)(1)(B), (2)(B), (5)(B) and (9)(B).

- In subsections (3)(C) and (4)(D), it is unnecessary to have language prohibiting snipe hunting because snipe is not listed as a species that is authorized for hunting on these properties, earlier in each of these subsections.

**552(a)(1)(F):** The proposed text will improve consistency between Section 552 and the federal authorization for bicycling on CNWR. This use is authorized pursuant to 50 CFR sections 32.3 and 25.31 (Oct. 1, 2018). Changes to make Section 552 more consistent with federal regulations will avoid confusion for the public and for staff from both agencies who cooperate on managing this refuge.

**552(a)(1)(G):** Existing 552(a)(1)(G) is proposed for deletion because it is redundant with subsections 550(c)(2)(E) regarding where visitors may enter and exit Department lands, and 550(y)(2) which prohibits loading and unloading vehicles between designated parking areas. The subsections in 550 are functionally the same as existing 552(1)(G), but they apply to all Department lands in the state. The CNWR meets the definition of Department lands in subsection 550(b)(1), therefore, the regulations in 550 apply to CNWR.

**552(a)(1)(H):** The proposed addition of the word “turkey” is necessary because turkey may not be hunted in the assigned pond area on the Colusa NWR (50 CFR Section 32.24 (September 10, 2019)). Changes to make state regulations more consistent with federal regulations will avoid confusion for the public and for staff from both agencies who cooperate on managing this refuge

**552(a)(1)(I), (2)(G), (4)(G), (5)(G), (7)(F), (9)(I):** Delete the existing text at these subsection numbers. Each one addresses the number of visitors allowed to enter on a single hunting reservation. They are redundant with subsections 551(x)(1), (2), (10), (14), (16), (17), (18), (19) and (20). Note that 551(x)(16), (17), (18) and (19) refer to different units of the San Luis NWR. In Section 552(a)(1)(7)(F), those four units are addressed in one subsection, so there are fewer subsections to delete in Section 552. The subject NWRs meet the definition of Department lands in subsection 550(b)(1) and are listed as wildlife areas in subsection 551(c). Therefore, the regulations in 551 apply to these NWRs and the text proposed for deletion is unnecessary.

**552(a)(1)(H), (4)(G), (5)(H), (7)(H), (9)(G):** If “day use” hours are not added via these proposed subsections, it would imply that the “visitor” hours for state lands in subsection 550(c)(2)(C) (sunrise to sunset) apply to the subject NWRs. These include the Colusa, Merced, Sacramento, San Luis and Sutter NWRs. Depending on the property, the opening and closing hours for these NWRs are either one-half hour or one hour different from the regulation for state lands.

The day use hours are not codified in federal regulations, but they are in effect pursuant to 50 CFR sections 32.3 and 25.31 (Oct. 1, 2018). Both state and federal regulations provide exceptions to normal visitor hours for authorized uses that may involve hunting, camping or fishing on state lands, and hunting or camping on federal lands. These changes clarify the difference between the standard visitor hours on Department lands and the hours that are

available for day-use visitors on the subject NWRs. This reduces confusion for the public, particularly those who visit both Department-owned lands and the NWRs.

**552(a)(1)(I), (2)(G), (3)(F), (4)(H), (5)(I) and (9)(H):** Adding these proposed subsections that prohibit fishing on the Colusa, Delevan, Kern, Merced, Sacramento, and Sutter NWRs would increase the consistency of Section 552 with federal regulations for these properties. Fishing is prohibited at these NWRs in 50 CFR 32.24 (October 1, 2018). Greater consistency between the state and federal regulations avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(2)(B), (5)(B) and (9)(B):** Add turkey as an authorized species for hunting on waterfowl hunt days (i.e. Saturday, Sunday and Wednesday) at, respectively, the Delevan, Sacramento and Sutter NWRs, during the fall turkey season. The fall turkey season occurs entirely within the waterfowl season. Turkey hunting on these refuges was added to 50 CFR 32.24 on September 10, 2019. Changes to make Section 552 consistent with federal regulations will avoid confusion for the public and for staff from both agencies who cooperate on managing these refuges.

**552(a)(2)(F) and (9)(F):** These prohibitions of bicycles in the existing regulations are redundant with the prohibition in Section (bb) and are therefore, unnecessary. Delevan NWR and Sutter NWR are listed as wildlife areas in subsection 551(c) and qualify as “Department Lands” under the definition in subsection 550(b), therefore the prohibition in Section 550(bb) applies to these properties.

**552(a)(2)(I), (5)(I), (7)(H) and (9)(G):** These subsections are proposed for deletion because they are redundant with subsection 550(c)(2)(E) regarding where visitors may enter and exit Department lands, and subsection 550(y)(2), which prohibits loading and unloading vehicles between designated parking areas. Subsections 550(c)(2)(E) and 550(y)(2) are functionally the same as these proposed for deletion, but instead of only applying to a specific NWR, they apply to all Department lands in the state. These NWRs (Delevan, Sacramento, San Luis, and Sutter), are listed in subsection 551(c) and meet the definition of Department lands in subsection 550(b)(1), therefore, the regulations in Section 550 also apply to these properties.

**552(a)(3)(D), (4)(E) and (8)(D):** It is proposed to delete these subsections that prohibit camping and trailers on, respectively, the Kern, Merced and Sonny Bono NWRs. These subsections are redundant with Section 550(p), the statewide regulation that generally prohibits campers and trailers from Department lands, and therefore, they are unnecessary. These NWRs are listed in subsection 551(c) and meet the definition of Department lands in subsection 550(b)(1); therefore, the regulations in Section 550 also apply to these properties.

**552(a)(3)(D):** This proposed subsection requires that hunters assigned to a spaced blind unit remain within 100 feet of their assigned blind (with certain exceptions) and that pheasant hunting be limited to the free roam unit. This is an existing federal regulation in 50 CFR 32.24 (Oct. 1, 2018). Consistency between the state and federal regulations avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(3)(E):** This proposed subsection would only allow nonmotorized boats on the Kern NWR. This is an existing federal regulation in 50 CFR 32.24 (Oct.1, 2018). Consistency between the state and federal regulations avoids confusion for the public and for the staff from

both agencies who cooperate on managing these NWRs.

**552(a)(4)(A):** The existing subsection restricts hunters to no more than 25 shot shells per day on the Merced National Wildlife Refuge. USFWS is proposing to replace “per day” with “while in the field” in 50 CFR 32.24 in 2019 (Kempf, personal communication, 2019), and in the meantime, refuge managers are authorized to make changes to uses through public notification (50 CFR sections 32.3 and 25.31 (Oct. 1, 2018)). Changes to make Section 552 more consistent with federal regulations will avoid confusion for the public and for staff from both agencies who cooperate on managing this refuge.

**552(a)(4)(H):** Additional language is proposed for the Merced NWR that allows hunters to leave assigned blinds to place decoys and travel to and from the parking area. It also prohibits shooting outside of the blind. This is an existing federal regulation in 50 CFR 32.24 (Oct. 1, 2018). Consistency between the state and federal regulations avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(5)(F):** The proposed change would replace the prohibition of bicycles with authorization for bicycles to be used under specified conditions. This use is not codified in 50 CFR 32.24, but is in effect pursuant to 50 CFR sections 32.3 and 25.31 (Oct. 1, 2018). Consistency between the state and federal regulations avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(5)(H):** It is proposed to add “turkey” to the list of species that are illegal to hunt from the assigned blind area on the Sacramento NWR, except on the first Monday of pheasant season. This change will be proposed for 50 CFR 32.24 in 2019 (Kempf, personal communication, 2019), and in the meantime, refuge managers are authorized to implement this restriction through public notification (50 CFR sections 32.3 and 25.31 (Oct. 1, 2018)). Adding “turkey” to this subsection will improve consistency with the federal regulations. Consistency between the state and federal regulations avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(6)(E):** It is proposed to specify that bicycles are only allowed on designated routes during the time of year that bicycle use is already authorized (May 15 through August 15). This use is not codified in 50 CFR 32.24, but is in effect pursuant to 50 CFR sections 32.3 and 25.31 (Oct. 1, 2018). Consistency between the state and federal regulations avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(6)(F):** Existing subsection (F) is proposed for deletion because it is redundant with subsections 550(m) and 550(n).

**552(a)(6)(F):** A new subsection (F) is added specifying that dogs cannot be used for hunting wild pig or for hunting deer. This is already prohibited for this property in 50 CFR 32.24 (Oct. 1, 2018). The change will make the state law consistent with the federal law for this NWR and will reduce confusion for the public and for staff from both agencies who cooperatively manage this property.

**552(a)(6)(G):** Added text is proposed to specify where campers are allowed at night. This is already a requirement in 50 CFR 32.24 (Oct. 1, 2018). The change will make the state law consistent with the federal law for this NWR and will reduce confusion for the public and for staff from both agencies who cooperatively manage this property.

**552(a)(6)(H):** Existing subsection 552(a)(6)(H) is proposed to be deleted because it is redundant and therefore, unnecessary. Under Section 550(h), fishing is allowed on Department lands unless it is otherwise stated in subsections 551(o), 551(y) or 630(e). Because the Sacramento River National Wildlife Refuge (SRNWR) is listed as a wildlife area in Section 551(c) and meets the definition of Department lands in subsection 550(b)(1), the authorization of fishing in Section 550 applies. There are no exceptions to this allowance of fishing in subsections 551(o), 551(y) or 630(e).

**552(a)(6)(H):** The new subsection is proposed that restricts where fire is allowed on the property. This is already a requirement in 50 CFR 32.24 (Oct. 1, 2018). The change will make the state law consistent with the federal law for this NWR and will reduce confusion for the public and for staff from both agencies who cooperatively manage this property.

**552(a)(6)(J)(3):** This subsection is proposed to be added to close hunting on the Ohm Unit except for a designated area in which all authorized species except waterfowl may be taken. This use is not codified in 50 CFR 32.24, but is in effect pursuant to 50 CFR sections 32.3 and 25.31 (Oct. 1, 2018). Consistency between the state and federal regulations avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(6)(J)(7):** It is proposed to add a subsection that limits hunting on the SRNWR from August 15 to May 31. This restriction on hunting, to occur only between certain dates, is not codified in 50 CFR 32.24, but is in effect pursuant to 50 CFR sections 32.3 and 25.31 (Oct. 1, 2018). Consistency between the state and federal regulations avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(6)(K):** The proposed changes to this section would add the words “to be Hunted” following “Authorized Species”. See the above justification for adding “to be Hunted” to 552(a)(1)(C). Additionally, text prohibiting the hunting of all other species on the SRNWR is proposed to be deleted. It is unnecessary because the only species allowed to be hunted are already listed in this subsection.

**552(a)(7)(B):** It is proposed to add text to this subsection that explains that while hunting is allowed 7 days a week on the Freitas Unit of the San Luis NWR, a department-issued permit is required on Saturdays, Sundays, and Wednesdays. The permit is obtained at the on-site hunter check-in station, which is a standard procedure on all areas where hunter entry is restricted during the waterfowl season. This restriction is not codified in 50 CFR 32.24, but is in effect pursuant to 50 CFR sections 32.3 and 25.31 (Oct. 1, 2018). This change will improve consistency between the state and federal regulations. This avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

**552(a)(7)(F):** Note this section is currently subsection (7)(G). Proposed text would specify when the Freitas units (and their associated parking lot) are open to the public. This restriction is not codified in 50 CFR 32.24, but is in effect pursuant to 50 CFR sections 32.3 and 25.31 (Oct. 1, 2018). This change will improve consistency between the state and federal

regulations. This avoids confusion for the public and for the staff from both agencies who cooperate on managing the San Luis NWR.

**552(a)(7)(G):** It is proposed to add this subsection which would authorize fishing in designated areas on the San Luis NWR and restrict the method of taking fish to rod and reel. This is already a requirement in 50 CFR 32.24 (Oct. 1, 2018). The change will make the state law consistent with the federal law for this NWR and will reduce confusion for the public and for staff from both agencies who cooperatively manage this property

**552(a)(8)(F):** It is proposed to add this subsection which authorizes fishing from a boat on the Sonny Bono NWR from April 1 to September 30 and prohibits all fishing from shore. This is already a requirement in 50 CFR 32.24 (Oct. 1, 2018). The change will make the state law consistent with the federal law for this NWR and will reduce confusion for the public and for staff from both agencies who cooperatively manage this property.

**552(a)(9)(F):** It is proposed to add “turkey” to the list of species that are illegal to hunt from the assigned blind area on the Sutter NWR. This change will be proposed for 50 CFR 32.24 in 2019 (Kempf, personal communication, 2019), and in the meantime, refuge managers are authorized to implement this restriction through public notification (50 CFR sections 32.3 and 25.31 (Oct. 1, 2018)). Adding “turkey” to this text will improve the consistency between the state and federal regulations. This avoids confusion for the public and for the staff from both agencies who cooperate on managing these NWRs.

### **Changes to Site-Specific Regulations for Ecological Reserves (Section 630)**

**630(a):** The second sentence of this section provides an out-of-date address for the Department’s lands inventory files. The address is proposed to be deleted. Members of the public who wish to obtain a legal description or other information about Department properties typically contact the Department by email or telephone.

**630(b)(4):** The existing subsection does not show that the Allensworth Ecological Reserve now includes property in Kern County, so the name of that county is proposed to be added.

**630(c):** Deleted “trapping” from the list of licenses that provide the bearer with an exemption from the lands pass requirement on certain ecological reserves. This deletion is necessary because fur trapping will be prohibited statewide as of January 1, 2020, per AB 273 (Chapter 216, Statutes of 2019).

**630(d)(10):** Adding this subsection would authorize limited hunting on the proposed Cañada de San Vicente Ecological Reserve (CSVER), only on specific dates and times and in the specific location designated by the Department. These would be “special hunts” offered to a limited number of participants via a random drawing. These hunts are often offered to a category of hunters who particularly benefit from the more controlled circumstances of a special hunt, such as youth or disabled hunters. For young hunters in particular, special hunts provide an opportunity for the Department to reinforce important lessons about hunter safety, courtesy and ethics that are taught in the hunter safety class that is required to obtain a hunting license in California. A completed management plan for this property includes limited hunting as described here (California Department of Fish and Wildlife, 2016, excerpt included as Attachment 8).

**630(d)(14):** Adding this subsection would authorize limited hunting on the proposed Cienega Springs Ecological Reserve, only on specific dates and times and within specific areas designated by the Department. These would be “special hunts” offered on an occasional basis to a limited number of participants via a random drawing. These hunts are often offered to a category of hunters that would particularly benefit from the more controlled circumstances of a special hunt, such as youth or disabled hunters. For young hunters in particular, special hunts provide an opportunity for the Department to reinforce important lessons about hunter safety, courtesy and ethics that are taught in the hunter safety class that is required to obtain a hunting license in California

The Department will be creating a hunting opportunity where one does not currently exist, however bird hunting did take place in the Santa Clara River channel until the mid-1990s.

The Department would organize hunts to target a specific common game species. Based on the Department’s experience, these occasional limited opportunities will not have a significant effect on the target species’ population. It is not anticipated that limited regulated hunting would interfere with the primary purpose for which the Reserve was acquired nor would hunting have an adverse impact on non-hunted species or their habitats due to hunts only occurring outside of the breeding/nesting season.

The Department would provide appropriate signage and barriers to keep hunters outside of sensitive habitats and within designated hunting boundaries. Special hunts will be conducted outside of bird nesting season to avoid impacts to nesting birds.

The Department would hold pre-hunt meetings that provide hunters with safety, regulation, boundary, and other pertinent information needed to ensure protection of the public and non-targeted resources. This would also minimize or avoid any potential impacts to nearby development or agricultural operations.

Based on the Department’s experience and expertise in wildlife and natural lands management, by following the above-mentioned impact guidelines and other measures designed to eliminate or minimize impacts to resources; hunting as described above will have no significant or detrimental impacts. According to Fish and Game Code Section 1585, the department may construct facilities and conduct programs in ecological reserves it selects to provide natural history education and recreation if those facilities and programs are compatible with the protection of the biological resources of the reserve.

**630(d)(23):** Adding this subsection would authorize limited hunting on the proposed Indian Wells Valley Ecological Reserve, only on specific dates and times and within specific areas designated by the Department. These would be “special hunts” offered to a limited number of participants via a random drawing. These hunts are often offered to a category of hunters that would particularly benefit from the more controlled circumstances of a special hunt, such as youth or disabled hunters. For young hunters in particular, special hunts provide an opportunity for the Department to reinforce important lessons about hunter safety, courtesy and ethics that are taught in the hunter safety class that is required to obtain a hunting license in California.

The Department would organize hunts to target common upland game species. Based on the Department’s experience, these occasional limited opportunities will not have a significant effect



on the target species' population. It is not anticipated that limited regulated hunting would unduly interfere with the primary purpose for which the Reserve was acquired nor would hunting have an adverse impact on non-hunted species or their habitats.

The Department would provide appropriate signage and barriers to keep hunters within designated hunting boundaries. Special hunts will be conducted outside of bird nesting season to avoid impacts to nesting birds.

The Department would hold pre-hunt meetings that provide hunters with safety, regulation, boundary, and other pertinent information needed to ensure protection of the public and non-targeted resources.

Based on the Department's experience and expertise in wildlife and natural lands management, by following the above-mentioned impact guidelines and other measures designed to eliminate or minimize impacts to resources; hunting as described above will have no significant or detrimental impacts. According to Fish and Game Code Section 1585: "The department may construct facilities and conduct programs in ecological reserves it selects to provide natural history education and recreation if those facilities and programs are compatible with the protection of the biological resources of the reserve".

**630(d)(28):** Adding this subsection would authorize limited hunting on the proposed North Carrizo Ecological Reserve (NCER), only on specific dates and times and in the specific location designated by the Department. According to Fish and Game Code Section 1585: "The department may construct facilities and conduct programs in ecological reserves it selects to provide natural history education and recreation if those facilities and programs are compatible with the protection of the biological resources of the reserve."

These special hunts are likely to focus on tule elk. They would conform with regulations adopted under Section 364, Title 14: "Elk Hunts, Seasons, and Number of Tags". The parcels in the proposed NCER were previously privately-owned lands that were enrolled in the Private Lands Management (PLM) hunting program administered by the Department. Since the Department's acquisition of the property in 2011, no hunting as occurred because undesignated Department lands are not open to public use (Section 550(a)).

The NCER is located within the La Panza Tule Elk Management Unit. For 15 years prior to the Department's acquisition, approximately 46 elk were harvested each year from the proposed NCER, and adjacent private lands and the herd size remained stable at around 110 animals. Since that time, the allowable elk harvest on the adjacent PLM lands has been 25 elk each year, and the elk population has almost doubled in size to 200 animals. Providing limited and supervised elk hunting opportunities would be consistent with prior hunting activities and with the recently approved elk management plan for California (California Department of Fish and Wildlife, 2018, excerpt included as Attachment 9). The issues identified with general public access to the NCER (see justification below for 630(h)(29)) would not be a problem for the special hunts because Department personnel would supervise any hunting activities.

**630(g)(2):** Adding this regulation would authorize limited horseback riding on an existing trail within the proposed Cañada de San Vicente Ecological Reserve (CSVER). Horseback riding would be limited to the trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road. The trail crosses the boundary into the ecological reserve for approximately one quarter

mile before exiting onto adjacent public land. According to Fish and Game Code Section 1585: “The department may construct facilities and conduct programs in ecological reserves it selects to provide natural history education and recreation if those facilities and programs are compatible with the protection of the biological resources of the reserve”. The management plan for CSVER envisioned that pedestrian and equestrian use of this trail would be an exception to the general closure to public access on this property, and the associated mitigated negative declaration found that this would have a less than significant effect. (Department of Fish and Wildlife, 2016 (Volume 2, page 16)).

**630(h):** It is necessary to add text after the title for this subsection to improve clarity and enforceability by explaining that closed ecological reserves shall not be entered by the public. At the same time, the added text also clarifies that there are instances when the Department may allow access through written authorization. Typically, this is for environmental education or research activities. Department staff experience indicates that this clarification will reduce confusion for both the public and some Department staff.

**630(h)(10):** Delete the two references to “(9)” from the text in this subsection. These references are unnecessary and may create future organizational issues for 630(d) and 630(e).

**630(h)(11):** Adding this regulation would close the proposed Cañada de San Vicente Ecological Reserve (CSVER) to visitor use with the exception of hiking and horseback riding on the existing trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road, and occasional Department-organized special hunts (see above, subsection 630(d)(10)).

This closure is recommended for the following reasons:

- With the exception of the single public hiking and horseback riding connector trail that connects Holly Oaks Park and Luelf Pond Open Space Park (OSP) to Southern Oak Road, CSVER is land-locked on the south, east, and west by Native American Reservation land and/or private property. Because of this situation, other trails on the property would have no ‘through-route’ capability, only an ‘out and-back loop’ trail. The Department, based on its expertise and experience, thinks this would cause an over-use of these trails and impacts to surrounding habitat and wildlife.
- Of particular concern is trail use in close proximity to San Vicente Creek, which is known to contain federally-listed species, and trail use within the buffer zone of a nesting site used by a pair of golden eagles.
- Open public trails within the main portion of the Reserve would likely interfere with current and future research and restoration activities within the Reserve.
- There is limited Department staffing available to monitor and patrol the Reserve.

Details regarding special hunts and horseback riding on CSVER, are discussed above in the justifications for changes to subsections 630(d)(10) and 630(g)(10).

**630(h)(18):** This subsection would be amended to close the Del Mar Mesa/Lopez Ridge Ecological Reserve (DMMER) to visitor access. DMMER was acquired as mitigation for impacts

caused by development projects to chamise chaparral, scrub oak chaparral, Diegan coastal sage scrub, and vernal pools habitats. The vernal pools at DMMER include three species that are federally-listed as endangered: San Diego mesa mint (*Pogogyne abramsii*), San Diego button celery (*Eryngium aristulatum* var. *parishii*), and San Diego Fairy Shrimp (*Branchinecta sandiegonensis*). The mesa mint and button celery are also state-listed as endangered. A fourth species, spreading navarretia (*Navarretia fossalis*) is federally-listed as threatened. Other sensitive species on the site include San Diego golden star (*Bloomeria clevelandii*) which exists only in coastal scrub and grassland habitats in a strip running from San Diego County into Baja California; western spadefoot toad (*Spea hammondi*) and San Diego horned lizard (*Phrynosoma coronatum blainvillii*). Much of the surrounding area receives heavy use by hikers, mountain bikers, equestrians, and off-road vehicles. Because of the high sensitivity of the biological resources on-site and the intensive recreational use surrounding the reserve, the Department has kept the DMMER fenced and closed to public use through the Department's authority under subsection 550(c)(2)(D). However, trespass is a frequent problem on this property. It is the Department's opinion, based on its expertise and experience in managing properties for the protection of listed species, that it is necessary to formally close this property through the proposed regulation to clarify its status for the public and provide adequate protection for the sensitive natural resource on-site.

**630(h)(22):** Adding this regulation would close the proposed Indian Wells Valley Ecological Reserve to visitor use with the exception of occasional Department-managed special hunt opportunities. The property was acquired to mitigate the loss of habitat for desert tortoise (*Gopherus agassizii*), which is state and federally-listed as threatened, and for the Mojave ground squirrel (*Xerospermophilus mohavensis*) which is state-listed as threatened. There is also sensitive desert wash habitat onsite, which tends to have greater bird species diversity than upland desert habitats. According to the land management summary for this property (Attachment 2), there is possibility that this site will be connected to additional mitigation lands, which would further enhance its habitat value. To maintain the high level of protection that is appropriate for a mitigation site, the Department, based on its experience and expertise in the management of sensitive species and habitats, recommends closing this property to general visitor access. There is a history of hunting in the area, particularly for upland game birds, therefore, the Department recommends allowing occasional, Department-managed special hunts. More details regarding possible special hunts on this property are provided in the above discussion for the addition of subsection 630(d)(23).

**630(h)(29):** Adding this regulation would close the proposed North Carrizo Ecological Reserve (NCER) to all visitor use except for occasional special hunt opportunities. This site was protected to mitigate for impacts to listed species described above in the justification for the designation of this property as an ecological reserve (proposed subsection 630(b)(89). Based on the Department's experience and expertise in managing sensitive species and habitats, protection of these resources would not be assured if unsupervised public access were allowed. Areas open to public access on the Carrizo Plains National Monument to the south have been subject to illegal OHV use, vandalism, poaching, and habitat degradation. The justification to allow occasional Department-managed special hunts on the proposed is provided above for the addition of subsection 630(d)(28).

**630(h)(32):** Delete the reference to "(33)" from the text in this subsection. This reference is unnecessary and may create future organizational problems for this subsection.

**630(h)(34):** Delete the reference to “(25)” from the text in this subsection. This reference is unnecessary and may create future organizational issues for this subsection.

**630(h)(37):** The 251-acre property that comprises the proposed Santa Margarita River Ecological Reserve is currently closed to the public, and if this proposed regulation is adopted, it would remain closed after its designation. The justification for the closure is that the subject property is part of a larger open space area that is closed to general public use due to the environmental sensitivity of the area and the need to maintain the integrity of many research sites. This area, including the Department’s property, is managed primarily by San Diego State University (SDSU) under a cooperative agreement. Through this agreement, there are organized group hikes, school field trips and other interpretive activities on less sensitive portions of the larger reserve. The Department’s property is adjacent to a wildlife underpass below Highway 15. Human activity has been associated with reduced use of wildlife underpasses (see Attachment 10).

**630(h)(40):** The Stone Ridge Ecological Reserve is currently closed to all visitor access and use. In addition to stating the closure, the existing language provides an exemption for department authorized interpretive, educational or research programs. This site-specific exemption for education and research is redundant and is proposed for removal. Section 550(c)(2)(D)(2) allows entry to closed Department lands with written authorization from the Department. Authorization to conduct educational or research activities on Department lands is addressed in subsections 550(e) and (f).

#### **Minor Changes to Special Use Permit Regulations (702)**

**702(d)(1)(A):** This section refers to the application form for Special Use Permits, which is currently “DFW 730 (New 01/14)”. “New 01/14” will be replaced with “REV Month/20” if the Commission adopts the proposed changes to the form. This change will maintain consistency with the standard practice of how state forms are numbered.

Proposed changes to the “Special Use of Department Lands Permit Application” are in Attachment 11, and the justifications for those changes are in Attachment 12.

**702(d)(1)(B) through (G):** The phasing in of the Special Use Permit fees from 2014 through 2017 is complete and those fee amounts are proposed to be deleted because they are no longer necessary. The subsections of the regulation are re-numbered accordingly. The fees in these subsections are proposed to be made current in accordance with subsection 702(d)(2), pursuant to Section 699, Title 14, CCR and Fish and Game Code Section 713. The latter is the statutory mandate that Department fees shall be annually updated according to the method provided in that section. The application of this requirement has no regulatory effect since no new fee is proposed:

	Fee currently in regulation (starting 1/1/2017)	Updated fee (eff. 1/1/ 2020)
Type 1 Special Use Permit	\$122.50	\$132.75
Type 2 Special Use Permit	\$308.25	\$502.25
Type 2 Special Use Permit	\$462.50	\$582.00

(b) Goals and Benefits of the Regulation:

The proposed regulations will allow the Department to pursue its mission to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.

(c) Authority and Reference

Section 550:

Authority cited: Sections 200, 203, 265, 710, 710.5, 710.7, 1050, 1530, 1583, 1745, 1764, 1765, 3003.1, 3004.5, 3039, 4001, 4004, 4150 and 10504, Fish and Game Code.

Reference: Sections 355, 711, 713, 1050, 1055.3, 1301, 1526, 1528, 1530, 1570, 1571, 1572, 1580, 1581, 1582, 1583, 1584, 1585, 1745, 1761, 1764, 1765, 1907, 2006 and 10504, Fish and Game Code; and Sections 25455, 26150 and 26155, Penal Code.

Section 550.5:

Authority: Sections 200, 1050, 1530, 1764, 1765, 3031 and 10504, Fish and Game Code.

Reference: Sections 355, 711, 713, 1050, 1055.3, 1526, 1528, 1530, 1764, 1765, 2006, 2020, 10504 and 12000, Fish and Game Code; and Section 14998, Government Code.

Section 550.5:

Authority: Sections 200, 203, 205, 265, 355, 710, 710.5, 710.7, 1050, 1530, 1583, 1745, 1764, 1765, 3003.1, 3039, 4001, 4004, 4150 and 10504, Fish and Game Code.

Reference: Sections 355, 711, 713, 1050, 1055.3, 1301, 1526, 1528, 1530, 1570, 1571, 1572, 1580, 1581, 1582, 1583, 1584, 1585, 1745, 1761, 1764, 1765, 2006 and 10504, Fish and Game Code; Sections 5003 and 5010, Public Resources Code; and Sections 25455, 26150 and 26155, Penal Code.

Section 552:

Authority: Sections 200, 203, 265, 710, 710.5, 710.7, 1050, 1530, 1764, 1765 and 10504, Fish and Game Code.

Reference: Sections 355, 711, 713, 1050, 1055.3, 1526, 1528, 1530, 1570, 1571, 1572, 1761, 1764, 1765, 1907, 2006 and 10504, Fish and Game Code.

Section 630:

Note: Authority cited: Sections 200, 203, 265, 710, 710.5, 710.7, 1050, 1530, 1583, 1587, 1745, 1764, 1765 and 10504, Fish and Game Code.

Reference: Sections 355, 711, 713, 1050, 1055.3, 1526, 1528, 1530, 1570, 1571, 1572, 1580, 1581, 1582, 1583, 1584, 1585, 1745, 1761, 1764, 1765, 1907, 2006 and 10504, Fish and Game Code.

Section 702:

Authority cited: Sections 200, 203, 265, 331, 332 and 1050, Fish and Game Code.

Reference: Sections 200, 203, 203.1, 265, 331, 332, 713, 1050, 1055, 1055.1, 1570, 1571, 1572, 1573, 1745, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, 4902, 10500 and 10502, Fish and Game Code.

- (d) Specific Technology or Equipment Required by Regulatory Change: None
- (e) Identification of Reports or Documents Supporting Regulation Change:

Attachment 1: California Department of Fish and Wildlife. 2019. Map indicating the approximate location of CDFW lands that are proposed in this ISOR to be added to, or deleted from, Title 14, California Code of Regulations.

Attachment 2: California Department of Fish and Wildlife. 2019. Department of Fish and Game Land Management Summaries September 2019. This document is a compilation of unpublished reports on-file at the Department of Fish and Game Lands Program, Sacramento, CA. For current contact information: <http://www.dfg.ca.gov/lands/>

Attachment 3: Documents related to the termination of land management by the Department of Fish and Wildlife on the Lake Berryessa Wildlife Area, Yaudanchi Ecological Reserve, and South Fork Wildlife Area.

Attachment 4: California Department of Fish and Wildlife. October 2011. Final Napa-Sonoma Marshes Land Management Plan. Excerpted page 3-116.  
<https://www.wildlife.ca.gov/Lands/Planning/Napa-Sonoma-Marshes-WA>

Attachment 5: San Diego Wildlife Federation. 2018. Letter/Petition to the California Fish and Game Commission. December 5, 2018.

Attachment 6: Garrett Spaan, 2019. Email correspondence from Garrett Spann, Visitor Services Specialist, Sacramento National Wildlife Refuge Complex, U.S. Fish and Wildlife Service, to Glenn Underwood, Staff Services Manager, License and Revenue Branch, California Department of Fish and Wildlife. May 24, 2019, regarding the expiration time for hunting reservations on the Delevan National Wildlife Refuge.

Attachment 7: United States Fish and Wildlife Service. October, 2019. Letter and enclosures from Anthony Merrill, Regional Chief, Division of Refuge Law Enforcement, Pacific Southwest Region-8, National Wildlife Refuge System, U.S. Fish and Wildlife Service, to Julie Horenstein, Lands Program California Department of Fish and Wildlife, Sacramento CA.

Attachment 8: California Department of Fish and Wildlife. 2016. Cañada de San Vicente Vol 1: Final Land Management Plan. Prepared by the Southern Service Center, California Department of Parks and Recreation. State Clearinghouse #2015051017. Feb 2016. Excerpted pages 4-44 – 4-46. <https://www.wildlife.ca.gov/Lands/Planning/Canada-de-San-Vicente>

Attachment 9: Elk Conservation and Management Plan, December 2018, Appendix E: La Panza Tule Elk Management Unit. Excerpted pp E260-E262, E266-267.  
<https://www.wildlife.ca.gov/Conservation/Mammals/Elk>

Attachment 10: Clevenger, Anthony & Waltho, Nigel. 2000. Factors Influencing the Effectiveness of Wildlife Underpasses in Banff National Park, Alberta, Canada.

Conservation Biology. Vol. 14. DOI: 10.1046/j.1523-1739.2000.00099-085.x. Excerpted abstract.

Attachment 11: Proposed updates to the “Special Use of Department Lands Permit Application” (currently DFW-730 (New – 01/2014))

Attachment 12: Justifications for the proposed updates to the “Special Use of Department Lands Permit Application”.

### **Additional References:**

California Department of Fish and Wildlife, Natural Diversity Database. August 2019. Special Animals List. Periodic publication. 67 pp.

<https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>

Coats, P.S., Brussee, B.E., Howe, K.B., Fleskes, J.P., Dwight, I.A., Connelly, D.P., Meshriy, M.G. and Gardner, S.C. 2017. Long-term and widespread changes in agricultural practices influence ring-necked pheasant abundance in California. *Ecology and Evolution*. 7: 2546 – 2559. DOI:10.1002/ece3.2675

San Diego County. 1997. Multiple Species Conservation Program. County of San Diego Subarea Plan. 156pp.

[https://www.sandiegocounty.gov/content/dam/sdc/pds/mscp/docs/SCMSCP/MSCP\\_County Subarea Plan.pdf](https://www.sandiegocounty.gov/content/dam/sdc/pds/mscp/docs/SCMSCP/MSCP_County_Subarea_Plan.pdf)

(f) Public Discussions of Proposed Regulations Prior to Notice Publication:

Four public outreach meetings to discuss the possible changes to the lands regulations and how to participate in the rulemaking process were held in June 2019. They were held from 6:00 to 8:00 p.m. on the following dates and locations:

Tuesday, June 18  
California Department of Fish and Wildlife  
South Coast Region Headquarters  
3883 Ruffin Road  
San Diego, CA 92123

Monday, June 24  
Grassland Environmental Education Center  
Los Banos Wildlife Area  
18110 Henry Miller Ave.  
Los Banos, CA 93635

Wednesday, June 19  
Oroville Branch Library  
1820 Mitchell Ave.  
Oroville, CA 95966

Tuesday, June 25  
Yolo Bypass Wildlife Area  
45211 County Road 32B (Chiles Road)  
Davis, CA 95618

San Diego Meeting: Fifty people signed the sign-in sheets, but approximately 60 people attended. About one-third of the group were concerned with opening more Department lands to mountain biking, one third of the group were interested in having greater hunting opportunities on Department lands, and the remainder represented a variety of other interests, or mentioned that they had attended just to listen.

Oroville Branch Library Meeting: One person attended. He was a representative from the California Rifle and Pistol Association and was interested in opportunities for more shooting sports on Department lands, particularly hunting.

Grassland Environmental Education Center Meeting: Two people attended, both hunters who were interested in learning about what changes were being considered for the land regulations.

Yolo Bypass Wildlife Area Meeting: Eight people attended. Two were supportive of bike riding being proposed at Napa-Sonoma Marsh Wildlife Area. Several supported more access for hunting, and one was concerned about whether there would be negative impacts to natural resources as a result of the Department no longer managing certain properties (due to the end of management agreements, or land exchanges).

#### IV. Description of Reasonable Alternatives to Regulatory Action

##### (a) Alternatives to Regulation Change:

No alternatives were identified by or brought to the attention of the Commission staff that would have the same desired regulatory effect. No adverse impact is anticipated for small businesses.

##### (b) No Change Alternative:

Without the proposed changes, the designation of seven ecological reserves and one wildlife area would not take place. Through designating these properties, four will offer at least occasional public use opportunities, such as special hunts and educational activities. Three will generally be open to authorized public uses. Additional public uses that would be added in this regulation package on specific properties would not be allowed. The Bolsa, XYZ and ABC units of the Truckee River Wildlife Area will continue to be used for shooting sports, even though these units are far less appropriate for these uses from a public safety standpoint than the nearby larger units of that wildlife area.

##### (c) Description of Reasonable Alternatives That Would Lessen Adverse Impact on Small Business:

No adverse impact on small business is expected as a result of the proposed changes to the subject regulations.

#### V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed. Please refer to the Negative Declaration enclosed with this regulation package.

#### VI. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the



proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have significant statewide adverse economic impacts directly affecting business, including the ability of California businesses to compete with businesses in other states because the regulatory actions affect undeveloped land and are not anticipated to have any net impact on recreational uses.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The proposed action will not impact the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses in California because the regulatory actions affect undeveloped land and are not anticipated to have any net impact on recreational uses. No benefits to worker safety are anticipated because this regulatory action will not impact working conditions. The proposed site-specific regulation changes for certain properties are expected to benefit the health and welfare of California residents by increasing public safety and recreational opportunities and benefit the environment by improving resource protection and the management of staff resources.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

(h) Effect on Housing Costs: None.

VII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State:

No impacts to the creation or elimination of jobs within the state is anticipated because the regulatory actions affect undeveloped land and are not anticipated to have any net impact on recreational uses.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State:

No impacts to the creation of new businesses or the elimination of existing businesses within the state is anticipated because the regulatory actions affect undeveloped land and relate solely to recreational uses. However, any increase in compatible recreational opportunities could provide some benefit to businesses that provide recreational equipment, and supplies, and local businesses that sell food or other goods to people who recreate on Department lands.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

No impacts to the expansion of businesses currently doing business within the state is anticipated because the regulatory actions affect undeveloped land and relate solely to recreational uses. However, any increase in compatible recreational opportunities could provide some benefit to businesses that provide recreational equipment, and supplies, and local businesses that sell food or other goods to people who recreate on Department lands.

(d) Benefits of the Regulation to the Health and Welfare of California Residents:

The site-specific regulation changes for certain properties are proposed to improve public safety and increase recreational opportunities, thus benefitting the health and welfare of California residents.

(e) Benefits of the Regulation to Worker Safety:

No benefits to worker safety are anticipated because this regulatory action will not impact working conditions

(f) Benefits of the Regulation to the State's Environment:

The site-specific regulation changes for certain properties are anticipated to benefit the State's environment through the improvement of resource protection and the management of staff resources.

(g) Other Benefits of the Regulation:

Ecological reserves and wildlife areas provide venues for science education and scientific research.

## Informative Digest/Policy Statement Overview

The Department proposes to designate recently acquired lands; one as a wildlife area pursuant to Fish and Game Code sections 1525 and 1526; and seven (7) as ecological reserves pursuant to Fish and Game Code Section 1580. Four properties which the Department no longer possesses or manages will be removed from the regulations.

The purposes of wildlife areas are to conserve wildlife and their associated habitats, while allowing for compatible recreation. The main uses of wildlife areas include hunting, fishing, wildlife viewing, photography, environmental education and research. The purposes of ecological reserves are to conserve threatened or endangered plants and/or animals, and/or specialized habitat types, provide opportunities for the public to observe native plants and wildlife, and provide opportunities for environmental research. Recreation on ecological reserves must be compatible with the conservation of the property's biological resources.

The general public's use of Department lands is governed by regulations:

- Section 550 contains regulations that pertain to all Department lands.
- Section 550.5 contains more detailed regulations about reservations, passes, and permits used on Department lands.
- Section 551 pertains to wildlife areas only.
- Section 552 pertains to nine (9) National Wildlife Refuges where the Department manages hunting programs,
- Section 630 pertains to the Department's ecological reserves.
- Section 702 pertains to fees and forms.

If approved, these proposed regulation changes would:

- 1) Designate seven ecological reserves in subsection 630(b) and one wildlife area in subsection 551(b).
- 2) Remove one ecological reserve and three wildlife areas from, respectively, subsections 630(b) and 551(b).
- 3) Make site-specific regulation changes for certain properties to improve public safety, increase compatible recreational opportunities on certain properties, prohibit general public access on certain properties, provide natural resource protection and manage staff resources for the conservation and recreational purposes of these properties.
- 4) Improve consistency between federal regulations and the state regulations in Section 552 for nine Federal refuges on which the Department manages hunting programs and remove text that is duplicative or otherwise unnecessary in this section. These refuges are also listed as state wildlife areas in subsection 551(c).
- 5) Update information in the "Permit Application For Special Use of Department Lands" (DFW 730 (New 01/14)) which is incorporated by reference in Subsection

702(d)(1) and associated subsections of 702 to improve their clarity and consistency.

- 6) Editorial changes are also proposed to improve the clarity and consistency of the regulations and to streamline the regulations by removing unnecessary text.

The increase in compatible recreational opportunities will benefit businesses that provide recreational equipment, and supplies, and local businesses that sell food or other goods to people who recreate on Department lands.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate the uses of Department lands (Sections 1526 and 1580, Fish and Game Code). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The Commission has searched the California Code of Regulations and finds no other State agency regulations pertaining to the designation and compatible uses of Department lands

## Regulatory Language

Section 550, Title 14, CCR, is amended to read:

### **§ 550. General Regulations for Public Use on All Department of Fish and Wildlife Lands.**

(a) All department land, except for fishing access and public access lands, is closed to visitor access and use until and unless the land is opened for a use or uses through regulations adopted by the commission in sections 550, 550.5, 551, 552, 630, and 702 of these regulations. The commission determines whether proposed designations and uses are consistent with the authorizing and reference statutes listed at the end of this section and the purposes for which the lands were acquired. Each proposed designation or use is subject to review pursuant to state and federal regulatory requirements prior to being authorized.

(b) Definitions.

(1) "Department land" is defined as:

(A) any state-owned real property over which the department has jurisdiction and management authority;

(B) real property over which the department has management authority through a current lease, memorandum of understanding, management agreement, or similar document;

(C) real property designated by the commission as a wildlife area (Section 551 of these regulations);

(D) real property designated by the commission as an ecological reserve (Section 630 of these regulations);

(E) real property held or administered by the department as a fishing access;

(F) real property held or administered by the department as a public access;

(G) real property designated by the commission as a public shooting area.

(2) "Compatible uses" is defined as ~~visitor~~ uses that are consistent with the purposes and management of a particular department land. Predominant compatible uses on department lands are hunting, fishing, wildlife viewing, wildlife photography, environmental education and/or environmental research.

(3) "Environmental education" is defined as:

(A) department administered or sponsored interpretive programs offered to the public; or

(B) activities to increase the understanding and appreciation of wildlife and the natural environment conducted by organized youth or school groups.

(4) "Environmental research" is defined as the field study of biological, physical, or cultural processes or values with the primary purpose of improving the understanding of the natural environment.

(5) "Visitor" is defined as any person, other than a department employee or designee performing official duties, who enters department land.

(6) "Entry permit" is defined as a permit which allows entry to specified department land for department-authorized activities where general access is restricted per subsection 550(c)(2)(D). Entry permits may require payment of a fee to the department.

(7) "Hunting Pass" is defined as a proof of payment of a fee that must be presented by a visitor in order to obtain an entry permit to hunt on specified ~~Department~~department lands.

(8) "Lands Pass" is defined as a proof of payment of a fee for entry for authorized uses other than hunting that is required of visitors who are not carrying a valid hunting, fishing or trapping license on ~~Department~~department lands listed in subsections 551(w) and 630(c).

(9) "Special use" is defined as an activity, use, event or gathering on department land that is not authorized in sections 550, 551 or 630 of these regulations but which may be allowed with written authorization from the department; typically in the form of a Special Use Permit. When allowed, special uses occur on a limited basis as defined in the Special Use Permit or other authorizing document. An authorized special use on department land shall not conflict with the normal uses, purposes or management of the department land.

(10) "Reservation" is defined as a randomly drawn application that assures entry onto a wildlife area, when presented with the appropriate entry pass as specified in Section 550.5(c), if applicable.

(11) "Non-shooter" is defined as a visitor who accompanies a hunter in the field or remains at a designated parking area.

~~(11)~~(12) "Fishing" for the purposes of department land is defined as angling as defined in Section 1.05 of these regulations, or as taking fish on department wildlife areas using bow and arrow fishing tackle as defined in Section 1.23 of these regulations.

~~(12)~~(13) "Hunting" for the purposes of department land is defined as the legal take (as take is defined in Fish and Game Code Section 86) of wildlife species pursuant to sections 550, 550.5, 551, 552, and 630 of these regulations, in addition to the general hunting regulations for seasons and method of take. The provisions of sections 550, 550.5, 551, 552, and 630 shall have precedence over general hunting regulations on department land where there may be differences between them.

~~(13)~~(14) "Camping" for the purposes of department land is defined as an overnight or after-hours visitor stay which may include a vehicle, trailer, motor home, boat, tent, or any other type of vehicle or shelter.

~~(14)~~(15) "Wildlife viewing" for the purposes of department land is defined as pedestrian use of roads or designated trails when and where authorized by the department.

~~(15)~~(16) "Dog training" for the purposes of department land is defined as the noncommercial act of training a hunting dog to improve the dog's performance in hunting migratory or upland game birds and retrieval of downed game, and to enhance the hunting experience.

~~(16)~~(17) "Dog trial" for the purposes of department land is defined as an organized competitive or scored event for testing hunting dog performance.

~~(17)~~(18) "Upland game birds" for the purpose of department land is defined as the upland game bird species listed in Fish and Game Code Section 3683.

#### (c) Visitor Entry and Responsibilities.

(1) Visitors are responsible for knowing and complying with all regulations pertaining to fishing, hunting, and use of department land. These regulations are incorporated by reference into and become a condition of all visitor entry, passes, entry permits, and

special use permits. Failure to comply with any such regulations is a violation of this section.

(2) Visitor entry onto department land is at the discretion of the department, which may limit entry as it deems appropriate, to manage and protect fish, wildlife, native plants, habitats and other natural resources. Entry may require payment of a fee, a pass and/or an entry permit as provided in subsection 550.5(c).

(A) Visitor entry, where authorized or designated, is for activities authorized according to sections 550, 550.5, 551, 552, or 630 of these regulations. It shall be unlawful to enter or use department land without complying with the applicable sections of these regulations.

(B) All visitors shall present and show valid entry permits; day, season or annual passes, licenses; and all fish and game taken on department land at the checking station or upon the request of any department employee. Visitors shall return all entry permits to the checking station or point of entry upon leaving department land.

**[No changes to subsections (c)(2)(C) through (cc)(1)]**

(2) Possession, discharge, and use of firearms or archery equipment is prohibited on department lands except within department-designated hunting areas or shooting sites, or with a permit issued by the department, or as authorized for dog training in a designated area, or when fishing with bow and arrow tackle as defined in subsection 550(b)(11) and allowed in subsection 550(h), ~~or when dispatching a trapped animal per subsections 465.5(g)(1) and 550(ee) of these regulations.~~ This prohibition includes air or gas operated devices or guns and all other propulsive devices.

**[No changes to subsections (cc)(3) through (dd)]**

~~(ee) Trapping: Trapping is allowed on Type C wildlife areas, subject to furbearer and trapping provisions in sections 460 through 467 and property-specific closures or restrictions in subsections 551(e) and 551(r) of these regulations.~~

Note: Authority cited: Sections 200, 203, 265, 710, 710.5, 710.7, 1050, 1530, 1583, 1745, 1764, 1765, 3003.1, 3004.5, 3039, 4001, 4004, 4150 and 10504, Fish and Game Code. Reference: Sections 355, 711, 713, 1050, 1055.3, 1301, 1526, 1528, 1530, 1570, 1571, 1572, 1580, 1581, 1582, 1583, 1584, 1585, 1745, 1761, 1764, 1765, 1907, 2006 and 10504, Fish and Game Code; and Sections 25455, 26150 and 26155, Penal Code. Code; and Sections 25455, 26150 and 26155, Penal Code.

## **Regulatory Language**

Section 550.5, Title 14, CCR, is amended to read:

### **§ 550.5. Reservations, Entry Permits, Fees, Passes, and Special Use Permits.**

(a) Reservations for Hunting Activities.

(1) Reservations for waterfowl and pheasant hunting are available for Type A wildlife areas for all authorized shoot days of the season. On Type B wildlife areas, reservations are required for the opening weekend of waterfowl season and may be required for the opening of pheasant season.

(A) Reservations shall be issued by random drawing. Applications are available through the Automated License Data System at license agents, department license offices and online. To find the locations of department license agents, department license offices or to apply for a reservation on-line, go to the department's website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov). Applicants must possess an annual or lifetime hunting license valid for the hunting season for which they are applying. Two-day nonresident hunting licenses shall not be used to apply for reservation drawings. To be included in a reservation drawing, applications must be received by the department through the Automated License Data System ~~or at the address specified on the application~~ at least 17 days prior to the hunt date. Late, incomplete, or incorrect applications will not be included in the drawing. The fee to apply for a reservation is specified in Section 702 of these regulations. The application fee is non-refundable.

#### **[No changes to subsection (a)(1)(B) through (a)(1)(D)]**

(E) Except as provided in subsection 550.5(a)(1)(F) or subsection 551(x) of these regulations, a reservation shall be valid for entry for up to six visitors who must hunt as a party. No more than two visitors in a hunting party may be adult hunters (18 years of age or older as of July 1 of the licensing year). Each adult may be accompanied by up to two hunters holding junior hunting licenses or two non-shooters irrespective of age, or one of each. All hunters must be in possession of a valid hunting license. ~~Non-shooters are defined as visitors who accompany a reservation holder in the field or remain at a designated parking area.~~ Non-shooters (as defined in subsection 550(b)(11)) shall not discharge or possess ammunition or a firearm on the wildlife area.

(F) When hunting a designated hunting zone, assigned pond, or blind area, a reservation will assure entry only for the number of visitors (adult hunters, junior hunters, and/or non-shooters) that does not exceed the capacity of the designated zone, assigned pond or blind area.

(b) Reservations for Wildlife Viewing. Reservations for wildlife viewing may be available for certain department lands during peak viewing periods or when guided tours are offered. The department may limit the number of reservations available for each of these opportunities.

(c) Entry Permits, Fees, and Passes.



(1) Where the department has determined that entry permits are required per subsection 550(c)(2) of these regulations and/or that fees are necessary to offset the department's costs of providing public recreational opportunities, an appropriate pass must first be purchased for a fee through the department's Automated License Data System at a license agent, department license office or on the department's website at [www.wildlife.ca.gov](http://www.wildlife.ca.gov). An entry permit will be issued only when an appropriate hunting pass is presented at the checking station or point of entry.

(2) Passes for hunting during the waterfowl season are sold as one day, two day, or Type A or Type B season hunting passes. Applicable fees are listed in subsection 702(b) of these regulations.

(3) Entry permits and hunting passes are required for waterfowl hunting on all Type A wildlife areas.

(4) Entry permits and proof of either a Type A or Type B season hunting pass are required for waterfowl hunting on all Type B wildlife areas. One or two day passes are not accepted at Type B wildlife areas.

(5) Entry permits and/or passes or special drawings may be required for hunting on Type C wildlife areas where the department has determined that restricted access is necessary per subsection 550(c) of these regulations (see subsection 551(q) of these regulations).

(6) Each visitor must have a valid entry permit in their immediate possession while on department lands that require an entry permit.

(7) ~~Visitors with a valid junior hunting license are exempt from purchasing a daily or annual hunting pass but will only be issued an entry permit when accompanied by an adult and upon~~ Any visitor with a valid junior hunting license in their own name is exempt from purchasing a daily or annual hunting pass. A visitor who is under the age of 16 will only be issued an entry permit and allowed to hunt when carrying a valid hunting license in their own name and is accompanied by an adult. An adult is defined as a person 18 years old or older. An adult hunter or non-shooter may accompany up to two junior hunters on department lands.

8) Any visitor 16 or 17 years of age, in possession of a valid hunting license in that visitor's own name and a valid entry permit, ~~presenting a valid junior hunting license issued in his or her own name will be issued an entry permit and~~ may hunt independently. Hunters 16 or 17 years of age who hunt without an adult shall not be accompanied by any visitor under the age of 16. ~~15 years of age or younger.~~

#### **[No changes to subsection (c)(9) through (c)(12)]**

(d) Special Use Permits. Special uses, as defined in subsection 550(b)(9) of these regulations, on department lands require written authorization from the department. Such authorization will typically be in the form of a Special Use Permit (per subsections 550(d) and 550(n)(2) of these regulations). The department shall not issue Special Use Permits for activities or uses that conflict with the current uses, management or purposes of a department land, would have a significant environmental effect, or would constitute an unlawful use of state resources under Government Code Section 8314.

(1) Types of Special Use.

(A) Type 1 Special Use. A Type 1 special use is an activity that meets all of the following criteria:

1. involves 30 or fewer visitors on site;
2. involves ten or fewer (0-10) animals (such as dogs or horses) or bicycles (or other pedaled vehicles) in total;
3. does not require the use of animals, bicycles, vehicles, or large equipment outside of designated parking areas, roads, trails, or other areas authorized for visitor use; and
4. does not require use of the site for more than one calendar day during normal operating hours of the department land.

(B) Type 2 Special Use. A Type 2 special use is a hunting dog trial or testing event or activity.

(C) Type 3 Special Use. A Type 3 special use is an activity that meets any one of the following criteria:

1. involves more than 30 visitors on site;
2. involves more than ten animals or bicycles in total;
3. requires the use of animals, bicycles, vehicles, or large equipment outside of designated parking areas, roads, trails, or other areas authorized for visitor use; or
4. requires use of the site for more than one calendar day or outside of normal operating hours of the department land.

(2) Application Process for Special Use Permits.

(A) Application for a Special Use Permit shall be made on the "Permit Application for Special Use of Department Lands", as specified in Section 702 of these regulations. Failure to disclose fund-raising or commercial activities or other information per the instructions on the application may result in a citation and fine.

(B) Applications and Special Use Permit fees shall be submitted at least 45 days prior to the date of the requested activity or event to the appropriate regional office. The permit fees for Type 1, Type 2, and Type 3 Special Uses are specified in Section 702 of these regulations. ~~The entire permit fee must be paid before the application will begin to be processed. Additional fees or deposits, if any, will be due before the permit is approved. Applications will not be processed unless they are complete, and the entire permit fee is paid.~~

~~1. If a special use event or activity is entirely canceled, Type 1 and Type 2 permit fees are refundable. After a Special Use Permit is approved, the Special use permit fees are refundable only if none of the approved activities have taken place and all of the activities and dates covered by the permit are cancelled in writing, in an email or hardcopy, submitted to the area manager or their designee.~~

~~2. Type 3 permit fees are only refundable until 10 calendar days prior to the scheduled start of any of the permitted activities, the special use, after which the permit fee will be forfeited if the permittee cancels the special use. Cancellations prior to 10 calendar days before the start of a Type 3 special use must be provided to the area manager in writing as an email or hardcopy.~~

~~2.3. All Special Use Permit fees are refundable if the department does not approve a special use permit application or does not have adequate staff available to review an application.~~

**[No changes to subsection 550.5(d)(3)]**

(4) Possible Costs In Addition to the Special Use Permit Fee.

(A) For department lands that normally require a fee for a Lands Pass or entry permit, the Lands Pass or entry fee will be required in addition to the Special Use Permit fee. Whether the daily-use/lands pass or entry fee for each special use participant will be paid directly to the department by the participants or by the permittee will be determined as part of the development of the Special Use Permit

(B) Additional Anticipated Costs. If the regional manager or his designee determines in advance that department staff will need to conduct work outside of normal duties or hours to prepare for the special use, monitor or assist with the special use, or return department land to its previous condition following the special use, payment of the additional anticipated cost to the department will be added to the Special Use Permit fee specified in Section 702 of these regulations and required to be paid as a condition of the department issuing a Special Use Permit. The additional cost shall be based on the estimated number of hours, the job classification of state personnel required to conduct the work, and the department's costs for employee benefits, overhead, mileage, and use of department equipment and supplies.

(C) Cleaning or Damage Deposit. Depending on the anticipated need for cleaning or repair to department property, including land, infrastructure and/or equipment, the department may charge the applicant a cleaning or damage deposit in an amount determined by the regional manager or his designee. Costs to return department property to its previous condition following the special use shall be deducted from this deposit. The regional manager or his designee shall determine whether all, a portion or none of the deposit is refunded based on department costs to clean up or repair damage.

(D) For-Profit or Fund Raising Activities. Any person, entity, or organization is prohibited from holding, sponsoring, leading, or otherwise conducting a recreational, educational, or other activity occurring wholly or partially within or on any department land for the purpose of generating revenue or fund raising without adequate compensation for the use of State resources. Applications for such events or activities are incomplete and will not be processed unless Attachment C (incorporated by reference in subsection 702) is complete and included with the application. Unless an event is sponsored or co-sponsored by the department, payment to the department of a guaranteed minimum fee or percentage of the gross revenue of the event shall be a condition of any Special Use Permit that authorizes activities on department land that are intended to generate revenue or raise funds. The rate or amount of compensation shall be specified in the draft Special Use Permit. The criteria used to determine the rate or amount of compensation shall include, without limitation:

1. the extent of the department land to be used;
2. the duration, size and scope of the event;
3. the anticipated impact on department resources and facilities;
4. prevailing fees for comparable facilities in the locality;

5. amount and type of permittee's equipment and materials to be used on the department land;
6. the number of people, vehicles, bicycles, and/or domestic animals on the department land because of the special use;
7. the amount of gross revenue the permittee expects to generate from the event;
8. the cost of services or time required of or by the department;
9. whether the applicant is a non-profit organization with tax-exempt status under section 501(c), Subtitle A of the U.S. Internal Revenue Code; and
10. any other considerations as appropriate.

(5) Terms and Conditions of Special Use Permits.

(A) To protect human health and safety, natural or cultural resources, or department facilities, the regional manager or his designee may impose special conditions in addition to the standard terms and conditions included in the Permit Application for Special Use of Department Lands as specified in Section 702. The department must provide notice of any special conditions as part of the notification of approval referenced in subsection 550.5(d)(3)(B) of these regulations.

(6) Acceptance of the Terms and Conditions of Special Use Permits and Payment of Fees.

(A) Type 1 or Type 2 Special Use Permit. The notification of approval for a Type 1 or Type 2 Special Use Permit will include a Special Use Permit signed by the wildlife area or ecological reserve manager and the regional manager or his designee. The Special Use Permit will include an attachment titled: Attachment B: Applicant Acceptance of Terms, Conditions and Costs as specified in Section 702. The Special Use Permit is not valid unless the permittee accepts the terms and conditions of the Special Use Permit by signing and submitting the signed original of Attachment B and the full payment of ~~the permit fee and all other costs~~ any additional fees, costs, charges or deposits indicated on the permit to the appropriate regional office at least five calendar days before the beginning of the event or activity. The permittee should make and keep a copy of the signed Attachment B with the Special Use Permit. Conducting a special use event or activity without a valid permit is a violation of subsections 550(c)(2)(A) and 550.5(d)(8) of these regulations.

(B) Type 3 Special Use Permit. The notification of approval for a Type 3 Special Use Permit will include a draft permit (not valid). The draft Special Use Permit will include an attachment titled: Attachment B: Applicant Acceptance of Terms, Conditions and Costs as specified in Section 702. In order to receive a final, valid Special Use Permit, the applicant must accept the terms and conditions of the Special Use Permit by signing Attachment B, and sending the signed original draft permit and the full payment of ~~the permit fee and all other costs~~ any additional fees, costs, charges or deposits indicated on the permit to the appropriate regional office at least ten calendar days before the beginning of the event or activity. After the Special Use Permit is signed by the wildlife area or ecological reserve manager and the regional manager or his designee, it will be mailed back to the permittee as the valid permit. Conducting a special use event or activity without a valid permit is a violation of subsections 550(c)(2)(A) and 550.5(d)(8) of these regulations.

(7) Valid Special Use Permit. A valid Special Use Permit includes the completed application, including the permit section of the form signed by the wildlife area or ecological reserve manager and the regional manager or his designee, and any and all attachments referenced in the Special Use Permit. In order for a Special Use Permit to be valid, all costs that are required to be paid in advance, as indicated on the permit, must be paid-in-full by the permittee.

**[No changes to subsection 550.5(d)(8) through (d)(11)]**

Note: Authority cited: Sections 200, 1050, 1530, 1764, 1765, 3031 and 10504, Fish and Game Code. Reference: Sections 355, 711, 713, 1050, 1055.3, 1526, 1528, 1530, 1764, 1765, 2006, 2020, 10504 and 12000, Fish and Game Code; and Section 14998, Government Code.

## Regulatory Language

Section 551, Title 14, CCR, is amended to read:

### **§ 551. Additional Visitor Use Regulations on Department Lands Designated as Wildlife Areas.**

(a) The areas listed in Section 551 have been designated by the commission as wildlife areas. All wildlife areas are maintained for the primary purposes of developing a statewide program of ecological conservation, restoration, preservation, development and management of wildlife and wildlife habitat and hunting. A legal description of the boundaries of each wildlife area is on file at the department's headquarters, 1416 9th Street, Sacramento. Visitor use is subject to the regulations below and in sections 550 and 550.5, as well as any other sections of Title 14, CCR, and the Fish and Game Code that may apply. These regulations are incorporated by reference into and become a condition of entry and/or permits. Visitors are responsible for knowing and understanding these regulations prior to entry.

(b) Wildlife areas owned and operated by the department (Types A, B and C as defined in Section 551(e)) are as follows:

### **[No changes to subsections (b)(1) through (b)(40)]**

- (41) Grizzly Island Wildlife Area (Solano County), including the Crescent (Type A), Crescent Family (Type A), Gold Hills (Type B), Goodyear Slough (Type B), Grey Goose (Type C), Grizzly Island (Type A), Island Slough (Type B), Joice Island (Type A), Long Point (Type A), West Family (Type B) and ~~Garibaldi, Cordelia and Montezuma Slough~~ management units;
- (42) Hallelujah Junction Wildlife Area (Lassen and Sierra counties) (Type C);
- (43) Heenan Lake Wildlife Area (Alpine County) (Type C);
- (44) Hill Slough Wildlife Area (Solano County) (Type C);
- (45) Hollenbeck Canyon Wildlife Area (San Diego County) (Type C);
- (46) Honey Lake Wildlife Area (Lassen County) (Type B);
- (47) Hope Valley Wildlife Area (Alpine County) (Type C);
- (48) Horseshoe Ranch Wildlife Area (Siskiyou County) (Type C);
- (49) Imperial Wildlife Area (Imperial County), including the Wister ~~Management Unit~~ (Type A) and Finney Ramer (Type C) Management Units ~~(Type C)~~;
- (50) Indian Valley Wildlife Area (Lake County) (Type C);
- (51) Kelso Peak and Old Dad Mountains Wildlife Area (San Bernardino County) (Type C);
- (52) Kinsman Flat Wildlife Area (Madera County) (Type C);
- (53) Knoxville Wildlife Area (Napa and Yolo counties) (Type C);
- (54) Laguna Wildlife Area (Sonoma County) (Type C);
- ~~(55) Lake Berryessa Wildlife Area (Napa County) (Type C);~~
- ~~(56)(55)~~ Lake Earl Wildlife Area (Del Norte County) (Type C);
- ~~(57) Lake Sonoma Wildlife Area (Sonoma County) (Type C);~~
- ~~(58)(56)~~ Little Panoche Reservoir Wildlife Area (Fresno County) (Type C);
- ~~(59)(57)~~ Los Banos Wildlife Area (Merced County) (Type A);

~~(60)~~(58) Lower Sherman Island Wildlife Area (Sacramento County) (Type C);  
~~(64)~~(59) Mad River Slough Wildlife Area (Humboldt County) (Type C);  
~~(62)~~(60) Marble Mountains Wildlife Area (San Bernardino County) (Type C);  
~~(63)~~(61) Mendota Wildlife Area (Fresno County) (Type A);  
~~(64)~~(62) Merrill's Landing Wildlife Area (Tehama County) (Type C);  
~~(65)~~(63) Miner Slough Wildlife Area (Solano County) (Type C);  
~~(66)~~(64) Monache Meadows Wildlife Area (Tulare County) (Type C);  
~~(67)~~(65) Morro Bay Wildlife Area (San Luis Obispo County) (Type C);  
~~(68)~~(66) Moss Landing Wildlife Area (Monterey County) (Type C);  
~~(69)~~(67) Mouth of Cottonwood Creek Wildlife Area (Shasta and Tehama counties) (Type C);  
~~(70)~~(68) Mud Lake Wildlife Area (Siskiyou County) (Type C);  
~~(71)~~(69) Napa-Sonoma Marshes Wildlife Area (Solano, Napa, and Sonoma counties), including the American Canyon, ~~Green Island~~, Dutchman Slough, Huichica Creek, Napa River, Ringstrom Bay, Sonoma Creek, Tolay Creek, and Wingo management units (Type C); and Green Island, Southern Crossing, and White Slough management units;  
~~(72)~~(70) North Grasslands Wildlife Area (Merced and Stanislaus counties), including the China Island, Gadwall, and Salt Slough management units (Type A);  
~~(73)~~(71) O'Neill Forebay Wildlife Area (Merced County) (Type C);  
~~(74)~~(72) Oroville Wildlife Area (Butte County), including the Thermalito Afterbay Management Unit (Type C);  
~~(75)~~(73) Petaluma Marsh Wildlife Area (Marin and Sonoma counties), including the Black John Slough, Burdell, and Petaluma River management units (Type C); and Bahia, Day Island, Green Point, Novato Creek, Point Sonoma, and Rush Creek management units;  
~~(76)~~(74) Pickel Meadow Wildlife Area (Mono County) (Type C);  
~~(77)~~(75) Pine Creek Wildlife Area (Modoc County) (Type C);  
~~(78)~~(76) Point Edith Wildlife Area (Contra Costa County) (Type C);  
~~(79)~~(77) Putah Creek Wildlife Area (Solano County) (Type C);  
~~(80)~~(78) Rector Reservoir Wildlife Area (Napa County) (Type C);  
~~(84)~~(79) Red Lake Wildlife Area (Alpine County) (Type C);  
~~(82)~~(80) Rhode Island Wildlife Area (Contra Costa County) (Type C);  
~~(81)~~Round Valley Wildlife Area (Inyo and Mono counties) (Type C);  
  
~~(83)~~(82) Sacramento Bypass Wildlife Area (Yolo County) (Type C);  
~~(84)~~(83) Sacramento River Wildlife Area (Butte, Colusa, and Glenn counties) (Type C);  
~~(85)~~(84) San Felipe Valley Wildlife Area (San Diego County) (Type C);  
~~(86)~~(85) San Jacinto Wildlife Area (Riverside County), including the Davis Road Unit and the Potrero Unit (Type A);  
~~(87)~~(86) San Luis Obispo Wildlife Area (San Luis Obispo County) (Type C);  
~~(88)~~(87) San Luis Reservoir Wildlife Area (Merced County) (Type C);  
~~(89)~~(88) San Pablo Bay Wildlife Area (Marin and Sonoma counties) (Type C);  
~~(90)~~(89) Santa Rosa Wildlife Area (Riverside County) (Type C);  
~~(94)~~(90) Shasta Valley Wildlife Area (Siskiyou County) (Type B);  
~~(92)~~(91) Sheepy Ridge Wildlife Area (Siskiyou County) (Type C);  
~~(93)~~(92) Silver Creek Wildlife Area (Lassen County) (Type C);  
~~(94)~~(93) Slinkard-Little Antelope Wildlife Area (Mono County) (Type C);  
~~(95)~~(94) Smithneck Creek Wildlife Area (Sierra County) (Type C);  
~~(96)~~South Fork Wildlife Area (Kern County) (Type C);

~~(97)~~(95) South Spit Wildlife Area (Humboldt County) (Type C);  
~~(98)~~(96) Spenceville Wildlife Area (Yuba and Nevada counties) (Type C);  
~~(99)~~(97) Surprise Valley Wildlife Area (Modoc County) (Type C);  
~~(100)~~(98) Sutter Bypass Wildlife Area (Sutter County) (Type C);  
~~(101)~~(99) Tehama Wildlife Area (Tehama County) (Type C);  
~~(102)~~(100) Truckee River Wildlife Area (~~Placer and Nevada~~, Placer and Sierra counties);  
 including the Boca, Canyon, Grey Creek Canyon, Polaris, Union Ice, and West River  
 management units (Type C);  
~~(103)~~(101) Upper Butte Basin Wildlife Area (Butte and Glenn counties), including the Howard  
 Slough, Little Dry Creek, and Llano Seco management units (Type A);  
~~(104)~~(102) Volta Wildlife Area (Merced County) (Type A);  
~~(105)~~(103) Waukell Creek Wildlife Area (Del Norte County) (Type C);  
~~(106)~~(104) Warner Valley Wildlife Area (Plumas County) (Type C);  
~~(107)~~(105) West Hilmar Wildlife Area (Merced and Stanislaus counties) (Type C);  
~~(108)~~(106) West Walker River Wildlife Area (Mono County) (Type C);  
~~(109)~~ ~~White Slough Wildlife Area (San Joaquin County) (Type C);~~  
~~(110)~~(107) Willow Creek Wildlife Area (Lassen County) (Type B); and  
~~(111)~~(108) Yolo Bypass Wildlife Area (Yolo County) (Type A).

(c) Areas owned and operated by federal agencies where public hunting opportunities are administered by the department are listed in this subsection. Additional regulations for the areas listed in this subsection are in Section 552 of these regulations.

(1) Baldwin Lake (San Bernardino County) (Type C);  
 (2) Colusa National Wildlife Refuge (Colusa County) (Type A);  
 (3) Delevan National Wildlife Refuge (Colusa County) (Type A);  
 (4) Kern National Wildlife Refuge (Kern County) (Type A);  
~~(5) Lake Berryessa Wildlife Area (Napa County) (Type C);~~  
~~(6)~~(5) Lake Sonoma Wildlife Area (Sonoma County) (Type C);  
~~(7)~~(6) Merced National Wildlife Refuge (Merced County) (Type A);  
~~(8)~~(7) Sacramento National Wildlife Refuge (Glenn and Colusa counties) (Type A);  
~~(9)~~(8) San Luis National Wildlife Refuge (Merced County) (Type A), including the San Luis,  
 Kesterson, West Bear Creek, Freitas, and Blue Goose Units;  
~~(10)~~(9) Sonny Bono Salton Sea National Wildlife Refuge (Imperial County) (Type A) (operated  
 with the Imperial Wildlife Area); and  
~~(11)~~(10) Sutter National Wildlife Refuge (Sutter County) (Type A).

(d) Areas operated by the department in cooperation with other state or federal agencies are:

(1) Clifton Court Forebay (Contra Costa County) (Type C);  
 (2) Little Panoche Reservoir Wildlife Area (Fresno County) (Type C);  
 (3) O'Neill Forebay Wildlife Area (Merced County) (Type C);  
 (4) Perris Reservoir State Recreation Area, area day use fee (Riverside County);  
 (5) Rector Reservoir Wildlife Area (Napa County) (Type C);  
 (6) Sacramento River National Wildlife Refuge, including the La Barranta Unit, Blackberry Island  
 Unit, Mooney Unit, Ohm Unit, Flynn Unit, Heron Island Unit, and Rio Vista Unit (Tehama  
 County); Pine Creek Unit, Dead Man's Reach Unit, North Llano Seco Island 1 & 2 Units, and  
 Llano Seco Riparian Sanctuary Unit (Butte County); and McIntosh Landing North and South  
 Units, Capay Unit, Phelan Island Unit, Jacinto Unit, Ord Unit, Ord Bend Unit, South Ord Unit,



Hartley Island Unit, Sul Norte Unit, Codora Unit, Packer Unit, Afton Unit, North Drumheller Slough Unit, and Drumheller Slough Unit (Glenn County); Bogg's Bend Unit (Colusa County) (Type C). (A) Additional regulations for the Sacramento River National Wildlife Refuge are in Section 552 of these regulations.

**[No changes to subsections (d)(7) through (i)]**

(j) Bicycles: Except for their use on roads or levees for transportation between parking lots and hunting areas during the waterfowl season on Type A or B wildlife areas, or as provided in this subsection, the use of bicycles by visitors is prohibited on wildlife areas (also see subsection 550(bb) of these regulations).

	AREA	BICYCLES
(1)	Cache Creek Wildlife Area	Allowed only on the Harley Gulch Unit from the third Saturday in April through the third Saturday in November.
(2)	Daugherty Hill Wildlife Area	Allowed only on the Daugherty Hill Unit from May 10 through September 15. Prohibited on other units.
(3)	Hollenbeck Canyon Wildlife Area	Allowed only on designated trails or routes.
<u>(4)</u>	<u>Napa-Sonoma Marshes Wildlife Area</u>	<u>Allowed only on the designated Bay Trail (designated trail and road) on the Green Island Unit, and the posted public access easement on the Southern Crossing Unit.</u>
<del>(4)</del> <u>(5)</u>	Oroville Wildlife Area	Allowed only on roads open to vehicles.
<del>(5)</del> <u>(6)</u>	San Felipe Valley Wildlife Area	Allowed only on designated trails or routes.
<del>(6)</del> <u>(7)</u>	San Jacinto Wildlife Area (Potrero Unit)	Allowed only on designated trails.
<del>(7)</del> <u>(8)</u>	Spenceville Wildlife Area	Allowed only on designated trails and roads.

<del>(8)</del> (9)	Upper Butte Basin Wildlife Area	Allowed only from one week after the end of waterfowl season until two weeks prior to opening of waterfowl season.
<del>(9)</del> (10)	Yolo Bypass Wildlife Area	Allowed only in designated areas.

**[No changes to subsections (k) through (n)]**

**(o) Designated Closures and Restrictions on Wildlife Areas:**

Nothing in this subsection shall prohibit the lawful possession of a concealed firearm as provided in subsection 550(cc)(1) of these regulations.

	AREA	DESCRIPTION OF CLOSURE OR RESTRICTION
(1)	Antelope Valley Wildlife Area	Closed to hunting from February 1 through June 30.
(2)	Ash Creek Wildlife Area	Portions of the area may be closed to all visitor entry from March 1 through August 15.
(3)	Baldwin Lake Wildlife Area	A hunter shall not possess more than 25 shot shells while in the field.
(4)	Battle Creek Wildlife Area	No hunting or possession of firearms or archery equipment. Dog training and trials are prohibited.
(5)	Butte Valley Wildlife Area	Closed to boating and water-related activity from March 1 through September 1.
(6)	Cache Creek Wildlife Area	The use of dogs for wild pig hunting is prohibited.
(7)	Cottonwood Creek Wildlife Area	Closed to hunting after the last Sunday in January to the opening of Zone A archery deer season. Dog training and trials are prohibited. The use of dogs for wild pig hunting is prohibited.
(8)	Crescent City Marsh Wildlife Area	No hunting or possession of firearms or archery equipment.
(9)	Daugherty Hill Wildlife Area	Closed to hunting February 1 through June 30 except for the spring turkey season when only turkeys may be hunted. Closed to all visitor entry during the first nine days of the spring turkey season except for special turkey permit holders.

(10)	Eel River Wildlife Area	Portions of the area are closed to vehicle entry from March 1 through September 15. Cannibal Island Unit is closed to all visitor use from the Monday following the end of youth hunting day (subsection 502(e)(1)(B)(5) of these regulations) through April 1.
(11)	Elk Creek Wetlands Wildlife Area	No hunting or possession of firearms or archery equipment.
(12)	Elk River Wildlife Area	Closed to all visitor use from the Monday following the end of youth hunting day (subsection 502(e)(1)(B)(5) of these regulations) through April 1.
(13)	Fay Slough Wildlife Area	Closed to all visitor use from the Monday following the end of youth hunting day (subsection 502(e)(1)(B)(5) of these regulations) through April 1.
(14)	Feather River Wildlife Area	Closed to hunting February 1 through June 30 except for the spring turkey season when only turkeys may be hunted. The Shanghai Bend Unit is closed to hunting. No person shall enter that portion of the O'Connor Lakes Management Unit marked as closed to entry from March 1 through June 30.
(15)	Fremont Weir Wildlife Area	Closed to hunting February 1 through June 30 except for the spring turkey season when only turkeys may be hunted.
(16)	Gray Lodge Wildlife Area	Closed to all non-hunting uses from two weeks prior to opening of waterfowl season through one week after end of waterfowl season except those areas designated for wildlife viewing purposes. The west side of the area is closed to falconry. Dove hunting allowed only in designated areas.
(17)	<del>Grizzly Island Wildlife Area (Garibaldi Unit)</del>	<del>Closed to the public</del>
(17)	Grizzly Island Wildlife Area (Gold Hills, Goodyear Slough, Island Slough, West Family and Grey Goose Units)	A hunter shall not possess more than 25 shot shells while in the field during waterfowl season. Closed to all public use from the end of waterfowl season to September 30. Access to the Grey Goose Unit and the Goodyear Slough Unit to the south of Lake Herman Road and east of the eastern most railroad tracks is by boat only. <u>Gold Hills and Island Slough units are open</u> <u>The Island Slough Unit is open</u> to hunting on Christmas Day when Christmas falls on a Saturday, Sunday or Wednesday.
(18)	Grizzly Island Wildlife Area (Joice Island Unit)	Closed to public use except when permits are issued for waterfowl hunting, special wild pig hunts, and during the special

		season open to fishing from mid-May to mid-August (contact area headquarters for details).
<del>(20)</del>	Grizzly Island Wildlife Area (Cordelia and Montezuma Slough units)	<del>No hunting or possession of firearms or archery equipment.</del>
<del>(24)</del> <u>(19)</u>	Grizzly Island Wildlife Area (Grizzly Island Unit)	Dogs are prohibited from March 1 to June 30, all of August, and during the tule elk hunting season in September. Dogs may be used to assist in the take of game which is in season, authorized by area regulations and in portions of the area open to such take. Dogs are otherwise prohibited during October and through the end of waterfowl season. Closed to uses other than hunting from the last Monday in July to the end of the Grizzly Island tule elk season and from October 1 through the end of waterfowl season.
<del>(22)</del> <u>(20)</u>	Hallelujah Junction Wildlife Area	Closed to all visitor use from February 1 through June 30. Dogs are prohibited except for hunting.
<del>(23)</del> <u>(21)</u>	Hill Slough Wildlife Area	No hunting or possession of firearms or archery equipment.
<del>(24)</del> <u>(22)</u>	Hollenbeck Canyon Wildlife Area	Hunting is allowed in designated areas only. Closed to hunting February 1 through August 31, <u>except for crow hunting, which is allowed after January 31 until the end of the crow season in designated area(s) only.</u>
<del>(25)</del> <u>(23)</u>	Honey Lake Wildlife Area (Fleming and Dakin Units)	Portions of the area may be closed to all visitor use from March 1 through August 15.
<del>(26)</del> <u>(24)</u>	Hope Valley Wildlife Area	Closed to hunting from February 1 until the opening of archery deer season.
<del>(27)</del> <u>(25)</u>	Imperial Wildlife Area (Finney Ramer Unit)	A hunter shall not possess more than 25 shot shells while in the field during waterfowl season. Waterfowl hunting allowed only from boats and islands. Closed to hunting from February 1 through June 30.
<del>(28)</del> <u>(26)</u>	Imperial Wildlife Area (Wister Unit)	Closed to all non-hunting public uses from one week before the opening of waterfowl season through the end of waterfowl season, except for designated wildlife viewing sites and designated fishing areas.
<del>(29)</del> <u>(27)</u>	Laguna Wildlife Area	The Timber Hill, Blucher Creek, and Cooper Road units are closed to hunting. Only the wetland portions of the Occidental

		Road Unit associated with the Laguna de Santa Rosa are open to hunting, and hunting is allowed only when the Laguna de Santa Rosa is navigable and the wetlands are accessible by boat. Foot or terrestrial access to the Occidental Road Unit is prohibited because there is no visitor right-of-way. Dogs are prohibited from March 2 through June 30.
<del>(30)</del>	<del>Lake Berryessa Wildlife Area</del>	<del>Dogs are prohibited from February 15 through July 15.</del>
<del>(31)</del> <u>(28)</u>	Lake Earl Wildlife Area	Bush Creek public access is closed to all visitor use from the Monday following the end of youth waterfowl hunting days (subsection 502(e)(1)(B)(5) of these regulations) through April 1. Dogs are prohibited except for hunting.
<del>(32)</del> <u>(29)</u>	Lake Sonoma Wildlife Area	Closed to hunting except through special drawings. The portion of the area posted as "Critical Habitat" is closed to all visitor use and entry from February 1 through August 1. Dogs are prohibited.
<del>(33)</del> <u>(30)</u>	Little Panoche Reservoir Wildlife Area	The use of dogs for wild pig hunting is prohibited.
<del>(34)</del> <u>(31)</u>	Los Banos Wildlife Area	Closed to all visitor use from September 15 until the opening of waterfowl season. Closed to non-hunting uses during the waterfowl season on Saturdays, Sundays, and Wednesdays. A hunter shall not possess more than 25 shot shells while in the field during waterfowl season, except on days when only upland game may be taken, and on special "youth only" waterfowl hunt days when there shall be no restrictions on the number of shot shells taken into the field. Dogs are prohibited in the interpretive viewing area.
<del>(35)</del> <u>(32)</u>	Mad River Slough Wildlife Area	Closed to all visitor use from the Monday following the end of youth hunting days (subsection 502(e)(1)(B)(5) of these regulations) through April 1. Dogs are prohibited except for hunting.
<del>(36)</del> <u>(33)</u>	Mendota Wildlife Area	Closed to all visitor use from September 16 until the opening of waterfowl season except for the designated tour route and fishing site. Closed to non-hunting uses during the waterfowl season.
<del>(37)</del> <u>(34)</u>	Morro Bay Wildlife Area	Closed to hunting from the day after the end of waterfowl season until the opening day of brant season. A hunter shall not possess more than 25 shot shells while in the field.

(38)(35)	Moss Landing Wildlife Area	Closed to hunting on New Year's Day. The Salt Ponds are closed to hunting.
(39)(36)	Napa-Sonoma Marshes Wildlife Area	The following units are closed to all hunting, firearms and archery use: The White Slough Unit, the Green Island Unit, <u>the Southern Crossing Unit</u> and the portion of the American Canyon Unit south of the PG&E lines. <del>The Southern Crossing unit is closed to all visitor uses during restoration.</del> Dogs are prohibited from March 2 through June 30.
(40)(37)	North Grasslands Wildlife Area	A hunter shall not possess more than 25 shot shells while in the field during waterfowl season, except on days when only upland game may be taken and on special "youth only" waterfowl hunt days when there shall be no restrictions on the number of shot shells taken into the field.
(41)(38)	O'Neill Forebay Wildlife Area	Closed to all visitor use the day of and day after designated special apprentice pheasant hunts except for special apprentice pheasant hunt permit holders.
(42)(39)	Oroville Wildlife Area	Closed to hunting February 1 through August 31 except during the spring turkey season when only turkeys may be hunted through a special drawing. Dogs are prohibited from March 2 through June 30.
(43)(40)	Perris Reservoir State Recreation Area	Shore hunting for waterfowl, coots, and moorhens is prohibited. Upland game may be taken only in designated areas. Fishing is permitted in the designated waterfowl hunting area only on non-shoot days.
(44)(41)	Petaluma Marsh Wildlife Area	The Bahia, Day Island, Green Point, Novato Creek, Point Sonoma, and Rush Creek units are closed to hunting, firearms, and archery use. Dogs are prohibited on all units from March 2 through June 30.
(45)(42)	Putah Creek Wildlife Area	Closed to hunting February 1 until the opening weekend of Zone A deer archery season which is defined in Section 360 of these regulations.
(46)(43)	Rector Reservoir Wildlife Area	Closed to hunting from the day after spring turkey season closes to the opening of archery deer season.
(47)(44)	Red Lake Wildlife Area	Closed to hunting February 1 through August 31 except during archery deer season.
(48)(45)	Sacramento Bypass Wildlife Area	Closed to hunting February 1 through August 31.

<del>(49)</del> <u>(46)</u>	Sacramento River Wildlife Area	Closed to hunting February 1 through August 31 except during the spring turkey season when only turkeys may be hunted. Boat-in Only Access Units: Colusa South, Colusa North, Moulton South, Moulton North, Stegeman, Princeton South, Beehive Bend, Oxbow, Jacinto, Ord Bend, Shannon Slough, Pine Creek North, Wilson Landing, Dicus Slough, Merrills Landing.
<del>(50)</del> <u>(47)</u>	San Felipe Valley Wildlife Area	Closed to hunting February 1 through August 31 except during the spring turkey season when only turkeys may be hunted. D-16 general deer zone tags may not be used west of Highway S-2.
<del>(51)</del> <u>(48)</u>	San Jacinto Wildlife Area (Davis Road Unit)	Upland game (doves, pheasants, quail, snipe, and rabbits) may be taken only in designated areas. A self-issued permit, acquired on-site, is required to enter the upland game hunting area.
<del>(52)</del> <u>(49)</u>	San Jacinto Wildlife Area (Potrero Unit)	Only upland game birds and resident small game within designated areas may be taken, unless otherwise restricted or limited within the unit.
<del>(53)</del> <u>(50)</u>	San Luis Obispo Wildlife Area	Closed to all visitor uses except for the shooting area/range.
<del>(54)</del> <u>(51)</u>	San Luis Reservoir Wildlife Area	The use of dogs for wild pig hunting is prohibited. Motor vehicles are allowed in the parking lot only.
<del>(55)</del> <u>(52)</u>	Santa Rosa Wildlife Area	Closed to hunting on the portion of the area that lies within Fish and Game Refuge 4D (see Fish and Game Code Section 10837).
<del>(56)</del> <u>(53)</u>	Shasta Valley Wildlife Area	Only individuals possessing a "Type A" or "Type B" season pass and their guests (nonhunting guests or junior hunters) may enter the wildlife area on Wednesdays, Saturdays, and Sundays during the waterfowl season.
<del>(57)</del> <u>(54)</u>	Spenceville Wildlife Area	Closed to hunting February 1 through August 31 except during the spring turkey season when only turkeys may be hunted. Closed to all visitor entry during the first nine days of the spring turkey season except for special turkey permit holders. The posted area around the Spenceville Mine is closed to visitor entry.
<del>(58)</del> <u>(55)</u>	Sutter Bypass Wildlife Area	Those portions of the east and west levees of the area adjacent to the Sutter National Wildlife Refuge (SNWR) are closed to hunting. The west levee of the area is closed to hunting from the northern boundary of the SNWR south to Oswald/Hughes Road. The east levee of the area is closed to hunting from the

		northern boundary of the SNWR south to the SNWR checking station parking lot. The remaining portion of the east levee from the SNWR parking lot south to the southern boundary of the SNWR is closed to hunting pursuant to Section 625 of these regulations.
<del>(59)</del> (56)	Tehama Wildlife Area	The portion of the area south of Antelope Creek is closed to all visitor use and entry from the first Monday in December through the last Friday in March. The use of dogs for wild pig hunting is prohibited.
<del>(60)</del> (57)	Upper Butte Basin Wildlife Area	Closed to all non-hunting uses from two weeks prior to opening of waterfowl season through one week after the end of waterfowl season. Dogs are prohibited except for hunting.
<del>(64)</del> (58)	Volta Wildlife Area (U.S. Bureau of Reclamation Lands)	Closed to all visitor uses from August 15 until the opening of waterfowl season except that fishing in the Volta Wasteway Channel is allowed. Fishing is restricted to the Volta Wasteway Channel for a distance of one mile downstream from the Ingomar Grade from September 15 until the end of waterfowl season. Closed to non-hunting uses during the waterfowl season. A hunter shall not possess more than 25 shot shells while in the field during waterfowl season, except on days when only upland game may be taken and on special "youth only" waterfowl hunt days when there shall be no restrictions on the number of shot shells taken into the field.
<del>(62)</del>	<del>White Slough Wildlife Area</del>	<del>Closed to hunting February 1 through August 31.</del>
<del>(63)</del> (59)	Yolo Bypass Wildlife Area	Closed to all non-hunting uses from two weeks prior to opening of waterfowl season through one week after the end of waterfowl season except those areas designated for wildlife viewing purposes. Pheasant hunting is prohibited in assigned blind areas.

**[No changes to subsection (p)]**

(q) Type C Wildlife Areas with Shoot Day Restrictions and/or Special Drawing Requirements: Unless identified with specific shoot days, seasonal closures or special drawing requirements below, or with closures identified in subsection 551(o), Type C wildlife areas are open daily. Information about special drawings is available at [www.wildlife.ca.gov](http://www.wildlife.ca.gov).

	AREA	DESCRIPTION OF RESTRICTION OR REQUIREMENT
(1)	Baldwin Lake	Hunting is allowed only during waterfowl season and only on Saturdays and Wednesdays. Hunting is allowed



		only from a waterfowl season.boat. Special draw entry permits are required for the first seven hunt days of
(2)	Clifton Court Forebay	Hunting is allowed only on Saturdays, Sundays, and Wednesdays and only during waterfowl season. Self-registration is required.
(3)	Cottonwood Creek Wildlife Area	Special draw entry permits are required for all visitor entry during the opening weekend of the Zone A general deer season. Self-registration required all other times of year.
(4)	Daugherty Hill Wildlife Area	Special draw entry permits are required for the first nine days of the spring turkey season.
(5)	Fay Slough Wildlife Area	Hunting is allowed only on Saturdays, Sundays, and Wednesdays and only during waterfowl season.
(6)	Grizzly Island Wildlife Area (Gray Goose Unit)	Hunting is allowed only on Saturdays, Sundays, and Wednesdays and only during waterfowl season.
(7)	Imperial Wildlife Area (Finney Ramer Unit)	A daily entry permit and self-registration are required. Entry permits are available at self-registration booths at Finney and Ramer lakes on a first-come, first-served basis.
(8)	Laguna Wildlife Area (Occidental Road Unit)	Hunting is allowed only on Saturdays, Sundays, and Wednesdays and only during waterfowl season.
<del>(9)</del>	<del>Lake Berryessa Wildlife Area</del>	<del>Special draw entry permits are required.</del>
<del>(10)</del> <u>(9)</u>	Lake Sonoma Wildlife Area	Hunting is only allowed during department-authorized special hunts for deer, turkey and wild pigs. Deer hunting is only allowed with a J-1 or A-25 deer tag available through the big game drawing.
<del>(11)</del> <u>(10)</u>	Little Panoche Reservoir Wildlife Area	Self-registration is required on site.
<del>(12)</del> <u>(11)</u>	Morro Bay Wildlife Area	Shooting hours are from 7:00 a.m. until sunset.
<del>(13)</del> <u>(12)</u>	Moss Landing Wildlife Area	Hunting is allowed only on Saturdays, Sundays, and Wednesdays and only during waterfowl season. Closed to hunting on New Year's Day.

<del>(14)</del> <u>(13)</u>	Napa-Sonoma Marshes Wildlife Area	Hunting is allowed only on Saturdays, Sundays, and Wednesdays during open season for authorized species except that dove and rabbits may be hunted daily during the September dove season.
<del>(15)</del> <u>(14)</u>	O'Neill Forebay Wildlife Area	Self-registration is required at the parking lot except for junior pheasant hunts and the day following junior hunts when entry is controlled through special drawings.
<del>(16)</del> <u>(15)</u>	Oroville Wildlife Area	Special draw entry permits are required for the spring turkey season.
<del>(17)</del> <u>(16)</u>	Perris Reservoir	Hunting for waterfowl is allowed until noon on Saturdays and Wednesdays. Hunting is allowed daily for upland game from the first Saturday after Labor Day through January 31.
<del>(18)</del> <u>(17)</u>	San Luis Reservoir Wildlife Area	Special draw entry permits are required for all visitor entry during the opening weekend of the Zone A deer season. Self-registration is required at the parking lot on Dinosaur Point Road at all other times of year.
<del>(19)</del> <u>(18)</u>	San Pablo Bay Wildlife Area	Blinds shall be available on a first come-first served basis.
<del>(20)</del> <u>(19)</u>	Spenceville Wildlife Area	Special draw entry permits are required for the first nine days of the spring turkey season.

(r) Firearm Restrictions on Type C Wildlife Areas: The regulations in this subsection are in addition to the regulations regarding firearms in subsection 550(cc) of these regulations. The restrictions in this subsection do not prohibit the lawful possession of a concealed firearm as provided in subsection 550(cc)(1) of these regulations.

	AREA	DESCRIPTION OF RESTRICTION
(1)	Baldwin Lake	Rifles and pistols are prohibited.
(2)	Bass Hill Wildlife Area	Only shotguns, archery equipment, or muzzle loaders may be used on the Egan Management Unit.
(3)	Battle Creek Wildlife Area	All firearms and archery equipment are prohibited.
(4)	Big Sandy Wildlife Area	Rifles and pistols are prohibited.
(5)	Clifton Court Forebay	Rifles and pistols are prohibited.
(6)	Collins Eddy Wildlife Area	Rifles, pistols, and archery equipment are prohibited.

(7)	Colusa Bypass Wildlife Area	Rifles and pistols are prohibited.
(8)	Cottonwood Creek Wildlife Area (Lower Cottonwood Creek Unit)	Only shotguns and archery equipment may be used. Only archery equipment may be used from the start of the Zone A archery deer season until the start of Zone A general deer season.
(9)	Cottonwood Creek Wildlife Area (Upper Cottonwood Creek Unit)	Firearms may be used or possessed only from the opening of the Zone A general deer season through the last Sunday in January. Only archery equipment may be used from the start of the Zone A archery deer season until the start of the Zone A general deer season.
(10)	Crescent City Marsh Wildlife Area	All firearms and archery equipment are prohibited.
(11)	Daugherty Hill Wildlife Area	During spring turkey season, only shotguns, archery equipment, and air rifles firing pellets of a minimum 0.177 caliber and powered by compressed air or gas may be used.
(12)	Decker Island Wildlife Area	Rifles and pistols are prohibited.
(13)	Eel River Wildlife Area	Rifles and pistols are prohibited.
(14)	Elk Creek Wetlands Wildlife Area	All firearms and archery equipment are prohibited.
(15)	Elk River Wildlife Area	Rifles and pistols are prohibited.
(16)	Fay Slough Wildlife Area	Rifles and pistols are prohibited.
(17)	Feather River Wildlife Area	Rifles and pistols are prohibited.
(18)	Fremont Weir Wildlife Area	Rifles and pistols are prohibited.
(19)	Grizzly Island Wildlife Area (Grey Goose Unit)	Rifles and pistols are prohibited.
(20)	Grizzly Island Wildlife Area (Gordelia and	<del>All firearms and archery equipment are prohibited.</del>

	<del>Montezuma Slough Units)</del>	
<del>(21)</del> <u>(20)</u>	Hill Slough Wildlife Area	All firearms and archery equipment are prohibited.
<del>(22)</del> <u>(21)</u>	Hollenbeck Canyon Wildlife Area	Rifles and pistols are prohibited.
<del>(23)</del> <u>(22)</u>	Horseshoe Ranch Wildlife Area	During spring turkey season only shotguns and archery equipment may be used.
<del>(24)</del> <u>(23)</u>	Imperial Wildlife Area (Finney-Ramer Unit)	Rifles and pistols are prohibited.
<del>(25)</del> <u>(24)</u>	Kinsman Flat Wildlife Area	During spring turkey season only shotguns and archery equipment may be used.
<del>(26)</del> <u>(25)</u>	Laguna Wildlife Area	Rifles and pistols are prohibited.
<del>(27)</del>	<del>Lake Berryessa Wildlife Area</del>	<del>Firearms are allowed only for special hunts.</del>
<del>(28)</del> <u>(26)</u>	Lake Earl Wildlife Area	Rifles and pistols are prohibited. Possession of firearms or archery equipment for waterfowl hunting is permitted only during waterfowl season and only within the first 100 feet inland from the shoreline and on the water surface of Lake Earl and Lake Tolowa.
<del>(29)</del> <u>(27)</u>	Lake Sonoma Wildlife Area	Firearms are allowed only for special hunts.
<del>(30)</del> <u>(28)</u>	Little Panoche Reservoir Wildlife Area	Rifles and pistols are prohibited.
<del>(31)</del> <u>(29)</u>	Lower Sherman Island Wildlife Area	Rifles and pistols are prohibited.
<del>(32)</del> <u>(30)</u>	Mad River Slough Wildlife Area	Rifles and pistols are prohibited.
<del>(33)</del> <u>(31)</u>	Miner Slough Wildlife Area	Rifles and pistols are prohibited.
<del>(34)</del> <u>(32)</u>	Morro Bay Wildlife Area	Rifles and pistols are prohibited.
<del>(35)</del> <u>(33)</u>	Moss Landing Wildlife Area	Rifles and pistols are prohibited.

<del>(36)</del> <u>(34)</u>	Mouth of Cottonwood Creek Wildlife Area	Rifles and pistols are prohibited.
<del>(37)</del> <u>(35)</u>	Napa-Sonoma Marshes Wildlife Area	Rifles and pistols are prohibited. All firearms and archery equipment are prohibited on the White Slough Unit, the Green Island Unit, <u>the Southern Crossing Unit</u> and the portion of the American Canyon Unit that is south of the PG&E lines.
<del>(38)</del> <u>(36)</u>	O'Neill Forebay Wildlife Area	Rifles, pistols, and shotgun slugs are prohibited.
<del>(39)</del> <u>(37)</u>	Oroville Wildlife Area	Rifles and pistols are prohibited except at the portion of the area designated as a shooting range.
<del>(40)</del> <u>(38)</u>	Perris Reservoir	Rifles and pistols are prohibited.
<del>(41)</del> <u>(39)</u>	Petaluma Marsh Wildlife Area	Rifles and pistols are prohibited. All firearms and archery equipment are prohibited on the Bahia, Day Island, Green Point, Novato Creek, Point Sonoma, and Rush Creek units.
<del>(42)</del> <u>(40)</u>	Point Edith Wildlife Area	Rifles and pistols are prohibited.
<del>(43)</del> <u>(41)</u>	Rhode Island Wildlife Area	Rifles and pistols are prohibited.
<del>(44)</del> <u>(42)</u>	Sacramento Bypass Wildlife Area	Rifles, pistols, and archery equipment are prohibited. Buckshot and slugs are prohibited.
<del>(45)</del> <u>(43)</u>	Sacramento River Wildlife Area	Rifles and pistols are prohibited.
<del>(46)</del> <u>(44)</u>	San Felipe Valley Wildlife Area	Rifles and pistols are prohibited in designated areas.
<del>(47)</del> <u>(45)</u>	San Luis Reservoir Wildlife Area	Rifles and pistols are prohibited.
<del>(48)</del> <u>(46)</u>	San Pablo Bay Wildlife Area	Rifles and pistols are prohibited.
<del>(49)</del> <u>(47)</u>	Santa Rosa Wildlife Area	All firearms, archery equipment, air and gas guns, spear guns, and other propulsive devices are prohibited on the portion of the area that lies within Fish and Game Refuge 4D (see Fish and Game Code Section 10837).

<del>(50)</del> (48)	South Spit Wildlife Area	Rifles, pistols, and archery equipment are prohibited.
<del>(51)</del> (49)	Sutter Bypass Wildlife Area	Rifles and pistols are prohibited.
<del>(52)</del> (50)	Truckee River Wildlife Area	Rifles and pistols are prohibited. <u>All firearms and archery equipment are prohibited on the Boca, Polaris and West River units.</u>
<del>(53)</del> (51)	West Hilmar Wildlife Area	Rifles and pistols are prohibited.
<del>(54)</del>	<del>White Slough Wildlife Area</del>	<del>Rifles and pistols are prohibited. All firearms and archery equipment are prohibited in the portion of the area designated as Pond 9.</del>

(s) Additional Hunter Opportunities on Type A and Type B Wildlife Areas: Information about the special drawings and big game drawings referred to in this subsection is available at [www.wildlife.ca.gov](http://www.wildlife.ca.gov).

	AREA	SPECIES	HUNT REQUIREMENTS
(1)	Ash Creek Wildlife Area	Pronghorn antelope	Allowed only with an Apprentice Zone 5 - Big Valley tag available through the big game drawing.
(2)	Butte Valley Wildlife Area	Pronghorn antelope	Allowed only with an apprentice tag available through the big game drawing.
(3)	Gray Lodge Wildlife Area	Deer	Allowed only with a G-12 deer tag available through the big game drawing.
<del>(4)</del>	<del>Gray Lodge Wildlife Area</del>	<del>Pheasant</del>	<del>Pheasant hunting open daily for the first nine days of the pheasant season and on waterfowl hunt days for the remainder of the pheasant season.</del>
<del>(5)</del> (4)	Gray Lodge Wildlife Area	Quail and Rabbit	<u>Allowed only on pheasant hunt waterfowl shoot days during the pheasant season.</u>
<del>(6)</del> (5)	Gray Lodge Wildlife Area	Turkey	Allowed only through a special drawing during the spring season.
<del>(7)</del>	<del>Grizzly Island Wildlife Area</del>	<del>Pheasant</del>	<del>Pheasant hunting open daily for the first twelve days of the pheasant season and on waterfowl hunt days for the remainder of the pheasant season.</del>
<del>(8)</del> (6)	Grizzly Island Wildlife Area	Tule elk	Allowed only with an elk tag available through the big game drawing. Methods

			of take for big game are authorized per Section 353 of these regulations.
<del>(9)</del> <u>(7)</u>	Grizzly Island Wildlife Area (Crescent and Grizzly Island units)	Rabbits	Allowed daily in July and on <del>pheasant hunt</del> <u>waterfowl shoot days during the pheasant season.</u>
<del>(10)</del> <u>(8)</u>	Grizzly Island Wildlife Area	Wild Pigs	Allowed only with a tag obtained through a special drawing. Only shotguns with slugs and archery equipment are authorized. Rifles and pistols are prohibited.
<del>(11)</del> <u>(9)</u>	Honey Lake Wildlife Area	Quail and rabbit	Allowed only on waterfowl shoot days that occur during the pheasant season.
<del>(12)</del> <u>(10)</u>	Imperial Wildlife Area	Quail	Allowed only on pheasant hunt days.
<del>(13)</del> <u>(11)</u>	Imperial Wildlife Area (Wister Unit)	Rabbits	Allowed daily during the rabbit season except during the waterfowl season, when rabbits may be taken only on pheasant hunt days.
<del>(14)</del> <u>(12)</u>	Imperial Wildlife Area (Wister Unit)	Raccoons	Allowed daily from August 1 through one week before opening of waterfowl season.
<del>(15)</del>	<del>Los Banos Wildlife Area</del>	<del>Pheasant</del>	<del>Pheasant hunting is open daily for the first nine days of the pheasant season, on waterfowl hunt days for the remainder of the pheasant season and on the day after Thanksgiving.</del>
<del>(16)</del> <u>(13)</u>	Los Banos Wildlife Area	Raccoons and rabbits	Self-registration is required. Raccoons may not be taken during waterfowl season.
<del>(17)</del>	<del>Mendota Wildlife Area</del>	<del>Pheasant</del>	<del>Pheasant hunting is open daily for the first nine days of the pheasant season, on waterfowl hunt days for the remainder of the pheasant season and on the day after Thanksgiving.</del>
<del>(18)</del> <u>(14)</u>	Mendota Wildlife Area	Raccoons, rabbits, and crows	Self-registration is required. Raccoons may not be taken during waterfowl season.

(19)	North Grasslands Wildlife Area	Pheasant	<del>Pheasant hunting is open daily for the first nine days of the pheasant season, on waterfowl hunt days for the remainder of the pheasant season and on the day after Thanksgiving.</del>
(20)(15)	North Grasslands Wildlife Area	Raccoons and rabbits	Self-registration required. Raccoons may not be taken during waterfowl season. Rabbits may be hunted daily from July 1 through September 15 and from the day after the end of waterfowl season until the end of the rabbit season. During the waterfowl season, rabbit hunting is allowed only on waterfowl <del>and pheasant</del> hunt days.
(21)(16)	Shasta Valley Wildlife Area	Quail	Self-register at area. Quail shoot days are limited to waterfowl shoot days only.
(22)(17)	Tehama Wildlife Area	Deer	During the G-1 deer season, only persons with department issued entry permits may enter.
(23)(18)	Tehama Wildlife Area	Deer	Allowed only with a J-3 apprentice tag available through the big game drawing
(24)(19)	Tehama Wildlife Area	Wild Pigs	Allowed only with a tag obtained through a special drawing. No dogs permitted.
(25)(20)	Upper Butte Basin Wildlife Area	Rabbits	Allowed only during the September dove season, and on waterfowl <del>or pheasant</del> hunt days during the late dove season.
(26)(21)	Upper Butte Basin Wildlife Area (Little Dry Creek Unit)	Deer	Allowed only with a J-9 apprentice tag available through the big game drawing
(27)	<del>Upper Butte Basin Wildlife Area</del>	Pheasant	<del>Pheasant hunting is open daily for the first five days of the pheasant season and on waterfowl hunt days for the remainder of the pheasant season.</del>
(28)(22)	Volta Wildlife Area	Rabbits	Allowed except during waterfowl season. Self-registration required.
(29)	Yolo Bypass Wildlife Area	Pheasant	<del>Pheasant hunting is open daily for the first nine days of the pheasant season and on waterfowl hunt days for the remainder of the pheasant season.</del>



(t) Species Restrictions for Hunting on Type C Wildlife Areas: Only the species listed for each of the wildlife areas in the table below may be hunted on those areas.

	AREA	SPECIES
(1)	Baldwin Lake Wildlife Area	Waterfowl, coots, and moorhens only.
(2)	Clifton Court Forebay	Waterfowl, coots, and moorhens only.
(3)	Collins Eddy Wildlife Area	Waterfowl, coots, moorhens, and upland game only.
(4)	Eel River Wildlife Area	Waterfowl, coots, snipe, and pheasant only.
(5)	Elk River Wildlife Area	Waterfowl, coots, and snipe only.
(6)	Fay Slough Wildlife Area	Waterfowl, coots, and snipe only.
(7)	Grizzly Island Wildlife Area (Grey Goose Unit)	Waterfowl, snipe, coots, moorhens, and pheasants only on Saturdays, Sundays and Wednesdays and only during open seasons.
(8)	Hollenbeck Canyon Wildlife Area	Crow, coyote, upland game birds, and resident small game only.
(9)	Laguna Wildlife Area	Waterfowl, coots, and moorhens only.
(10)	Lake Earl Wildlife Area	Waterfowl, coots, snipe, and moorhens only.
(11)	Lake Sonoma Wildlife Area	Deer, wild pigs, and turkeys only. May require a permit from the U.S. Army Corps of Engineers.
(12)	Lower Sherman Island Wildlife Area	Waterfowl, coots, moorhens, pheasant, dove, and rabbits only.
(13)	Mad River Slough Wildlife Area	Waterfowl, coots, and snipe only.
(14)	Miner Slough Wildlife Area	Waterfowl only.
(15)	Moss Landing Wildlife Area	Waterfowl, coots, and moorhens only.
(16)	Napa-Sonoma Marshes Wildlife Area	Waterfowl, coots, moorhens, snipe, rabbits, quail, pheasants, and dove only.
(17)	O'Neill Forebay Wildlife Area	Waterfowl, pheasants, quail, dove, rabbits, and crows only.
(18)	Perris Reservoir	Waterfowl, coots, moorhens, dove, pheasants, quail, and rabbits only.

(19)	Petaluma Marsh Wildlife Area	Waterfowl, coots, moorhens, and rabbits only.
(20)	Point Edith Wildlife Area	Waterfowl, coots, and moorhens only.
(21)	Rhode Island Wildlife Area	Waterfowl, coots, and moorhens only.
(22)	Sacramento Bypass Wildlife Area	All legal species except big game.
(23)	San Pablo Bay Wildlife Area	Waterfowl, coots, and moorhens only.
(24)	Santa Rosa Wildlife Area	Deer, rabbits, and quail only.
(25)	South Spit Wildlife Area	Waterfowl, coots, and snipe only.
(26)	West Hilmar Wildlife Area	Waterfowl, quail, doves, pheasants, and rabbits only.
<del>(27)</del>	<del>White Slough Wildlife Area</del>	<del>Waterfowl, pheasants, quail, and dove only.</del>

(u) Type A Wildlife Areas Which Allow Archery Equipment During Waterfowl and Pheasant Season per subsection 550(cc)(4):

(1) Los Banos Wildlife Area

**[No changes to subsection (v)]**

(w) Wildlife Areas That Require a Daily or Annual Lands Pass for Authorized Uses Other than Hunting (Lands Pass): Pursuant to subsection 550(c) and 550.5(c) of these regulations, it shall be unlawful for a visitor to enter any wildlife area, or portion thereof listed in this section, without carrying a valid Lands Pass or a valid hunting, or fishing ~~or trapping~~ license on their person. A Lands Pass must be purchased in advance. Information on how to purchase a Lands Pass and exceptions to this requirement are provided in subsection 550.5(c).

**[No changes to subsections (w)(1) through (w)(33)]**

(x) Additional Waterfowl Reservation Regulations:

	Area	Number of Hunters Per Reservation	Reservation Expires
(1)	Colusa National Wildlife Refuge	Four persons, but not more than two junior hunters or non-shooters.	One hour before shoot time.

(2)	Delevan National Wildlife Refuge	Four persons, but not more than two junior hunters or non-shooters.	One <u>and one-half hours</u> <del>hour</del> before shoot time.
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**[No changes to subsections (x)(3) through (z)]**

Note: Authority cited: Sections 200, 203, 205, 265, 355, 710, 710.5, 710.7, 1050, 1530, 1583, 1745, 1764, 1765, 3003.1, 3039, 4001, 4004, 4150 and 10504, Fish and Game Code.

Reference: Sections 355, 711, 713, 1050, 1055.3, 1301, 1526, 1528, 1530, 1570, 1571, 1572, 1580, 1581, 1582, 1583, 1584, 1585, 1745, 1761, 1764, 1765, 2006 and 10504, Fish and Game Code; Sections 5003 and 5010, Public Resources Code; and Sections 25455, 26150 and 26155, Penal Code.

## Regulatory Language

Section 552, Title 14, CCR, is amended to read:

### **§ 552. Public Use Regulations for National Wildlife Refuges That Are Also Designated as Wildlife Areas by the Commission.**

(a) The power to control entry on the National Wildlife Refuges that are also designated as wildlife areas in subsections 551(c) and (d) is at the discretion of the Director of the U.S. Fish and Wildlife Service. The hunting programs for the “Type A” areas listed below are administered by the department. ~~Requirements in this section for steel or other non-toxic shot approved by the U.S. Fish and Wildlife Service are in accordance with Title 50 of the Code of Federal Regulations (CFR), Section 32.2(k), October 1, 2012 edition.~~

(1) Colusa National Wildlife Refuge, Type A.

(A) Area Firearms Restrictions: Only shotguns ~~and steel or other nontoxic shot approved by the U.S. Fish and Wildlife Service~~ are permitted. A hunter shall not possess more than 25 shot shells while in the field. It shall be unlawful to possess a loaded firearm, defined as a firearm with an unexpended shell in the firing chamber until hunters are in designated free roam or assigned pond areas.

(B) Hunt Days: Waterfowl, coots, moorhens, and snipe: Saturdays, Sundays, and Wednesdays during open seasons. Pheasant: First Monday of pheasant season and on waterfowl~~Waterfowl~~ hunt days during the pheasant season. Turkey: Waterfowl hunt days during the fall turkey season.

(C) Authorized Species to be Hunted: Waterfowl, coots, moorhens, snipe, turkey, and pheasants.

(D) It shall be unlawful to retain an entry permit or remain on the wildlife refuge later than one and one half hours after sunset, unless participating in overnight stay in accordance with subsection (a)(1)(E).

(E) Camping is prohibited, except on the night before each waterfowl shoot day, when camping in a vehicle, motorhome or trailer within the check station parking area is allowed. Tents are prohibited. No person may build or maintain fires, except in portable gas stoves.

(F) Bicycles: ~~Prohibited.~~ Allowed from May 15 through August 15 on the designated auto tour road.

~~(G) Hunters may enter or exit only at designated locations. Stopping vehicles between designated parking areas to drop off passengers or hunting equipment is prohibited.~~

~~(H)~~(G) Special Restrictions: When hunting from assigned hunting sites, it shall be unlawful to hunt outside the assigned pond boundary or to hunt from levee roads. Pheasant, turkey and snipe hunting are not permitted in the assigned pond area with the exception of pheasant hunting on the first Monday of pheasant season.

~~(I) Reservations: Each reservation assures entry of up to four individuals with no more than two junior hunters or non-shooters per one adult hunter.~~

(H) Day Use Hours: Day use hours are from one hour before sunrise to one hour after sunset, except for those participating in authorized hunting and camping opportunities.

(I) Fishing: Prohibited

(2) Delevan National Wildlife Refuge, Type A.

(A) Area Firearms Restrictions: Only shotguns ~~and steel or other nontoxic shot approved by the U.S. Fish and Wildlife Service~~ are permitted. A hunter shall not possess more than 25 shot shells while in the field. It shall be unlawful to possess a loaded firearm, defined as a firearm with an unexpended shell in the firing chamber, until hunters are in designated free roam or assigned pond/spaced blind areas.

(B) Hunt Days: Waterfowl, coots, moorhens, and snipe: Saturdays, Sundays, and Wednesdays during open seasons. Pheasant: First Monday of pheasant season and on waterfowl hunt days during the pheasant season. Turkey: Waterfowl hunt days during the fall turkey season.

(C) Authorized Species to be Hunted: Waterfowl, coots, moorhens, snipe, turkey, and pheasants.

(D) It shall be unlawful to retain an entry permit or remain on the wildlife refuge later than one and one half hours after sunset, unless participating in overnight stay in accordance with subsection (a)(2)(E).

(E) Camping is prohibited, except on the night before each waterfowl shoot day, when camping in a vehicle, motorhome or trailer within the check station parking area is allowed. Tents are prohibited. No person may build or maintain fires, except in portable gas stoves.

~~(F) Bicycles: Prohibited.~~

~~(G) Reservations: Each reservation assures entry of up to four individuals with no more than two junior hunters or non-shooters per one adult hunter.~~

~~(H)(F) Special Restrictions: When assigned hunting sites, hunters shall hunt only within 100 feet of their assigned sites, except to retrieve downed birds. Pheasant and snipe hunting are not permitted in the assigned blind area except on the first Monday of pheasant season.~~

~~(I) Hunters may enter or exit only at designated locations. Stopping vehicles between designated parking areas to drop off passengers or hunting equipment is prohibited.~~

(G) Fishing: Prohibited

(3) Kern National Wildlife Refuge, Type A.

(A) Area Firearms Restrictions: Only shotguns ~~and steel or other nontoxic shot approved by the U.S. Fish and Wildlife Service~~ are permitted. A hunter shall not possess more than 25 shot shells while in the field.

(B) Hunt Days: Waterfowl, coots, and moorhens: Saturdays and Wednesdays during open seasons. Pheasant: Waterfowl hunt days during the regular pheasant season.

(C) Authorized Species to be Hunted: Waterfowl, coots, moorhens, and pheasants. ~~Hunting of common snipe is prohibited.~~

~~(D) Camping and Trailers: Prohibited.~~

(D) Special Restrictions: Hunters assigned to the spaced blind unit must remain within 100 feet of the numbered steel post (blind site) except when pursuing cripples, placing decoys, or traveling to and from the parking area. Pheasant hunting is only permitted in the free roam unit.

(E) Boats: Only nonmotorized boats are permitted.

(F) Fishing: Prohibited.

(4) Merced National Wildlife Refuge, Type A.

(A) Area Firearms Restrictions: Only shotguns ~~and steel or other nontoxic shot approved by the U.S. Fish and Wildlife Service~~ are permitted. A hunter shall not possess more than 25 shot shells ~~per day~~ while in the field.

(B) Hunt Days: Saturdays and Wednesdays during waterfowl season.

(C) Shooting Hours: Waterfowl shooting hours will be from one-half hour before sunrise until 12:00 noon.

(D) Authorized Species to be Hunted: Waterfowl, coots, and moorhens. ~~Hunting of common snipe is prohibited.~~

~~(E) Camping and Trailers: Prohibited.~~

~~(F)~~(E) Bicycles: Allowed.

~~(G) Reservations: Each reservation assures entry of no more than three persons if three person blinds are available, or no more than two persons, if two person blinds are available. All persons entering on the same reservation will receive the same hunt assignment.~~

~~(H)~~(F) Special Restrictions: Hunters must hunt from assigned blinds, except to retrieve downed birds, placing decoys, and traveling to and from the parking area. Shooting from outside of the blind is prohibited.

(G) Day Use Hours: Day use hours are from one half-hour before sunrise to one half-hour after sunset, except for those participating in authorized hunting opportunities.

(H) Fishing: Prohibited.

(5) Sacramento National Wildlife Refuge, Type A.

(A) Area Firearms Restrictions: Only shotguns ~~and steel or other nontoxic shot approved by the U.S. Fish and Wildlife Service~~ are permitted. A hunter shall not possess more than 25 shot shells while in the field. It shall be unlawful to possess a loaded firearm, defined as a firearm with an unexpended shell in the firing chamber, until hunters are in designated free roam or assigned pond/spaced blind areas.

(B) Hunt Days: Waterfowl, coots, moorhens, and snipe: Saturdays, Sundays, and Wednesdays during open seasons. Pheasants: The first Monday of pheasant season and on waterfowl hunt days during the pheasant season. Turkey: Waterfowl hunt days during the fall turkey season.

(C) Authorized Species to be Hunted: Waterfowl, coots, moorhens, snipe, turkey, and pheasants.

(D) It shall be unlawful to retain an entry permit or remain on the wildlife refuge later than one and one half hours after sunset, unless participating in overnight stay in accordance with subsection (a)(5)(E).

(E) Camping is prohibited, except on the night before each waterfowl shoot day, when camping in a vehicle, motorhome or trailer within the check station parking area is allowed. Tents are prohibited. No person may build or maintain fires, except in portable gas stoves.

(F) Bicycles: ~~Prohibited.~~ Allowed May 15 through August 15 on the designated auto tour road.

~~(G) Reservations: Each reservation assures entry of up to four individuals with no more than two junior hunters or non-shooters per one adult hunter.~~

~~(H)(G) Special Restrictions: When assigned hunting sites, hunters shall hunt only within 100 feet of their assigned sites, except to retrieve downed birds. Pheasant, turkey and snipe hunting are not permitted in the assigned blind area except on the first Monday of pheasant season.~~

~~(I) Hunters may enter or exit only at designated locations. Stopping vehicles between designated parking areas to drop off passengers or hunting equipment is prohibited.~~

(H) Day Use Hours: Day use hours are from one hour before sunrise to one hour after sunset, except for those participating in authorized hunting and camping opportunities.

(I) Fishing: Prohibited.

(6) Sacramento River National Wildlife Refuge, Type C.

(A) Units: The refuge includes the La BARRanca Unit, Blackberry Island Unit, Todd Island Unit, Mooney Unit, Ohm Unit, Flynn Unit, Heron Island Unit, Rio Vista Unit, Foster Island Unit (Tehama Co.); Pine Creek Unit, Dead Man's Reach Unit, Llano Seco Island 1 & 2 Units, and Llano Seco Riparian Sanctuary Unit, (Butte Co.); and McIntosh Landing North and South Units, Capay Unit, Phelan Island Unit, Jacinto Unit, North Ord Unit, Ord Bend Unit, South Ord Unit, Hartley Island Unit, Sul Norte Unit, Codora Unit, Packer Unit, Afton Unit, Drumheller North Unit, Drumheller Slough Unit (Glenn Co.), and Bogg's Bend Unit (Colusa Co.).

(B) Area Firearm Restrictions:

1. Only shotguns and archery equipment are allowed. No rifles, crossbows, air guns, paintball guns or pistols may be used or possessed.

2. Target shooting is prohibited.

3. No firearms or archery equipment are allowed in areas closed to hunting.

~~4. Ammunition is restricted to only federally approved nontoxic shot while in the field except for hunting deer or wild pigs. For hunting deer or wild pigs, hunters may possess nonlead shotgun slugs in accordance with Section 250.1 of these regulations.~~

~~5.4.~~ Firearms must be unloaded before transporting them between parking areas and hunting areas. "Unloaded" means that no unexpended cartridge or shell is in the chamber of the firearm. This is in addition to the requirement in subsection 550(cc) of these regulations that requires firearms to be unloaded in parking lots, check-in stations and other facilities.

(C) Public Access:

1. The following units are closed to public access: Ohm, McIntosh Landing North and South, North Ord, Llano Seco Riparian Sanctuary, and Hartley Island.

2. Access is allowed by boat only on the following units: La BARRanca, Blackberry Island, Todd Island, Mooney, Flynn, Heron Island, Foster Island, Phelan Island, Jacinto, Dead Man's Reach, South Ord, Llano Seco Island 1 & 2, and Afton.

3. Access is allowed on foot or by boat only on the following units: Rio Vista, Pine Creek, Capay, Ord Bend, Sul Norte, Codora, Packer, Drumheller North, Drumheller Slough and Bogg's Bend.

a. On Packer and Drumheller North, only boats up to 14 feet in length are allowed.

4. All units that are open to public hunting may only be accessed by boat, except for Sul Norte, Codora, Drumheller North, Drumheller Slough, Capay and Bogg's Bend, which may be accessed only on foot or by boat.

(D) Day Use Hours: Day use hours are from 2 hours before sunrise to one and one half hours after sunset.

(E) Bicycles: Bicycles are allowed May 15 through August 15 on designated routes. Other conveyances are prohibited. Mobility-impaired hunters should contact the refuge manager for allowed conveyances.

~~(F) Dogs and Pets In General: Dogs are prohibited for the take and pursuit of wild pigs~~  
~~1. Pets shall be controlled in accordance with subsection 550(m) of these regulations, and hunting dogs shall be controlled in accordance with subsection 550(n) of these regulations.~~

~~2. Dogs are prohibited for the take and pursuit of wild pigs.~~

(F) Dogs: Dogs are prohibited for the take and pursuit of wild pigs and deer.

(G) Camping: Camping is allowed only on gravel bars up to 7 days during a 30 day period. Individuals camping on the refuge must remain on the gravel bars from one and one half hours after sunset to 2 hours before sunrise.

~~(H) Sport Fishing: Sport fishing is allowed on designated areas of the refuge in accordance with State regulations.~~

(H) Fires are prohibited except for portable gas stoves on gravel bars.

~~(I) Falconry is prohibited.~~

(J) Areas Open for Hunting In Accordance with State and Federal Regulations:

1. Units open to hunting of authorized species are: La Barranca, Todd Island, Mooney, Ohm, Heron Island, Flynn, Rio Vista, Foster Island, Pine Creek, Capay, Phelan Island, Jacinto, Dead Man's Reach, South Ord, Llano Seco Island 1 & 2, Sul Norte, Codora, Afton, Drumheller North, Drumheller Slough, and Bogg's Bend.

2. The Mooney Unit is open to hunting for authorized species except that waterfowl hunting is prohibited.

3. The Ohm Unit is closed to hunting except for the designated area in the northern portion of the unit where all authorized species except for waterfowl may be taken.

~~3-4.~~ The Codora Unit is open for hunting only for hunters holding a junior hunting license who are accompanied by a non-hunting adult and only on Saturdays and Sundays.

a. Waterfowl hunting is prohibited on the Codora Unit

~~4-5.~~ All other units are closed to hunting.

~~5-6.~~ Hunting is prohibited within 50 feet of any landward boundary adjacent to private property.

7. Hunting is allowed from August 15 to May 31.

(K) Authorized Species to be Hunted: (unless otherwise stated in subsection (J) or restricted in this subsection): goose, duck, coot, moorhen, dove, snipe, turkey, pheasant, quail, deer, and wild pig. ~~Hunting of all other species is prohibited.~~

1. Wild Pigs may be hunted only from September 1 through March 15.

(L) Commercial Guiding: Commercial guiding is prohibited.

(M) Personal Property: Permanent blinds, ladders and screw-in foot pegs are prohibited. All personal property, including tree stands, decoys and boats must be removed by one and one-half hours after sunset.



(7) San Luis National Wildlife Refuge, Type A.

(A) Area Firearms Restrictions: Only ~~shotguns and steel or other nontoxic shot approved by the U.S. Fish and Wildlife Service~~ are permitted. A hunter shall not possess more than 25 shot shells while in the field.

(B) Hunt Days: Saturdays, Sundays, and Wednesdays during waterfowl season. Waterfowl hunting is prohibited on the West Bear Creek Unit prior to the third Saturday in November. Hunting is allowed on the Freitas Unit 7 days per week; however, a department-issued permit is required on Saturdays, Sundays and Wednesdays.

(C) Authorized Species to be hunted: Waterfowl, coots, and moorhens. Hunting for pheasants will be allowed with an entry permit and only in a special zone on the Kesterson Unit on the first Saturday and Sunday of pheasant season and in the San Luis Unit free roam area on waterfowl shoot days for the duration of pheasant season. Pheasant hunting may also be allowed on the first Monday of pheasant season, but only within the spaced blind area of the Kesterson Unit. Snipe hunting is allowed only within the San Luis Unit free roam area, and only on waterfowl shoot days when the area is open to hunting by adult license holders.

(D) Camping and Trailers: Prohibited on the San Luis, Blue Goose, and the West Bear Creek Units.

(E) Bicycles: Allowed.

~~(F) Reservations: For the Kesterson and Blue Goose units, each reservation assures entry of no more than three persons if three person blinds are available, or no more than two persons if two person blinds are available. For the Freitas units (north and south), each reservation assures entry of one boat with up to four persons. All persons entering on the same reservation will receive the same hunt assignment.~~

~~(G)~~(F) Special Restrictions: Hunters in the Kesterson and Blue Goose units must hunt from assigned blinds, except to retrieve downed birds. Hunters in free roam areas are not restricted to blinds. Access to the Freitas units is by boat only after 2 a.m., the unit and its parking lot is closed between the hours of 8 p.m. and 2 a.m. Maximum boat speed may not exceed 5 mph. Inboard water thrust and air-thrust boats are prohibited. Construction of permanent blinds is prohibited. Cutting or breaking of woody vegetation is prohibited. All blinds and equipment must be removed following each day's hunt.

~~(H) Hunters may enter or exit only at designated locations. Stopping vehicles between designated parking areas to drop off passengers or hunting equipment is prohibited.~~

(G) Fishing

1. Fishing is permitted in designated areas.

2. Fish may only be taken by rod and reel.

(H) Day Use Hours: Day use hours are from one-half hour before sunrise to one-half hour after sunset, except for those participating in authorized hunting and camping opportunities.

(8) Sonny Bono Salton Sea National Wildlife Refuge, Type A.

(A) Area Firearms Restrictions: Only ~~shotguns and steel or other nontoxic shot approved by the U.S. Fish and Wildlife Service~~ are permitted. A hunter shall not possess more than 25 shot shells while in the field. Firearms must be unloaded when being transported between parking areas and blind sites.

(B) Hunt days: Saturdays, Sundays, and Wednesdays during open seasons.

(C) Authorized Species to be Hunted: Waterfowl, coots, and moorhens.

~~(D) Camping and Trailers: Prohibited.~~

~~(E)~~(D) Special Restrictions: Hunters in the Hazard Unit shall hunt only from within 100 feet of their assigned blind sites or stakes, except to retrieve downed birds. Hunters in the Union Tract shall hunt only from within their blinds, except to retrieve downed birds.

~~(F)~~(E) Blind Limitation: Not more than four individuals may occupy a blind site.

(F) Fishing:

1. Fishing from boats is permitted from April 1 to September 30.

2. Fishing from the bank is prohibited year round.

(9) Sutter National Wildlife Refuge, Type A.

(A) Area Firearms Restrictions: Only shotguns ~~and steel or other nontoxic shot approved by the U.S. Fish and Wildlife Service~~ are permitted. A hunter shall not possess more than 25 shot shells while in the field. It shall be unlawful to possess a loaded firearm, defined as a firearm with an unexpended shell in the firing chamber, until hunters are in designated free roam or assigned pond areas.

(B) Hunt Days: Waterfowl, coots, moorhens, and snipe: Saturdays, Sundays, and Wednesdays during open seasons. Pheasant: Waterfowl hunt days during the pheasant season. Turkey: Waterfowl hunt days during the fall turkey season.

(C) Authorized Species to be Hunted: Waterfowl, coots, moorhens, snipe, turkey and pheasants.

(D) It shall be unlawful to retain an entry permit or remain on the wildlife refuge later than one and one half hours after sunset, unless participating in overnight stay in accordance with subsection (a)(9)(E).

(E) Camping is prohibited, except on the night before each waterfowl shoot day, when camping in a vehicle, motorhome or trailer within the check station parking area is allowed. Tents are prohibited. No person may build or maintain fires, except in portable gas stoves.

~~(F) Bicycles: Prohibited.~~

~~(G) Hunters may enter or exit only at designated locations. Stopping vehicles between designated parking areas to drop off passengers or hunting equipment is prohibited.~~

~~(H)~~(F) Special Restrictions: When hunting from assigned hunting sites, it shall be unlawful to hunt outside the assigned pond boundary or to hunt from levee roads. Pheasant, turkey, and snipe hunting are not permitted in the assigned pond area.

~~(I) Reservations: Each reservation assures entry of up to four individuals with no more than two junior hunters or non-shooters per one adult hunter.~~

(G) Day Use Hours: Day use hours are from one hour before sunrise to one hour after sunset, except for those participating in hunting and camping opportunities.

(H) Fishing: Prohibited.

Note: Authority cited: Sections 200, 203, 265, 710, 710.5, 710.7, 1050, 1530, 1764, 1765 and 10504, Fish and Game Code. Reference: Sections 355, 711, 713, 1050, 1055.3, 1526, 1528, 1530, 1570, 1571, 1572, 1761, 1764, 1765, 1907, 2006 and 10504, Fish and Game Code.

## Regulatory Language

Section 630, Title 14, CCR, is amended to read:

### **§ 630. Additional Visitor Use Regulations on Department Lands Designated as Ecological Reserves.**

(a) The areas listed in this section have been designated by the commission as ecological reserves. A legal description of the boundaries of each ecological reserve is on file at the department's headquarters, ~~1416 Ninth Street, Sacramento~~. All ecological reserves are maintained for the primary purpose of developing a statewide program for protection of rare, threatened, or endangered native plants, wildlife, aquatic organisms, and specialized terrestrial or aquatic habitat types. Visitor uses are dependent upon the provisions of applicable laws and upon a determination by the commission that opening an area to such visitor use is compatible with the purposes of the property. Visitor use is subject to the regulations below, in sections 550 and 550.5 of these regulations, as well as any other commission regulations that may apply. These regulations are incorporated by reference into and become a condition of entry, passes, and/or permits. It is the responsibility of all visitors to know and understand these regulations prior to entry. Ecological reserves that are marked with an asterisk (\*) in subsection 630(b) are adjacent to or share sensitive marine environments with Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and/or Special Closures that are defined in Section 632 of these regulations. The general regulations for MPAs, MMAs, and Special Closures are in subsection 632(a) of these regulations, and site-specific regulations for each area are in subsection 632(b) of these regulations. The designated names of the MPAs in subsection 632(b) of these regulations generally correspond with the names of adjacent or overlapping ecological reserves. For example, Fagan Marsh Ecological Reserve shares marine waters with the Fagan Marsh State Marine Park and Moro Cojo Ecological Reserve is adjacent to the Moro Cojo State Marine Reserve.

(b) Ecological Reserves owned and operated by the department:

- (1) Agua Hedionda Lagoon Ecological Reserve, San Diego County\*;
- (2) Albany Mudflats Ecological Reserve, Alameda County\*;
- (3) Alkali Sink Ecological Reserve, Fresno County;
- (4) Allensworth Ecological Reserve, Kern and Tulare Countycounties;
- (5) Apricum Hill Ecological Reserve, Amador County;
- (6) Atascadero Creek Marsh Ecological Reserve, Sonoma County;
- (7) Bair Island Ecological Reserve, San Mateo County\*;
- (8) Bakersfield Cactus Ecological Reserve, Kern County;
- (9) Baldwin Lake Ecological Reserve, San Bernardino County;
- (10) Ballona Wetlands Ecological Reserve, Los Angeles County;
- (11) Batiquitos Lagoon Ecological Reserve, San Diego County\*;
- (12) Big Table Mountain Ecological Reserve, Fresno County;
- (13) Blue Ridge Ecological Reserve, Tulare County;
- (14) Blue Sky Ecological Reserve, San Diego County;
- (15) Bobelaine Ecological Reserve, Sutter County;

(16) Boden Canyon Ecological Reserve, San Diego County;  
 (17) Boggs Lake Ecological Reserve, Lake County;  
 (18) Bolsa Chica Ecological Reserve, Orange County\*;  
 (19) Bonny Doon Ecological Reserve, Santa Cruz County;  
 (20) Boulder Creek/Rutherford Ranch Ecological Reserve, San Diego County;  
 (21) Buena Vista Creek Ecological Reserve, San Diego County;  
 (22) Buena Vista Lagoon Ecological Reserve, San Diego County\*;  
 (23) Burton Mesa Ecological Reserve, Santa Barbara County;  
 (24) Butler Slough Ecological Reserve, Tehama County;  
 (25) Butte Creek Canyon Ecological Reserve, Butte County;  
 (26) Butte Creek House Ecological Reserve, Butte County;  
 (27) Buttonwillow Ecological Reserve, Kern County;  
 (28) By-Day Creek Ecological Reserve, Mono County;  
 (29) Calhoun Cut Ecological Reserve, Solano County;  
 (30) Cambria Pines Ecological Reserve, San Luis Obispo County;  
 (31) Cañada de los Osos Ecological Reserve, Santa Clara County;  
(32) Cañada de San Vicente Ecological Reserve, San Diego County;  
~~(32)~~(33) Canebrake Ecological Reserve, Kern County;  
~~(33)~~(34) Carlsbad Highlands Ecological Reserve, San Diego County;  
~~(34)~~(35) Carrizo Canyon Ecological Reserve, Riverside County;  
~~(35)~~(36) Carrizo Plains Ecological Reserve, San Luis Obispo County, including the American, Panorama, Elkhorn Plain, North Chimineas, and South Chimineas Units;  
~~(36)~~(37) China Point Ecological Reserve, Siskiyou County;  
~~(37)~~(38) Chorro Creek Ecological Reserve, San Luis Obispo County;  
(39) Cienega Springs Ecological Reserve, Ventura County  
~~(38)~~(40) Clover Creek Ecological Reserve, Shasta County;  
~~(39)~~ (41) Coachella Valley Ecological Reserve, Riverside County;  
~~(40)~~ (42) Coal Canyon Ecological Reserve, Orange County;  
~~(41)~~ (43) Coldwater Canyon Ecological Reserve, Ventura County;  
~~(42)~~ (44) Corral Hollow Ecological Reserve, San Joaquin County;  
~~(43)~~ (45) Corte Madera Marsh Ecological Reserve, Marin County\*;  
~~(44)~~ (46) Cosumnes River Ecological Reserve, Sacramento County;  
~~(45)~~ (47) Crestridge Ecological Reserve, San Diego County;  
~~(46)~~ (48) Dales Lake Ecological Reserve, Tehama County;  
(49) Deep Springs Lake Ecological Reserve, Inyo County;  
~~(47)~~ (50) Del Mar Mesa/Lopez Ridge Ecological Reserve, San Diego County;  
~~(48)~~ (51) Del Monte Dunes Ecological Reserve, Monterey County;  
~~(49)~~ (52) Eden Landing Ecological Reserve, Alameda County;  
~~(50)~~ (53) Elkhorn Slough Ecological Reserve (National Estuarine Research Reserve), Monterey County\*;  
~~(51)~~ (54) Estelle Mountain Ecological Reserve, Riverside County;  
~~(52)~~ (55) Fagan Marsh Ecological Reserve, Napa County\*;  
~~(53)~~ (56) Fall River Mills Ecological Reserve, Shasta County;  
~~(54)~~ (57) Fish Slough Ecological Reserve, Inyo and Mono counties;  
~~(55)~~ (58) Fremont Valley Ecological Reserve, Kern County;

~~(56)~~ (59) Goleta Slough Ecological Reserve, Santa Barbara County\*;  
~~(57)~~ (60) Harrison Grade Ecological Reserve, Sonoma County;  
~~(58)~~ (61) Headwaters Forest Ecological Reserve, Humboldt County;  
~~(59)~~ (62) Hidden Palms Ecological Reserve, Riverside County;  
~~(60)~~ (63) Indian Joe Springs Ecological Reserve, Inyo County;  
~~(64)~~ Indian Wells Valley Ecological Reserve, Kern County;  
~~(61)~~ (65) Joshua Creek Canyon Ecological Reserve, Monterey County;  
~~(62)~~ (66) Kaweah Ecological Reserve, Tulare County;  
~~(63)~~ (67) Kerman Ecological Reserve, Fresno County;  
~~(64)~~ (68) King Clone Ecological Reserve, San Bernardino County;  
~~(65)~~ (69) Laguna Laurel Ecological Reserve, Orange County;  
~~(66)~~ (70) Lake Hodges Ecological Reserve, San Diego County;  
~~(67)~~ (71) Lake Mathews Ecological Reserve, Riverside County;  
~~(68)~~ (72) Leek Springs Ecological Reserve, El Dorado County;  
~~(69)~~ (73) Liberty Island Ecological Reserve, Solano County;  
~~(70)~~ (74) Limestone Salamander Ecological Reserve, Mariposa County;  
~~(71)~~ (75) Little Butte Ecological Reserve, Mendocino County;  
~~(72)~~ (76) Little Red Mountain Ecological Reserve, Mendocino County;  
~~(73)~~ (77) Loch Lomond Vernal Pool Ecological Reserve, Lake County;  
~~(74)~~ (78) Lokern Ecological Reserve, Kern County;  
~~(75)~~ (79) Macklin Creek Ecological Reserve, Nevada County;  
~~(76)~~ (80) Magnesia Spring Ecological Reserve, Riverside County;  
~~(77)~~ (81) Marin Islands Ecological Reserve, Marin County\*;  
~~(78)~~ (82) Mattole River Ecological Reserve, Mendocino County;  
~~(79)~~ (83) McGinty Mountain Ecological Reserve, San Diego County;  
~~(80)~~ (84) Meadowbrook Ecological Reserve, San Diego County;  
~~(81)~~ (85) Moro Cojo Ecological Reserve, Monterey County\*;  
~~(82)~~ (86) Morro Dunes Ecological Reserve, including the Bayview Unit, San Luis Obispo County;  
~~(83)~~ (87) Morro Rock Ecological Reserve, San Luis Obispo County;  
~~(84)~~ (88) Napa River Ecological Reserve, Napa County;  
~~(89)~~ North Carrizo Ecological Reserve, San Luis Obispo County;  
~~(85)~~ (90) North Table Mountain Ecological Reserve, Butte County;  
~~(86)~~ (91) Oasis Springs Ecological Reserve, Riverside County;  
~~(87)~~ (92) Offshore Rocks and Pinnacles, coastal counties;  
~~(88)~~ (93) Otay Mountain Ecological Reserve, San Diego County;  
~~(89)~~ (94) Owl Creek Ecological Reserve, Humboldt County;  
~~(90)~~ (95) Palo Verde Ecological Reserve, Riverside County;  
~~(91)~~ (96) Panoche Hills Ecological Reserve, Fresno County;  
~~(92)~~ (97) Peninsular Ranges Ecological Reserve, Riverside County;  
~~(93)~~ (98) Peytonia Slough Ecological Reserve, Solano County;  
~~(94)~~ (99) Phoenix Field Ecological Reserve, Sacramento County;  
~~(95)~~ (100) Pilgrim Creek Ecological Reserve, San Diego County;  
~~(96)~~ (101) Pine Hill Ecological Reserve, including the Salmon Falls Unit, El Dorado County;

~~(97)~~ (102) Piute Creek Ecological Reserve, San Bernardino County;  
~~(98)~~ (103) Plaisted Creek Ecological Reserve, San Diego County;  
~~(99)~~ (104) Pleasant Valley Ecological Reserve, Fresno County;  
~~(100)~~ (105) Quail Hollow Ecological Reserve, Santa Cruz County;  
~~(101)~~ (106) Quail Ridge Ecological Reserve, Napa County;  
~~(102)~~ (107) Rancho Jamul Ecological Reserve, including the Headquarters Unit, San Diego County;  
~~(103)~~ (108) Redwood Shores Ecological Reserve, San Mateo County;  
~~(104)~~ (109) River Springs Lakes Ecological Reserve, Mono County;  
~~(105)~~ (110) Saline Valley Ecological Reserve, Inyo County;  
~~(106)~~ (111) San Antonio Valley Ecological Reserve, Santa Clara County;  
~~(107)~~ (112) San Bruno Mountain Ecological Reserve, San Mateo County;  
~~(108)~~ (113) San Diego River Ecological Reserve, San Diego County;  
~~(109)~~ (114) San Dieguito Lagoon Ecological Reserve, San Diego County\*;  
~~(110)~~ (115) San Elijo Lagoon Ecological Reserve, San Diego County\*;  
~~(111)~~ (116) San Felipe Creek Ecological Reserve, Imperial County;  
~~(112)~~ (117) San Joaquin River Ecological Reserve, Fresno and Madera counties;  
~~(113)~~ (118) San Luis Rey River Ecological Reserve, San Diego County;  
~~(114)~~ (119) Sands Meadow Ecological Reserve, Tuolumne County;  
~~(115)~~ (120) Santa Cruz Long-toed Salamander Ecological Reserve, Santa Cruz County;  
(121) Santa Margarita River Ecological Reserve, Riverside County;  
~~(116)~~ (122) Santa Rosa Plain Vernal Pool Ecological Reserve, including the Hall Road, Todd Road, Wikiup and Yuba Drive units, Sonoma County;  
~~(117)~~ (123) Santa Rosa Plateau Ecological Reserve, Riverside County;  
~~(118)~~ (124) Semitropic Ecological Reserve, Kern County;  
~~(119)~~ (125) Sky Valley Ecological Reserve, Riverside County;  
~~(120)~~ (126) Springville Ecological Reserve, Tulare County;  
~~(121)~~ (127) Stone Corral Ecological Reserve, Tulare County;  
~~(122)~~ (128) Stone Ridge Ecological Reserve, Butte County;  
~~(123)~~ (129) Sycamore Canyon Ecological Reserve, Riverside County;  
~~(124)~~ (130) Sycuan Peak Ecological Reserve, San Diego County;  
~~(125)~~ (131) Table Bluff Ecological Reserve, Humboldt County;  
(132) Tecopa Ecological Reserve, Inyo County  
~~(126)~~ (133) Theiller Sebastopol Meadowfoam Ecological Reserve, Sonoma County;  
~~(127)~~ (134) Thomes Creek Ecological Reserve, Tehama County;  
~~(128)~~ (135) Tomales Bay Ecological Reserve, Marin County;  
~~(129)~~ (136) Upper Newport Bay Ecological Reserve, Orange County\*;  
~~(130)~~ (137) Vernalis Ecological Reserve, San Joaquin County;  
~~(131)~~ (138) Walker Canyon Ecological Reserve, San Diego County;  
~~(132)~~ (139) Watsonville Slough Ecological Reserve, Santa Cruz County;  
~~(133)~~ (140) West Mojave Desert Ecological Reserve, San Bernardino County;  
~~(134)~~ (141) Woodbridge Ecological Reserve, San Joaquin County; and  
~~(135)~~ Yaudanchi Ecological Reserve, Tulare County; and  
~~(136)~~ (142) Yorkville Ecological Reserve, Mendocino County.

(c) Ecological Reserves That Require a Daily or Annual Lands Pass for Authorized Uses other than Hunting: Pursuant to subsection 550(c) and 550.5(c) of these regulations, it shall be unlawful for a visitor to enter any ecological reserve or portion thereof listed in this section without carrying a valid Lands Pass or a valid hunting, or fishing, ~~or trapping license~~ on their person. A Lands Pass must be purchased in advance. Information on how to purchase a Lands Pass and exceptions to this requirement are provided in subsection 550.5(c).

- (1) Batiquitos Lagoon Ecological Reserve
- (2) Boden Canyon Ecological Reserve
- (3) Bolsa Chica Ecological Reserve
- (4) Buena Vista Lagoon Ecological Reserve
- (5) Canebrake Ecological Reserve
- (6) Elkhorn Slough Ecological Reserve

A. Lands Passes may be purchased at the visitor center during business hours.

- (7) North Table Mountain Ecological Reserve
- (8) San Elijo Lagoon Ecological Reserve
- (9) Upper Newport Bay Ecological Reserve
- (10) Woodbridge Ecological Reserve

(d) Ecological Reserves with Hunting as a Designated Public Use: Unless listed and specified as allowed in the table below, hunting is prohibited on ecological reserves. Where hunting is allowed, it shall be subject to all applicable general hunting regulations and the area-specific regulations set forth in this subsection.

	<i>AREA</i>	<i>HUNTING DESCRIPTIONS</i>
(1)	Allensworth Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
(2)	Bair Island Ecological Reserve	Waterfowl hunting only.
(3)	Baldwin Lake Ecological Reserve	Waterfowl and upland game only. Waterfowl hunting shall be from boats only.
(4)	Blue Ridge Ecological Reserve	Allowed only as part of department special hunting opportunities at such times and in the specific areas designated by the department.
(5)	Boden Canyon Ecological Reserve	Upland game allowed but only at such times and in the specific areas designated by the department.

	<i>AREA</i>	<i>HUNTING DESCRIPTIONS</i>
(6)	Buttonwillow Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
(7)	By-Day Creek Ecological Reserve	Allowed.
(8)	Calhoun Cut Ecological Reserve	Waterfowl allowed only from a boat on the waters within the reserve that are accessible only from Lindsey Slough. There are no launch sites on the reserve.
(9)	Cañada de los Osos Ecological Reserve	Allowed but only as part of department special opportunities at such times and in the specific areas designated by the department.
<u>(10)</u>	<u>Cañada de San Vicente Ecological Reserve</u>	<u>Allowed only at such times and in the specific areas designated by the department.</u>
<del>(10)</del> <u>(11)</u>	Canebrake Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
<del>(11)</del> <u>(12)</u>	Carrizo Plains Ecological Reserve	Allowed only at such times and in the specific areas designated by the department. Hunting of coyotes and ground squirrels is prohibited on the North and South Chimineas units.
<del>(12)</del> <u>(13)</u>	China Point Ecological Reserve	Allowed from August 1 through February 14.
<u>(14)</u>	<u>Cienega Springs Ecological Reserve</u>	<u>Allowed only at such times and in the specific areas designated by the department.</u>
<del>(13)</del> <u>(15)</u>	Coal Canyon Ecological Reserve	Allowed only at such times and in the specific areas designated by the department. Shotguns and archery equipment only.
<del>(14)</del> <u>(16)</u>	Cosumnes River Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.



	<i>AREA</i>	<i>HUNTING DESCRIPTIONS</i>
<del>(15)</del> <u>(17)</u>	Dales Lake Ecological Reserve	Waterfowl only.
<del>(16)</del> <u>(18)</u>	Eden Landing Ecological Reserve	Waterfowl allowed, but only at such times and in the specific areas designated by the department.
<del>(17)</del> <u>(19)</u>	Elkhorn Slough Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
<del>(18)</del> <u>(20)</u>	Estelle Mountain Ecological Reserve	Upland game only.
<del>(19)</del> <u>(21)</u>	Fish Slough Ecological Reserve	Allowed.
<del>(20)</del> <u>(22)</u>	Indian Joe Springs Ecological Reserve	Upland game only.
<u>(23)</u>	<u>Indian Wells Valley Ecological Reserve</u>	<u>Allowed only at such times and in the specific areas designated by the department.</u>
<del>(21)</del> <u>(24)</u>	Kaweah Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
<del>(22)</del> <u>(25)</u>	Kerman Ecological Reserve	Allowed from July 1 through January 31. Only licensed hunters are allowed to possess firearms. Shotguns only.
<del>(23)</del> <u>(26)</u>	Liberty Island Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
<del>(24)</del> <u>(27)</u>	Lokern Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
<u>(28)</u>	<u>North Carrizo Ecological Reserve</u>	<u>Allowed but only as part of department special opportunities at such times and in the specific areas designated by the department.</u>

	<i>AREA</i>	<i>HUNTING DESCRIPTIONS</i>
<del>(25)</del> <u>(29)</u>	North Table Mountain Ecological Reserve	Deer and upland game allowed from the day after spring turkey season through November 15.
<del>(26)</del> <u>(30)</u>	Oasis Springs Ecological Reserve	Allowed.
<del>(27)</del> <u>(31)</u>	Otay Mountain Ecological Reserve	Allowed in accordance with the Bureau of Land Management's Wilderness Area regulations (43 CFR 6300, Oct. 1, 2012).
<del>(28)</del> <u>(32)</u>	Palo Verde Ecological Reserve	Deer, rabbits, dove, quail, and waterfowl only and allowed only at such times and in the specific areas designated by the department. Deer hunting is by archery only. Rabbit, dove, quail, and waterfowl hunting is by shotgun only.
<del>(29)</del> <u>(33)</u>	Panoche Hills Ecological Reserve	Allowed from July 1 through January 31.
<del>(30)</del> <u>(34)</u>	Peninsular Ranges Ecological Reserve	Upland game only.
<del>(31)</del> <u>(35)</u>	Piute Creek Ecological Reserve	Allowed.
<del>(32)</del> <u>(36)</u>	Pleasant Valley Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
<del>(33)</del> <u>(37)</u>	Quail Ridge Ecological Reserve	Allowed but only as part of department special opportunities at such times and in the specific areas designated by the department.
<del>(34)</del> <u>(38)</u>	Rancho Jamul Ecological Reserve	Allowed only at the times and in the specific areas designated by the department.
<del>(35)</del> <u>(39)</u>	River Springs Lakes Ecological Reserve	Allowed.

	<i>AREA</i>	<i>HUNTING DESCRIPTIONS</i>
<del>(36)</del> <u>(40)</u>	Saline Valley Ecological Reserve	Allowed.
<del>(37)</del> <u>(41)</u>	San Antonio Valley Ecological Reserve	Allowed, but only as part of department special opportunities at such times and in the specific areas designated by the department.
<del>(38)</del> <u>(42)</u>	San Felipe Creek Ecological Reserve	Allowed.
<del>(39)</del> <u>(43)</u>	Sky Valley Ecological Reserve	Upland game only.
<del>(40)</del> <u>(44)</u>	Stone Corral Ecological Reserve	Allowed only at such times and in the specific areas designated by the department.
<del>(41)</del> <u>(45)</u>	Tomales Bay Ecological Reserve	Waterfowl only.
<del>(42)</del> <u>(46)</u>	Vernalis Ecological Reserve	Upland game only and only on the Vernalis Unit at such times and in the specific areas designated by the department.
<del>(43)</del> <u>(47)</u>	Walker Canyon Ecological Reserve	Allowed.
<del>(44)</del> <u>(48)</u>	West Mojave Desert Ecological Reserve	Allowed from July 1 through January 31.

**[No changes to subsections (e) or (f)]**

(g) Bicycles, Horses, Pack Stock, and/or Horseback Riding: Except as listed and specified in the columns below, bicycles and other pedaled vehicles, horses, pack stock and horseback riding are prohibited on ecological reserves, per subsections 550(bb) and 550(o) of these regulations.

	<i>AREA</i>	<i>BICYCLE DESCRIPTION</i>	<i>HORSE/PACK-STOCK DESCRIPTION</i>
(1)	Ballona Wetlands Ecological Reserve	Allowed only on the designated path on the north side of the Ballona Creek flood control channel.	Prohibited.
<u>(2)</u>	<u>Cañada de San Vicente Ecological Reserve</u>	<u>Prohibited</u>	<u>Allowed only on the trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road.</u>
<del>(2)</del> <u>(3)</u>	Canebrake Ecological Reserve	Prohibited.	Allowed only on established trails in designated areas.
<del>(3)</del> <u>(4)</u>	Coal Canyon Ecological Reserve	Allowed on designated trails only, excluding dates within 72 hours after any weather event that produces 1/4 inch of precipitation in any 24 hour period, or any such event that produces 1/2 inch of precipitation in any 72 hour period.	Allowed only on designated trails, excluding dates within 72 hours after any weather event that produces 1/4 inch of precipitation in any 24 hour period, or any such event that produces 1/2 inch of precipitation in any 72 hour period.
<del>(4)</del> <u>(5)</u>	Crestridge Ecological Reserve	May be allowed on designated roads during designated seasons as determined by the department. Closures may be implemented at the discretion of the department.	Allowed only

<del>(5)</del> <u>(6)</u>	Eden Landing Ecological Reserve	Allowed only on designated trails.	Allowed only on designated trails.
<del>(6)</del> <u>(7)</u>	Headwaters Forest Ecological Reserve	Allowed only on the northern 3.5 mile designated corridor.	Prohibited.
<del>(7)</del> <u>(8)</u>	Magnesia Spring Ecological Reserve	Year round access is allowed only on that portion of the Mike Schuler Trail in the northeast corner of Section 24, and the Lower Mirage Trail where it enters Section 24 in the north and continues south until the trail becomes the Herb Jeffries Trail which continues south and then east and exits the Ecological Reserve at the eastern border of Section 24. Access is also allowed year round on the Hopalong Cassidy Trail in the eastern portion of Section 35. Those portions of the Art Smith Trail in Sections 35 and 27 are open from October 1 through June 30 and closed from July 1 through September 30.	Year round access is allowed only on that portion of the Mike Schuler Trail in the northeast corner of Section 24, and the Lower Mirage Trail where it enters Section 24 in the north and continues south until the trail becomes the Herb Jeffries Trail which continues south and then east and exits the Ecological Reserve at the eastern border of Section 24. Access is also allowed year round on the Hopalong Cassidy Trail in the eastern portion of Section 35. Those portions of the Art Smith Trail in Sections 35 and 27 are open from October 1 through June 30 and closed from July 1 through September 30.
<del>(8)</del> <u>(9)</u>	Redwood Shores Ecological Reserve	Allowed only along the levee-top road system.	Prohibited.

<del>(9)</del> (10)	Upper Newport Bay Ecological Reserve	Allowed only on paved Back Bay Drive.	Allowed only on established trails in designated areas.

(h) Designated Closures and Restrictions on Ecological Reserves: No visitor(s), other than those possessing written authorization from the Department, shall enter or access an ecological reserve which is closed.

	AREA	DESCRIPTION OF CLOSURE OR RESTRICTION
(1)	Apricum Hill Ecological Reserve	Closed to all visitor use/access.
(2)	Bair Island Ecological Reserve	Closed to all visitor use/access from February 15 through May 20.
(3)	Ballona Wetlands Ecological Reserve	Pets, including dogs and cats, are prohibited. Unless the department determines that restoration or other uses in the following areas is more appropriate, existing recreational uses may be allowed under license agreement with Playa Vista Little League in that portion of Area C identified in the license agreement and existing parking areas may be allowed under leases to the County of Los Angeles.
(4)	Bobelaine Ecological Reserve	Closed to all visitor use/access.
(5)	Bolsa Chica Ecological Reserve	Pets are prohibited, except when they remain inside a motor vehicle. Visitors must stay on established trails, paths or other designated areas. The reserve is closed to visitor access and use from 8:00 p.m. to 6:00 a.m.

(6)	Burton Mesa Ecological Reserve	Motor vehicle use by visitors is prohibited.
(7)	Butte Creek Canyon Ecological Reserve	Motor vehicle use by visitors is prohibited.
(8)	Butte Creek House Ecological Reserve	Motor vehicle use by visitors is prohibited.
(9)	Calhoun Cut Ecological Reserve	The land portions of the reserve are closed to all visitor use/access. The navigable portions of Calhoun Cut and associated sloughs are accessible only by boat from Lindsey Slough.
(10)	Cañada de los Osos Ecological Reserve	Closed to all visitor use/access except for special opportunities as provided in subsections 630(d)(9) and 630(e)(9) of these regulations.
<u>(11)</u>	<u>Cañada de San Vicente Ecological Reserve</u>	<u>Closed to all visitor use/access except for the trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road and for special hunting opportunities as provided in subsection 630(d) of these regulations.</u>
<del>(11)</del> <u>(12)</u>	Canebrake Ecological Reserve	Pets are prohibited except for hunting dogs at such times and in the specific areas designated by the department.
<del>(12)</del> <u>(13)</u>	Carrizo Canyon Ecological Reserve	Closed to all visitor use/access from January 1 through September 30. Pets are prohibited, except when they remain inside a motor vehicle.
<del>(13)</del> <u>(14)</u>	Carrizo Plains Ecological Reserve	Access to the South Chimineas Unit requires an entry permit issued by the department. Permits must be filled out and returned to the department upon leaving the area.

<del>(14)</del> <u>(15)</u>	Coldwater Canyon Ecological Reserve	Closed to all visitor use/access except for pedestrian use of the existing travel corridor through the reserve.
<del>(15)</del> <u>(16)</u>	Corral Hollow Ecological Reserve	Closed to all visitor use/access.
<del>(16)</del> <u>(17)</u>	Cosumnes River Ecological Reserve	Pets are prohibited, except when they remain inside a motor vehicle.
<u>(18)</u>	Del Mar Mesa/Lopez Ridge Ecological Reserve	<u>Closed to all visitor use/access.</u>
<del>(17)</del> <u>(19)</u>	Goleta Slough Ecological Reserve	Visitors must stay on established trails, paths or other designated areas.
<del>(18)</del> <u>(20)</u>	Headwaters Forest Ecological Reserve	Pets are prohibited except for dogs on a leash on the northern 3.5 mile designated corridor.
<del>(19)</del> <u>(21)</u>	Hidden Palms Ecological Reserve	Closed to all visitor use/access.
<u>(22)</u>	<u>Indian Wells Valley Ecological Reserve</u>	<u>Closed to all visitor use/access except for special hunting opportunities as provided in subsection 630(d) of these regulations.</u>
<del>(20)</del> <u>(23)</u>	Lake Mathews Ecological Reserve	Closed to all visitor use/access.



<del>(21)</del> <u>(24)</u>	Leek Springs Ecological Reserve	Closed to all visitor use/access.
<del>(22)</del> <u>(25)</u>	Limestone Salamander Ecological Reserve	Closed to all visitor use/access.
<del>(23)</del> <u>(26)</u>	Macklin Creek Ecological Reserve	Closed to all visitor use/access.
<del>(24)</del> <u>(27)</u>	Magnesia Spring Ecological Reserve	Year round access is allowed only on that portion of the Mike Schuler Trail in the northeast corner of Section 24, and the Lower Mirage Trail where it enters Section 24 in the north and continues south until the trail becomes the Herb Jeffries Trail which continues south and then east and exits the Ecological Reserve at the eastern border of Section 24. Access is also allowed year round on the Hopalong Cassidy Trail in the eastern portion of Section 35. The Mirage Trail, located above the gate and west of the intersection with the Herb Jefferies trail, is open only for pedestrian use from May 1 through January 31, and is closed to all visitor use from February 1 through April 30. Those portions of the Art Smith Trail in Sections 35 and 27 are open from October 1 through June 30 and closed from July 1 through September 30.B□
<del>(25)</del> <u>(28)</u>	Morro Rock Ecological Reserve	Visitor access/use allowed only for that portion of Morro Rock between the low tide mark and a point ten (10) feet in elevation above the mean high tide mark.
<u>(29)</u>	<u>North Carrizo Ecological Reserve</u>	<u>Closed to all visitor/use access except for special opportunities as provided in Section 630(d) of these regulations.</u>

<del>(26)</del> <u>(30)</u>	Phoenix Field Ecological Reserve	Closed to all visitor use/access.
<del>(27)</del> <u>(31)</u>	Pine Hill Ecological Reserve	Closed to all visitor use/access.
<del>(28)</del> <u>(32)</u>	Quail Ridge Ecological Reserve	Closed to all visitor use/access except for special opportunities as provided in subsection 630(d) <del>(33)</del> of these regulations
<del>(29)</del> <u>(33)</u>	San Dieguito Lagoon Ecological Reserve	The California least tern nesting island is closed to all visitor use/access.
<del>(30)</del> <u>(34)</u>	San Joaquin River Ecological Reserve	Closed to all visitor use/access except for special opportunities as provided in subsection 630(e) <del>(25)</del> of these regulations.
<del>(31)</del> <u>(35)</u>	Santa Cruz Long-toed Salamander Ecological Reserve	Closed to all visitor use/access.
<u>(36)</u>	<u>Santa Margarita River Ecological Reserve</u>	<u>Closed to all visitor use/access</u>
<del>(32)</del> <u>(37)</u>	Santa Rosa Plain Vernal Pool Ecological Reserve	Closed to all visitor use/access.

<del>(33)</del> <u>(38)</u>	Santa Rosa Plateau Ecological Reserve	Pets are prohibited. Smoking is prohibited, except inside a motor vehicle.
<del>(34)</del> <u>(39)</u>	Stone Ridge Ecological Reserve	Closed to all visitor use/access <del>except for department authorized interpretive, educational, or research programs.</del>
<del>(35)</del> <u>(40)</u>	Table Bluff Ecological Reserve	The fenced western lily area is closed to all visitor use/access.
<del>(36)</del> <u>(41)</u>	Tomales Bay Ecological Reserve	The land area of the reserve is closed to all visitor use/access from March 1 through June 30.
<del>(37)</del>	Woodbridge Ecological Reserve	Closed to all visitor use/access except for the viewing area.

(i) Ecological Reserves Authorized for Dog Training:

(1) Rancho Jamul Ecological Reserve.

(A) Retriever training allowed in the designated area only, and only with written authorization from the area manager.

(j) Shooting Areas: Ecological Reserve, pursuant to subsection 550(cc) of these regulations, with designated shooting area (i.e., range) and additional regulations:

(1) Carrizo Plains Ecological Reserve.

(A) Target shooting is allowed in designated areas only.

Note: Authority cited: Sections 200, 203, 265, 710, 710.5, 710.7, 1050, 1530, 1583, 1587, 1745, 1764, 1765 and 10504, Fish and Game Code. Reference: Sections 355, 711, 713, 1050, 1055.3, 1526, 1528, 1530, 1570, 1571, 1572, 1580, 1581, 1582, 1583, 1584, 1585, 1745, 1761, 1764, 1765, 1907, 2006 and 10504, Fish and Game Code.

## **Regulatory Language**

Section 702, Title 14, CCR, is amended to read:

**§ 702. Hunting Applications, Tags, Seals, Permits, Reservations and Fees; Department Lands Applications, Passes, Special Use Permits, and Fees.**

**[No changes to 702(a) through 702(c)]**

(d) Permits for Special Use of Department Lands

(1)	<i>Permits/Application</i>	<i>Permit Fees (US\$)</i>
(A)	Permit Application for Special Use of Department Lands (DFW 730 ( <del>New 01/14</del> <u>REV. XX/20</u> )), incorporated by reference herein. The following attachments are parts of this permit application:	No fee
1.	Attachment A: Special Use Permits - Terms and Conditions (DFW 730a ( <del>New 01/14</del> <u>REV. XX/20</u> )) incorporated by reference herein;	
2.	Attachment B: Applicant Acceptance of Terms, Conditions and Costs (DFW 730b( <del>New 01/14</del> <u>REV. XX/20</u> )), incorporated by reference herein; and	
3.	Attachment C: Supplement (DFW 730c ( <del>New 01/14</del> <u>REV. XX/20</u> )), incorporated by reference herein	
(B)	<del>Type 1 Special Use Permit from January 1, 2016 through December 31, 2016.</del>	\$81.75
(CB)	Type 1 Special Use Permit <del>starting January 1, 2017.</del>	<del>\$122.50</del> <u>\$132.75</u>
(D)	<del>Type 2 Special Use Permit from January 1, 2016 through December 31, 2016.</del>	\$308.25
(EC)	Type 2 Special Use Permit <del>starting January 1, 2017.</del>	<del>\$462.50</del> <u>\$502.25</u>
(F)	<del>Type 3 Special Use Permit from January 1, 2016 through December 31, 2016.</del>	\$375.25
(GD)	Type 3 Special Use Permit <del>starting January 1, 2017.</del>	<del>\$536.00</del> <u>\$582.00</u>

(2) Special Use Permit fees shall be subject to annual adjustment pursuant to Section 699 of these regulations ~~starting on January 1, 2018.~~

Note: Authority cited: Sections 200, 203, 265, 331, 332 and 1050, Fish and Game Code. Reference: Sections 200, 203, 203.1, 265, 331, 332, 713, 1050, 1055, 1055.1, 1570, 1571, 1572, 1573, 1745, 3950, 3951, 4302, 4330, 4331, 4332, 4333, 4336, 4340, 4341, 4652, 4653, 4654, 4655, 4657, 4750, 4751, 4752, 4753, 4754, 4755, 4902, 10500 and 10502, Fish and Game Code.



**DRAFT**

California Department of Fish and Wildlife

# Lands to be Designated in or Removed from Title 14 October 2019

Land Regulations  
Attachment #1



State of California  
Fish and Game Commission  
Initial Statement of Reasons for Regulatory Action  
Public Use of Department of Fish and Wildlife Lands

**Attachment #2**

**Department of Fish and Game  
Land Management Summaries  
November 2019**

<b><u>Property Name</u></b>	<b><u>Page</u></b>
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**Land Management Summary for  
Cañada de San Vicente  
October 2019**

**Description:**

The property proposed to become the Cañada de San Vicente Ecological Reserve (CSVER), is southeast of the town of Ramona, in San Diego County, and includes approximately 5,014 acres. Vegetation types within the Reserve consist of chaparral, sage scrub, riparian, oak woodland and grassland habitat. Historically, the Reserve land had several different private owners who used the land for ranching, agriculture, mining, private hunting and most recently a section was used as a bed and breakfast. In the 1950s a minimum of five quail guzzlers were installed to help small game species population. Currently, the CSVER is managed for wildlife & their habitats, Research, and protection of SDCWA mitigation. The CSVER is home to endangered species such as the Arroyo Toad (*Anaxyrus californicus*), and Quino Checkerspot butterfly (*Euphydryas editha quino*). Also, the SDCWA 392 acre mitigation area requires CDFW to protect arroyo toad, Engelmann oak (*Quercus engelmannii*), and delicate clarkia (*Clarkia delicata*).

**Management Objectives:**

The CSVER was acquired by the California Department of Fish and Wildlife (CDFW) to conserve, protect, and restore core habitat areas, and provide crucial wildlife linkages in the San Diego County Subregional Plan, under the Multiple Species Conservation Program (MSCP).

The core area of the CSVER was acquired in two pieces with the first 392-acre portion purchased by San Diego County Water Authority and ultimately transferred in fee title to CDFW, December 21, 2007. That property provides mitigation for certain elements of SDCWA's Carryover Storage and San Vicente Dam Raise Project, with the balance of the property providing a contribution towards conservation for the SDCWA's Subregional Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP). In June 2008, CDFW acquired the second section of the CSVER 4,056 acres from The Nature Conservancy (TNC), using a United States Fish and Wildlife Service (USFWS) Section 6 grant and State Coastal Conservancy Subgrant #04-131 funds. The land was purchased for the protection of the natural resources including threatened and endangered species within San Vicente Reservoir watershed.

In an effort to buffer the core of the CSVER land and protect additional habitat area, CDFW has made additional purchases of land. In June 2010, CDFW purchased 311 acres (the Spitsbergen property) using a U.S. Fish and Wildlife Service (USFWS) Section 6 grant. This acquisition protected undisturbed grasslands, chaparral, oak woodlands, and riparian habitat along the San Vicente

Creek watershed. It also enhanced existing federal, State, and local NCCP efforts to secure key wildlife linkage and preserve core areas of habitat within the MSCP.

In September 2014, CDFW acquired 256 acres (the Bonfils property) using a USFWS Conservation Planning Land Acquisition Grant and support from the Habitat Conservation Fund (Proposition 117). This acquisition secured a key wildlife linkage, protected a core area of habitat and enhanced the existing MSCP.

Major management objectives include:

- Endangered Species/ Critical Habitats: To protect, restore, and enhance native habitats, aid the recovery of federally and state listed endangered and threatened species.
- Connectivity Provide habitat linkage and migration corridors for wildlife in the SCR to adjacent habitats.
- Biodiversity: To protect, manage, and restore the riparian woodlands, oak woodlands, grass lands, and upland habitats representative of the biological diversity of the South Coast Region (SCR).
- Public Use: To provide limited, safe, and high-quality opportunities for compatible educational and recreational activities that foster public appreciation of the unique natural heritage of the SCR. The CSVER would have limited public access for limited public use/recreation that would include a single through connector trail open from sunrise to sunset for hiking and horseback riding, and additional access via special hunt program/management hunts and special use permits geared toward education and horseback riding.

Reasons for proposed additions, deletions or amendments to regulations

Based upon the purpose for which the subject property was acquired and the information collected for the Land Management Plan (LMP), CDFW recommends that designated as an Ecological CSVER as defined in the Fish and Game Code (FGC), Section 1580-1585. Designation as an Ecological Reserve will bring the CSVER under the protection of section 630(b), Title 14, California Code of Regulations and clarifies that the primary management purpose of the property is the conservation of the sensitive natural resources. The designation also allows the property to be available for public use in a manner that is compatible with the primary purpose. Designation as an Ecological Reserve will also provide a critical tool for enforcement purposes. Additionally, designation of the CSVER and adoption of specific regulation will provide additional opportunities for CDFW to seek funding and provide appropriate levels of public use while protecting critical habitat and listed species.

CDFW would provide special hunt opportunities on a portion of the property. Hunters drawn for each hunt would be allowed to hunt the CSVER on a specified date and location determined by CDFW. It is not anticipated that limited regulated hunting would unduly interfere with the primary purpose for which the CSVER was acquired nor would hunting have an adverse impact on non-hunted species or their habitats due to the seasonality of hunting.

Some of the same principals used for allowing special hunts would apply to the allowance of special use permits. Limited amounts of people such as horseback riders would be allowed to access the CSVER on specified days and times. Some existing roadways would be open for use and appropriate signage would be installed to help direct people. It is not anticipated that limited special use permits would unduly interfere with the primary purpose for which the CSVER was acquired nor would limited special use permits have adverse impact on species or their habitats due to the restrictive, limited and seasonality of their allowance.

A brief explanation follows highlighting some of the reasons the CSVER should only be opened to limited public use: With the exception of a single open public hiking and horseback riding connector trail that connects Holly Oaks Park and Luelf Pond Open Space Park (OSP) trail through to Southern Oak Road. The CSVER is land-locked on the south, east, and west by Native American Reservation land and/or private property. Because of this land locked situation, trails would have no 'through-route' capability, only an 'out and-back loop' trail which would cause an over-use of the CSVER. There is limited access into the CSVER with the only public access point being via Chuckwagon Road. Allowing open public trail access via Chuckwagon Road would take unlimited and potentially high numbers of trail users through the SDCWA mitigation section and in close proximity to San Vicente Creek (which is known to have federally listed species) and within the buffer zone for a recently arrived successfully nesting golden eagle pair. Open public trails within the main portion of the CSVER would likely interfere with current and future research and restoration activities within the CSVER. In addition, there is limited CDFW staffing available to monitor and patrol the CSVER. However, public use could be accommodated through the use of the special hunt program and special use permits.

#### Proposed Regulatory Language: Designations and Site Specific Regulations

§630. Additional Visitor Use Regulations on Department Lands Designated as Ecological Reserves.

- (b) Ecological Reserves Owned and Operated by the Department
  - (32) Cañada de San Vicente Ecological Reserve, San Diego County.
- (d) Ecological Reserve with hunting as a Designated Use
  - (10) Cañada de San Vicente Ecological Reserve: Allowed only at such times and in the specific areas designated by the department.
- (g) Bicycles, Horses, Pack Stock, and/or Horseback Riding

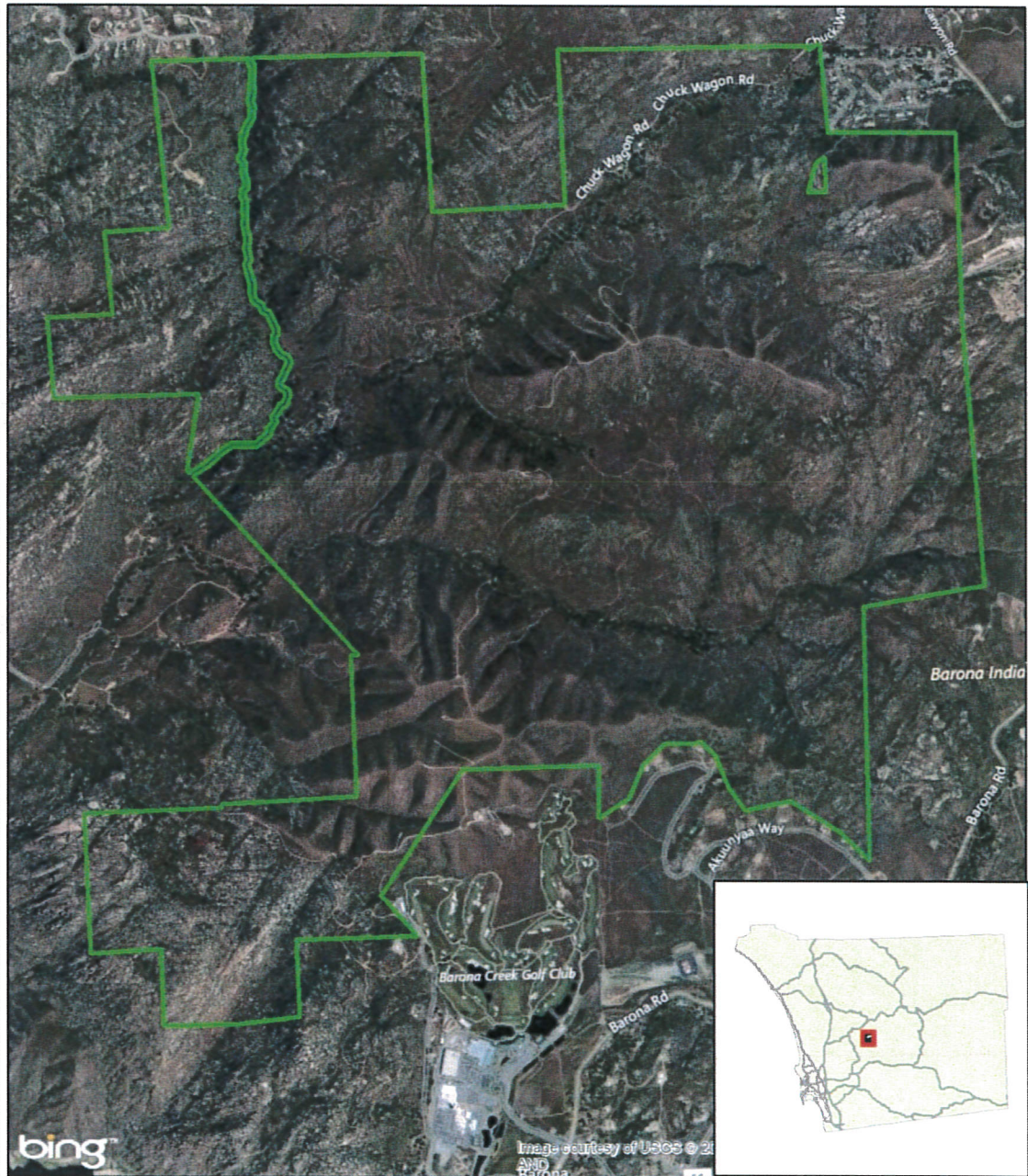
(2) Bicycles: Prohibited; Horses: Allowed only on the trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road.

(h) Designated Closures and Restrictions on Ecological Reserves

(11) Closed to all visitor use/access except for pedestrian and equestrian use of the trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road, and for special hunting opportunities as provided in subsection 630(d) of these regulations.



## Cañada de San Vicente Ecological Reserve San Diego County



0 0.25 0.5 1 Mile



Cañada de San Vicente ER Boundary

Total Acreage: 5,014

Data Source: CDFW Lands March 2016

El Cajon Mtn, and  
San Vicente Reservoir

Map Production: CDFW May 2016



**Land Management Summary for  
Cienega Springs Ecological Reserve  
October 8, 2019**

**Description:**

The land proposed to become the Cienega Springs Ecological Reserve (CSER) is approximately 282 acres located along the Santa Clara River in the Santa Clara River Valley in Ventura County. It shares an approximate 0.62-mile boundary with a portion of the Fillmore Fish Hatchery property to the north, undeveloped land owned by the Nature Conservancy to the east and other private lands to the south and west. The other private lands include suburban development, agriculture, and undeveloped land. Formerly, a watercress (*Nasturtium officinale*) production facility and other agricultural holdings occupied much of the CSER. These agricultural fields are now fallow, pending a riparian/riverine restoration.

CSER is part of the river floodplain with willow/cottonwood forests. But due to past agricultural practices also contains large stands of non-native invasive species such as tocalote (*Centaurea melitensis*), castor bean (*Ricinus communis*), rabbit-foot grass (*Polypogon monspeliensis*), tree tobacco (*Nicotiana glauca*), and nettle (*Urtica urens*), and giant reed (*Arundo donax*) is among the densest and pervasive of the invasive species.

Baseline surveys are still ongoing on at the CSER, and new species, native and nonnative, are being identified. Sensitive wildlife species associated with Santa Clara riverine habitat include southern steelhead trout (*Oncorhynchus mykiss*), western pond turtle (*Actinemys marmorata*), least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), western yellow-billed cuckoo (*Coccyzus americanus*). Other sensitive species known to occur in the Santa Clara River watershed include the California red-legged frog (*Rana draytonii*), arroyo toad (*Anaxyrus californicus*), and unarmored 3-spined stickleback (*Gasterosteus aculeatus*).

The various habitat types create an array of diverse vegetation communities providing cover, movement corridors, nesting habitat and food for the different wildlife species that reside there. Riparian scrub, active river channels (riverine), willow-cottonwood forests, and the abandoned agricultural fields are the main habitat types present the at the CSER.

**Management Objectives:**

The CSER property was purchased in fee title for a total cost of \$8,545,000. \$1,000,000 was paid by the Exxon Mobile Mitigation Fund [AKA: Interior Dept Natural Resource Damage Assessment & Restoration Fund (NRDAR)] from a 1991 oil pipeline rupture, the balance was paid by the Wildlife Conservation Board from the Habitat Conservation Fund (Proposition 117).

The primary purpose for acquiring the CSER property from farming interests, as stated to the Wildlife Conservation Board, was “for the protection of threatened and endangered species, riparian floodplain habitat along the Santa Clara River and to provide potential future wildlife oriented public use opportunities associated with CDFW’s Fillmore Fish Hatchery...”.

Major management objectives include:

- **Listed Species/ Critical Habitats:** To protect, restore, and enhance native habitats, aid the recovery of federally and state listed endangered and threatened species.
- **Connectivity:** Provide habitat linkage and migration corridors for wildlife in the Santa Clara River to adjacent habitats.
- **Flood Flow Conveyance:** Reconnecting leveed portions of the property with its historic active floodplain and river channel to facilitate flood flow conveyance and the transportation of additional flows through the CSER in a manner that benefits wildlife.
- **Biodiversity:** To protect, manage, and restore the riparian woodlands, riverine wetlands, and upland habitats representative of the biological diversity of the Santa Clara River. To support on-site riverine functions, and habitat restoration to support conservation of listed species and rare habitats, including, but not limited to, breeding, foraging, cover, and migration
- **Cooperative Partnerships:** To work in cooperation with our restoration, education, and outreach partners at the University of California at Santa Barbara RIVRLAB and the Santa Clara River Conservancy.
- **Public Use:** To provide limited, safe, and high-quality opportunities for compatible educational and wildlife dependent activities that foster public appreciation of the unique natural heritage of the Santa Clara River. The CSER will be open to public access for limited public use that would include perimeter trails open from sunrise to sunset for passive uses (e.g., bird watching, educational tours), and wildlife-dependent uses including fishing and occasional special hunts.

### **Reason for Proposed Added Regulation**

The addition of the Cienega Springs Ecological Reserve to Section 630(b), Title 14, California Code of Regulations clarifies that the primary management purpose of the property is the conservation of the sensitive natural resources. The designation also allows the property to be available for public use in a manner that is compatible with the primary purpose.

The California Department of Fish and Wildlife (CDFW) would provide special hunt opportunities on a portion of the property. Hunters drawn for each hunt would be allowed to hunt the Reserve on a specified date and location determined by CDFW. It is

not anticipated that limited regulated hunting would unduly interfere with the primary purpose for which the Reserve was acquired, nor would hunting have an adverse impact on non-hunted species or their habitats, particularly because hunts would occur outside of the nesting season.

**Proposed Regulatory Language: Designations and Site-Specific Regulations**

§630. Additional Visitor Use Regulations on Department Lands Designated as Ecological Reserves.

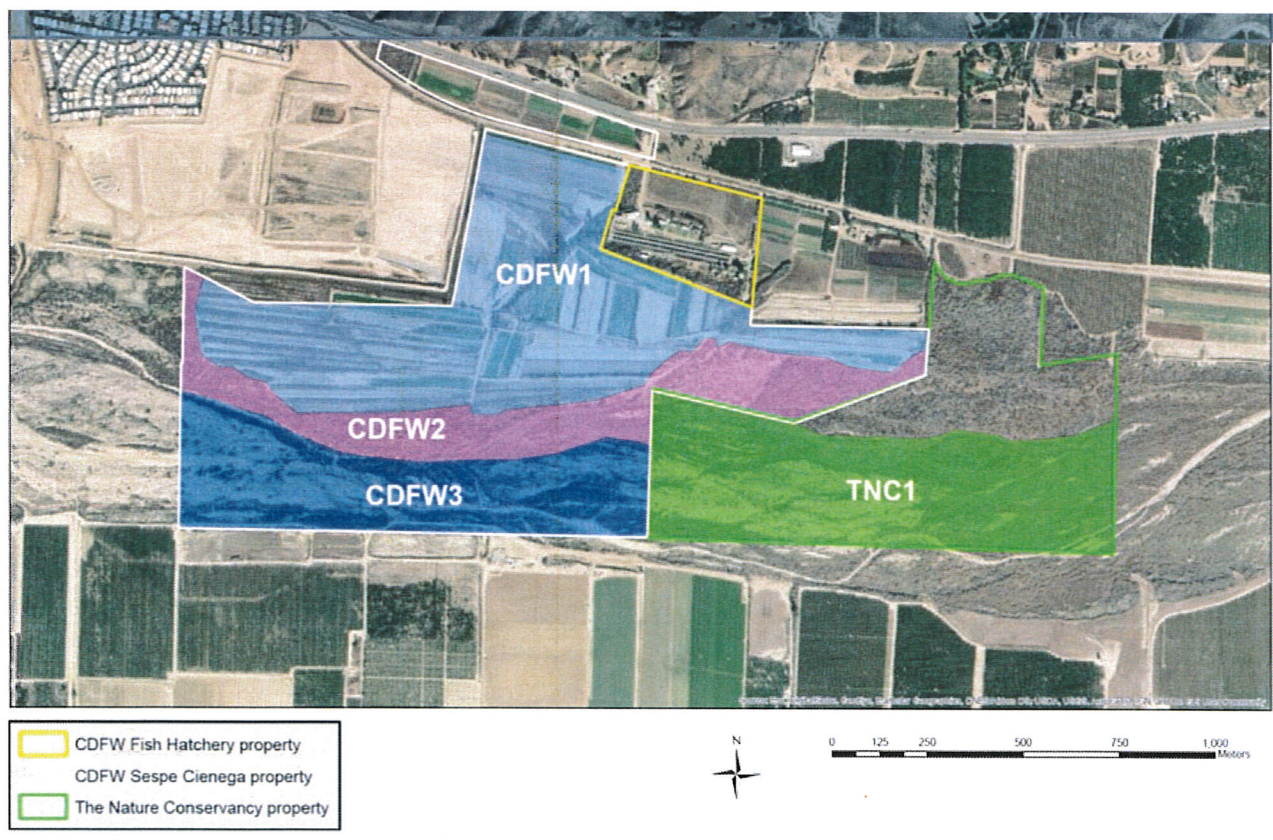
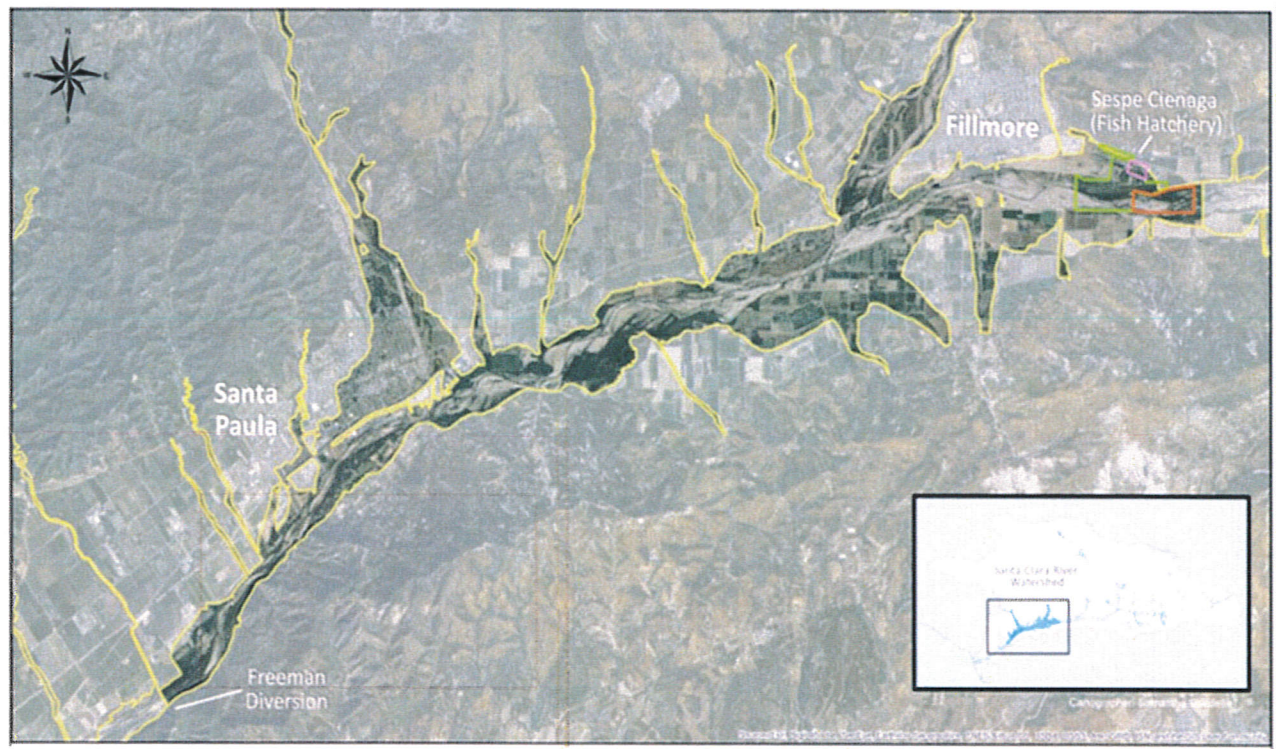
(b) Ecological Reserves owned and operated by the department:

(39) Cienega Springs Ecological Reserve, Ventura County.

(d) Ecological Reserves with Hunting as a Public Use.

(14) Cienega Springs Ecological Reserve : Allowed only at such times and in the specific areas designated by the department.





**Land Management Summary for  
Deep Springs Lake Ecological Reserve  
June, 2019**

Description:

The Deep Springs Lake Ecological Reserve (DSLER) is  $\pm 719.76$  acres located at an elevation of 4,900 feet in Deep Springs Valley in Inyo County. The property consists of the Deep Springs Lake playa, a seasonal salt lake which typically dries in summer, and portions of wetlands associated with peripheral springs including Bog Mound Spring to the north, and Corral and Buckhorn Springs to the east and south respectively. The springs, spring brooks, freshwater marshes and alkali meadows associated with these springs provide habitat for the black toad (*Anaxyrus exsul*) which is endemic to springs in the valley and a California Threatened and Fully Protected species. The seasonal lake is frequented by migratory birds including western snowy plover (*Charadrius alexandrinus nivosus*) a California Species of Special Concern.

The primary natural community on the property is playa (approximately 88%), bulrush and transmontane alkali marshes (approximately 6%), and alkali desert scrub (approximately 6%). Other rare animals that are known to occur in the vicinity of the property include Townsend's big-eared bat (*Corynorhinus townsendii*), California vole (*Microtus californicus* ssp.), desert bighorn sheep (*Ovis canadensis nelsoni*), burrowing owl (*Athene cunicularia*), Bank swallow (*Riparia riparia*), Loggerhead shrike (*Lanius ludovicianus*), Olive-sided flycatcher (*Contopus cooperi*), Vermilion flycatcher (*Pyrocephalus rubinus*), Swainson's hawk (*Buteo swainsoni*), Yellow-headed blackbird (*Xanthocephalus xanthocephalus*), Yellow warbler (*Setophaga petechia*), Morrison bumble bee (*Bombus morrisoni*), Deep Springs fontelicella (snail) (*fontelicella* sp.), and Wong's springsnail (*Pyrgulopsis wongi*). In addition to transmontane alkali marshes, a CNDDDB S2.1 rare natural community type, several rare plant species have been documented in Deep Springs Valley in plant communities present at the DSLER. These include, Wheeler's chaetodelpha (*Chaetodelpha wheeleri*), Columbia cutleaf (*Hymenopappus filifolius* v. *nanus*), two popcorn flowers (*Plagiobothrys nitens* and *Plagiobothrys salsus*), Geyer's milk vetch (*Astragalus geyeri*), Knotted rush (*Juncus nodosus*), Long evening primrose (*Oenothera longissimi*), Parry's monkeyflower (*Diplacus perryi*), and Nevada ninebark (*Physocarpus alternans*).

The property was acquired in 1979 from The Standard Potash Company and consists of several patented mining claims that were consolidated by Standard Potash. It is unclear to what extent the property was utilized for mineral production as the nearby Owens Lake, a major source of potassium compounds with refining and production facilities nearby and access to transportation, provided a better source. It is likely that the Deep Springs Lake claims were speculative in nature. The primary land use around the lake has been livestock grazing by cattle which is now associated with Deep Springs College (DSC) that owns the majority of the springs and wetlands around the lake. It is presumed that the extensive system of levees and ditches around the lake were associated with efforts to improve the land for agriculture as they were originally surveyed and granted to the State of California as "Swamp and Overflow Lands" by the U.S. General Land Office. The McMurry family, also of nearby Fish Springs and Big Pine, later homesteaded and constructed a house in the vicinity of Corral Spring and presumably grazed livestock. As a result of the extensive historic ditch and levee work along the eastern shore of the lake very little surface water from Corral Springs reaches the lakebed.



The northeast portion of Deep Springs Lake as well as the lake perimeter and springs on the north, east, and southeast sides of the lake are all private land held by DSC as shown on Map 1 (attached). DSC also owns several other large parcels including the college grounds 6 miles to the northeast of DSLER, and Antelope Spring 4 miles to the northwest. Much of the remainder of Deep Springs Valley is federal land managed by the Bureau of Land Management (BLM) Ridgecrest Field Office. The mountain range to the east of DSLER forming the edge of the Deep Springs depression are included within the BLM Piper Mountain Wilderness Area.

Except for the corrals and various drift fences most of Deep Springs Valley is open range grazed by DSC on their extensive private holdings and adjacent federal grazing permits.

#### Management Objectives:

The primary purpose for the acquisition of Deep Spring Lake property was to protect and manage habitat for black toad and western snowy plover. The property was acquired using funds from the State Beach, Park, Recreational and Historical Facilities Fund of 1974 (PRC 5096.71-5096.97) after being identified by CDFW as a priority for conservation.

Black toads (latin: exiled toad) are known to occur in only four springs in Deep Springs Valley; Corral, Buckhorn, Bog Mound and Antelope. As a result, it has been noted by that they have "perhaps the most restricted range and fewest living representatives of any known amphibian" (Myers 1942). The species was listed as threatened under the California Endangered Species Act in 1984 and has Fully Protected species status under FGC 5050. DSC owns and manages most of the toad habitat on their privately-owned parcels that contain the spring vents, brooks, and ditches associated with the four occupied locations. DSLER includes a portion of the outflow wetlands of Buckhorn Spring, where toads have been observed by staff, a small area of wetland associated with a breach in the levee below Corral Spring, and a portion of dry alkali meadow at the southern edge of the Bog Mound Spring complex to the north of the lakebed. The BLM manages an open water pond south of Corral Spring, ditches and spring vents associated with Buckhorn Spring, and an area of wetlands also associated with Buckhorn Spring on the southern lakeshore. CDFW should continue to engage with DSC as it has in the past, such as participation in the Deep Springs Resource Management Team (DSRMT) which plays an advisory role for the college particularly regarding rangeland management. Similarly, CDFW should seek opportunities to partner with BLM to ensure that land management activities are conducted in a cooperative manner that is beneficial to the toad.

In a 2003 paper, "Population Status and Conservation of the Black Toad" authors John Murphy, Eric Simandle, and Dawne Becker found that after their 1999 census of the Corral Spring site that the toad population was relatively stable (since the previous census in 1977) and concluded that the current regime of light cattle grazing within black toad habitat was not necessarily harmful to the toad, and potentially beneficial. They concluded that there were fewer toads within the dense vegetation inside cattle exclosures constructed around the spring vents in the 1970s. Prior to 1980 DSC had routinely engaged in more active agricultural management within black toad habitat such as raking and burning vegetation, ditch maintenance, and water diversion. Potential threats to the toad are identified as bullfrog introduction (not yet detected), amphibian disease associated with chytridiomycosis "Chytrid" caused by *Batrachochytrium dendrobatidis*, changes to water availability, and unquantified effects of livestock (Murphy et al. 2003). Due to the apparently stable populations of black toad under current management no major habitat management or restoration actions are currently proposed as the best available information suggests that populations are currently at or near carrying capacity within their extremely limited available habitat.

Potential management objectives include the following:

➤ **Biological Elements**

**Habitats**

- Protect and enhance bulrush and transmontane alkali marsh habitats
  - Monitor for and eradicate tamarisk occurring in marsh habitats.
  - With cooperation of adjacent land managers remove source tamarisk populations near the Deep Springs Lake.
- Protect and enhance playa/ seasonal lake habitats
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
- Protect and enhance alkali scrub habitats
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
- Protect and monitor water quality and quantity reaching the seasonal lake and wetlands
  - Monitor upstream uses or groundwater extraction that may impact water supply or water quality reaching the lake and available from the springs.

**Wildlife Populations**

- Monitor black toad population trends and habitat use
  - Coordinate with Unit Biologist or appropriate CDFW Program Staff.
  - Utilize and encourage other visitors to take biosecurity precautions to avoid the introduction of Chytrid via Letters of Permission, etc.
- Monitor wildlife population trends and habitat use
  - Coordinate with Unit Biologist or appropriate CDFW Program Staff.
  - Partner with partner groups such as Eastern Sierra Audubon Society (bird counts).
  - Utilize staff and resources such as trail cameras to inventory wildlife use of the Ecological Reserve.
- Survey for occurrences of special status wildlife species
  - Partner with academic institutions such as to identify the subspecies of California vole; likely related to the Owens Valley vole, Amargosa vole, or recently investigations into a distinct Saline Valley vole.

## **Plant Populations**

- Conduct a botanical survey of the property to identify special status plant populations
- Monitor special status plant populations
- Monitor for early detection of highly invasive non-native plants
  - Target high priority highly invasive non-native plants for eradication.
  - Eradicate tamarisk on DSLER and control source populations on adjacent private and BLM lands.
- Conduct high resolution vegetation mapping of DSLER and adjacent properties providing habitat for black toad

## **Public Use**

No special regulations are proposed at this time.

- Hunting isn't proposed for this property due to the presence of T&E species and sensitive wetland habitats.
- Passive recreation such as walking, hiking, and wildlife viewing from appropriate access points is encouraged. Leash laws should be posted and enforced to avoid disturbance of wildlife, particularly deer.
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
  - Wildlife viewing, particularly birds on the lake is encouraged. An increase in visitors to black toad habitat should be avoided to minimize impacts such as trampling or the introduction of amphibian disease such as Chytrid.

Due to the challenging nature of access to the Deep Springs Lake property, and the fact that the majority of the toad habitat is located on private lands beyond the control of CDFW it has not currently been determined necessary to implement a closure or any other special regulations for the site. Access to the property from the nearest paved roadway, State Route 168, requires a high clearance vehicle with 4-wheel-drive. Public access is possible to the northernmost portion of the property near Bog Mound Springs from SR 168 on a rough, sandy, and occasionally wet east-west spur from Forest Route 7S134 that runs to just north of the Corrals near Corral Spring; however this route is not recommended unless undertaken by experienced drivers with properly equipped vehicles and self-recovery equipment . An alternative route may be provided via DSC by permission only.

## **Reasons for proposed additions, deletions or amendments to regulations**

The Deep Springs Lake property is proposed for designation as an ecological reserve. The addition of the DSLER to Section 630(b), Title 14, California Code of Regulations clarifies that the primary management purpose of the property is the conservation of the sensitive natural

resources. The designation also allows the property to be available for public use in a manner that is compatible with the primary purpose.

Proposed Regulatory Language: Designations and Site-Specific Regulations

§630. Additional Visitor Use Regulations on Department Lands Designated as Ecological Reserves.

(b) Ecological Reserves owned and operated by the department:

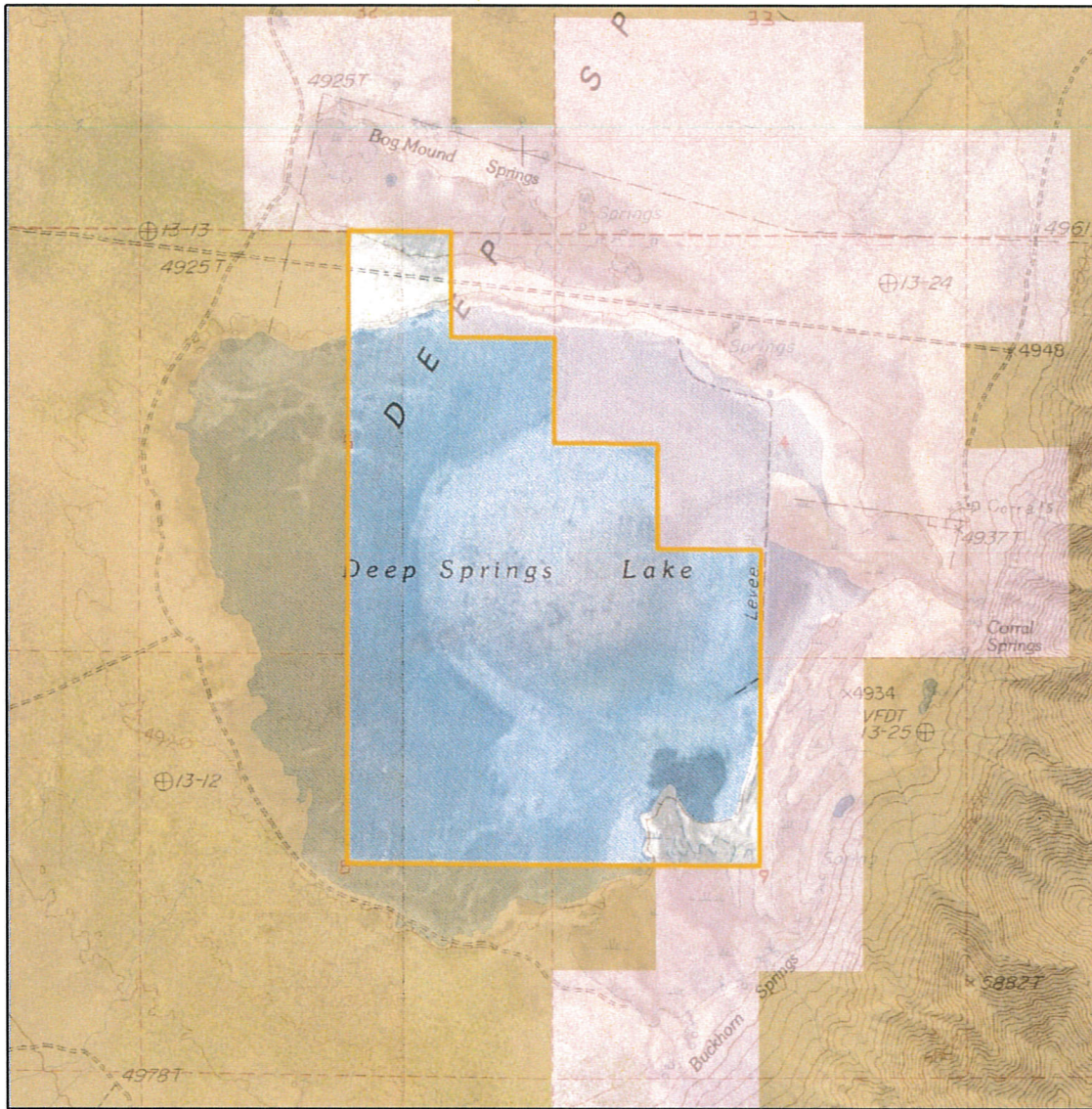
(47) Deep Springs Lake Ecological Reserve, Inyo County.




No site-specific regulations are proposed at this time.

Deep Springs Lake Ecological Reserve

California Department of Fish and Wildlife  
Region 6 (Inland Deserts)

Map 1. Vicinity Map



-  Ecological Reserve
-  United States Bureau of Land Management
-  Private

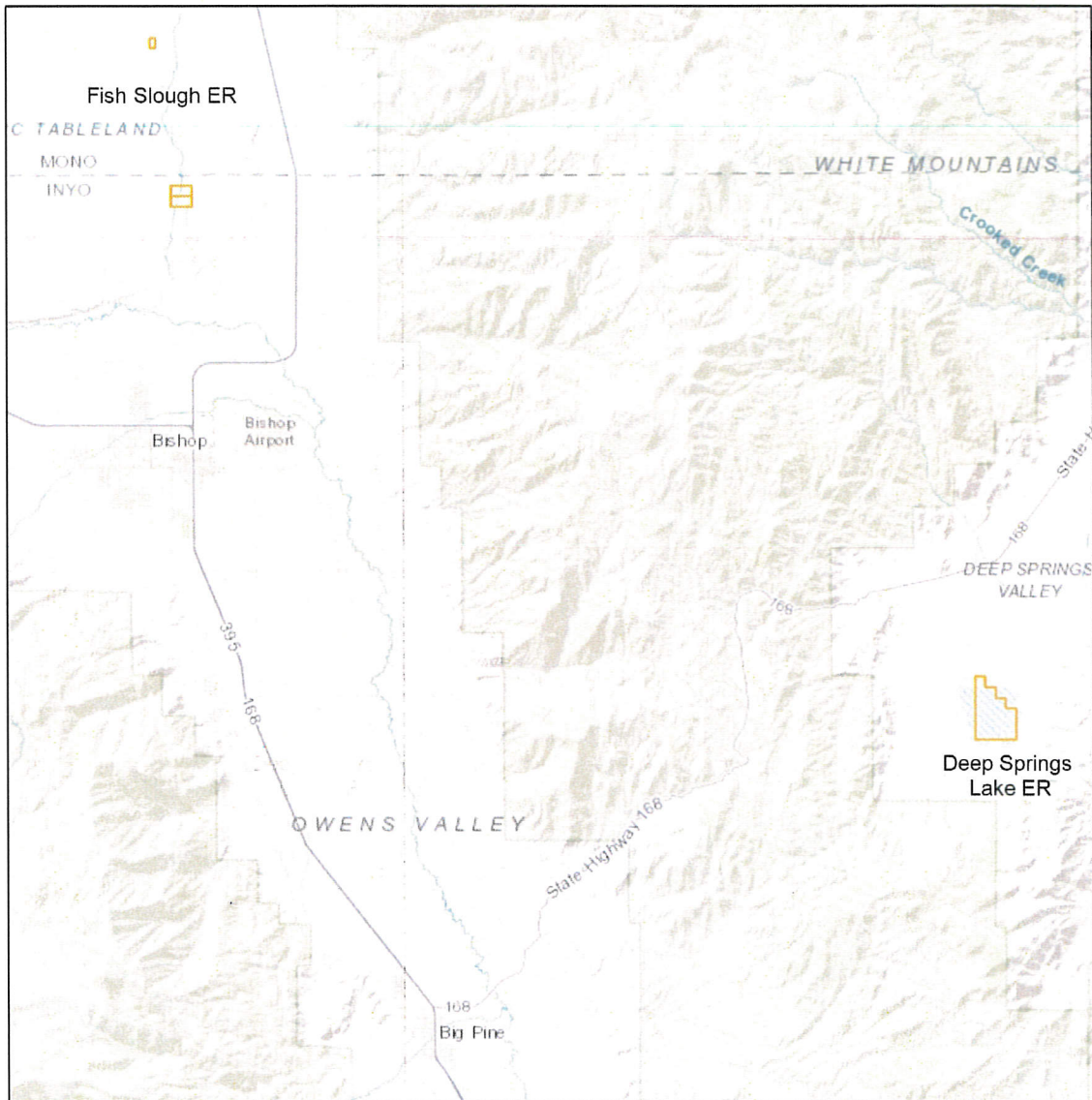
0 0.25 0.5 1 Miles





**Deep Springs Lake Ecological Reserve**  
**California Department of Fish and Wildlife**  
**Region 6 (Inland Deserts)**

**Map 2. Vicinity Map**



 CDFW\_Lands



0 2.5 5 10 Miles



**Land Management Summary for  
Indian Wells Valley Ecological Reserve  
October 2019**

Description:

The proposed Indian Wells Valley Ecological Reserve (IWVER) consists of five parcels totaling 200 acres near the southwestern edge of the city of Ridgecrest in the western Mojave Desert, Kern County. The IWVER parcels were acquired as mitigation for impacts to the CA threatened desert tortoise (*Gopherus agassizii*) and Mojave ground squirrel (*Xerospermophilus mohavensis*) and have been maintained in their native creosote scrub habitat since their acquisition. Other special species including several Species of Most Conservation Need as described in the State Wildlife Action Plan (SWAP, 2015)) are also known to occur on IWVER. The IWVER is traversed by an ephemeral stream bed known as Little Dixie Wash. Because ephemeral streams have a higher moisture content and more abundant vegetation than the surrounding areas, they are very important to wildlife. It is anticipated that several mitigation parcels currently held by the California Department of Transportation that are adjacent to the existing IWVER parcels will be added to this property in the future.

Management Objectives:

The Department holds fee title to the five parcels which were provided as mitigation to offset CESA impacts to listed species resulting from a well field project and a fiber optic cable line project. The primary management goal of the IWVER is protection of the habitat for special status species but additional goals include:

➤ Biological Elements

Habitats

- Protect and enhance high desert wash habitats.
- Protect and enhance creosote scrub habitat.
- Protect and enhance habitat around seeps.

Wildlife Populations

- Improve quality and quantity of onsite habitat.
- Monitor wildlife population trends and habitat use.
- Survey for occurrences of special status birds, mammals and reptiles.

Plant Populations

- Monitor any special status plant populations.

- Monitor for incipient infestations of highly invasive non-native plants.

#### Hunting

- Determine feasibility of establishing special hunt opportunities at a time and place to be determined by the Department.

#### ➤ Closures to Public

Regular public use is not compatible with maintaining the fully mitigated standard for the species associated with the CESA permits under which these mitigation properties were acquired. Educational and research activities may be allowed with written authorization from the Department. There is a history of upland game hunting in the area and limited special hunt opportunities may be allowed, particularly if additional parcels are added to the property in the future.

#### Reasons for proposed addition to regulations

The Indian Wells Valley property is proposed for designation as an ecological reserve. The addition of the IWVER to Section 630(b), Title 14, California Code of Regulations clarifies that the primary purpose of this property is the conservation of the sensitive natural resources. The designation also allows the property to be closed for public use in a manner that is compatible with the primary purpose.

#### Proposed Regulatory Language

§630. Additional Visitor Use Regulations on Department Lands Designated as Ecological Reserves.

(b) Ecological Reserves owned and operated by the department:

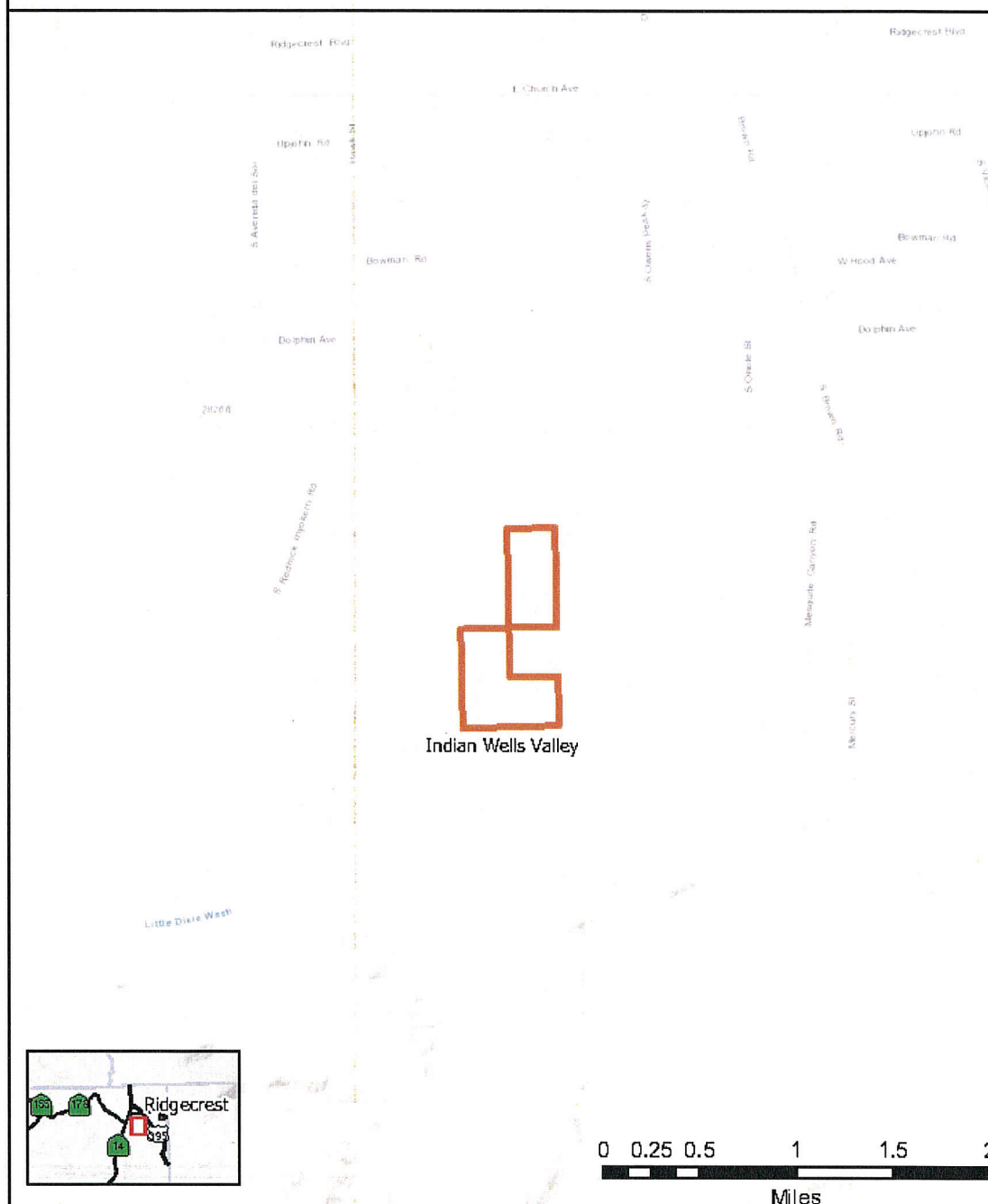
(64) Indian Wells Valley Ecological Reserve, Kern County

(d) Ecological Reserves with Hunting as a Designated Public Use

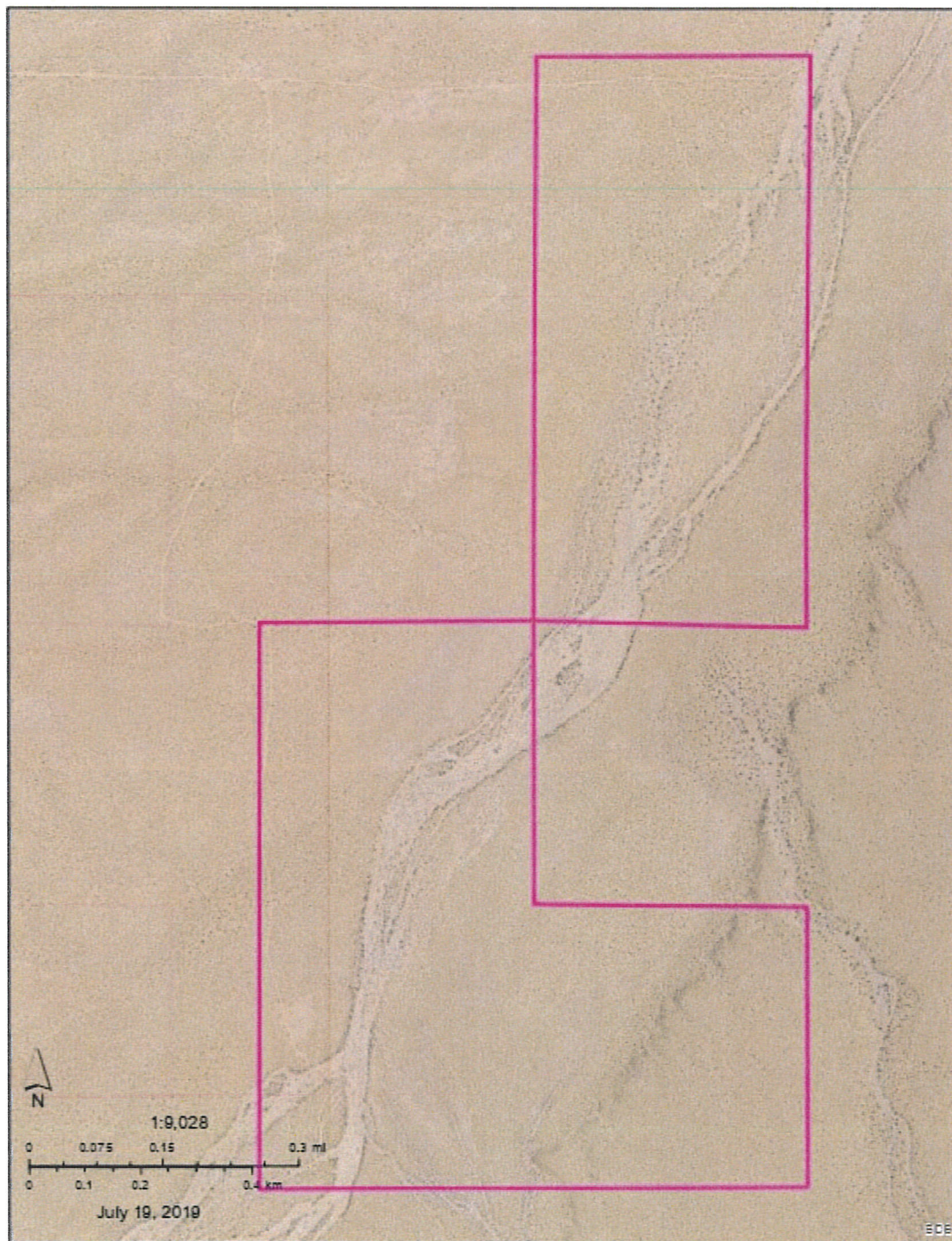
(21) Indian Wells Valley Ecological Reserve: Allowed only at such times and in the specific areas designated by the department.

(h) Designated Closures and Restrictions on Ecological Reserves:

(20) Indian Wells Valley Ecological Reserve: Closed to all visitor use/access except for special opportunities as provided in subsection 630(d)(21) of these regulations.



Indian Wells Valley Ecological Reserve, Kern County



Author: Julia Hornestein (@wildlife.ca.gov)  
Printed from <http://data.ca.gov>

**Land Management Summary for  
North Carrizo Ecological Reserve  
October, 2019**

Description

The proposed North Carrizo Ecological Reserve (NCER) is approximately 12,147 acres of annual grassland habitat located in eastern San Luis Obispo County, north of the Carrizo Plain National Monument. Past usage of the property included dryland farming and cattle grazing. The main habitat type is annual grassland with a small amount of juniper woodland and chaparral. Ephemeral drainages traverse the property, seasonally providing sources of moisture for vegetation and wildlife. This property is situated in a critical area connecting the conserved lands of the Carrizo Plain National Monument to the south to private undeveloped land containing examples of San Joaquin Valley habitats and multiple special-status species to the northwest.

Management Objectives

The property was acquired as mitigation land for construction of the Topaz Solar Farm by the project proponent (BHE Renewables) to offset the loss of grassland communities and protected wildlife and plant species habitats due to solar project development. The land was later transferred in fee to CDFW. The primary management objective for the proposed NCER is the protection and preservation of important habitat for animal and plant species in the Carrizo Plain, especially the Federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*). Protection and enhancement of this grassland habitat will provide direct benefits to a number of other rare species such as the giant kangaroo rat (*Dipodomys ingens*), blunt-nosed leopard lizard (*Gambelia sila*), vernal pool fairy shrimp (*Branchinecta lynchi*), burrowing owl (*Athene cunicularia*), mountain plover (*Charadrius montanus*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), western spadefoot toad (*Spea hammondi*), and diamond-petaled poppy (*Eschscholzia rhombipetala*). Additionally, the property has a large herd of tule elk (*Cervus canadensis nannodes*) and a modest herd of pronghorn antelope (*Antilocapra americana*) that use the property for forage and for calving/fawning.

The specific management and monitoring goals from the habitat management plan are as follows:

1. Lands will be managed to conserve, enhance, or restore, as appropriate, habitat supporting the species of interest.
2. Lands will be maintained to improve habitat to benefit and promote sensitive species, including San Joaquin kit fox, giant kangaroo rat, and fairy shrimp, as based on the best scientific information available.
3. Species populations, habitat condition and rangeland conditions will be monitored on conservation lands.
4. Data from monitoring and other appropriate sources will be used to inform management decisions.

5. An annual report of conservation activities on the reserve will be provided to USFWS and the County of San Luis Obispo.

Reasons for proposed additions, deletions or amendments to regulations

The property needs to be designated as an ecological reserve. The land is currently undesignated Department owned property which has no protection under the law except simple trespass. The addition of the property to Section 630 (b), Title 14, California Code of Regulations clarifies that the primary management of the property is the conservation of sensitive natural resources and allows the property to be available for public use in a manner that is compatible with the primary purpose for which the land was acquired.

Limited hunting of the ecological reserve is proposed under Section 630 (d). The lands now proposed to be included in the ecological reserve were previously privately-owned lands that were enrolled in the Private Lands Management (PLM) hunting program under Section 601. Between 1996 and 2011, approximately 46 elk were harvested each year on these lands and the herd size remained stable at around 110 animals. Since 2011, neither PLM nor public hunts have been allowed on the Department owned lands. The current allowable elk harvest under the remaining PLM lands, which are immediately adjacent to the proposed ecological reserve and Topaz Solar Farm, was reduced to 25 elk each year and the elk population has almost doubled in size (200). The proposed regulation would allow for future supervised elk hunts on the ecological reserve as approved in regulations adopted under Section 364. Providing limited and supervised elk hunting opportunities would be consistent with prior hunting activities, provide for additional hunting opportunities, be consistent with the goals of the approved elk conservation and management plan, and be subject to subsequent CEQA review. The primary comment received from the public during the scoping sessions regarding the ecological reserve designations was that the new designations would not provide for hunting opportunities. This proposal will partially address this issue while being compatible with the primary purpose for which the land was conserved. The supervised nature of any future hunting activities would ensure hunt safety in and around the solar facilities.

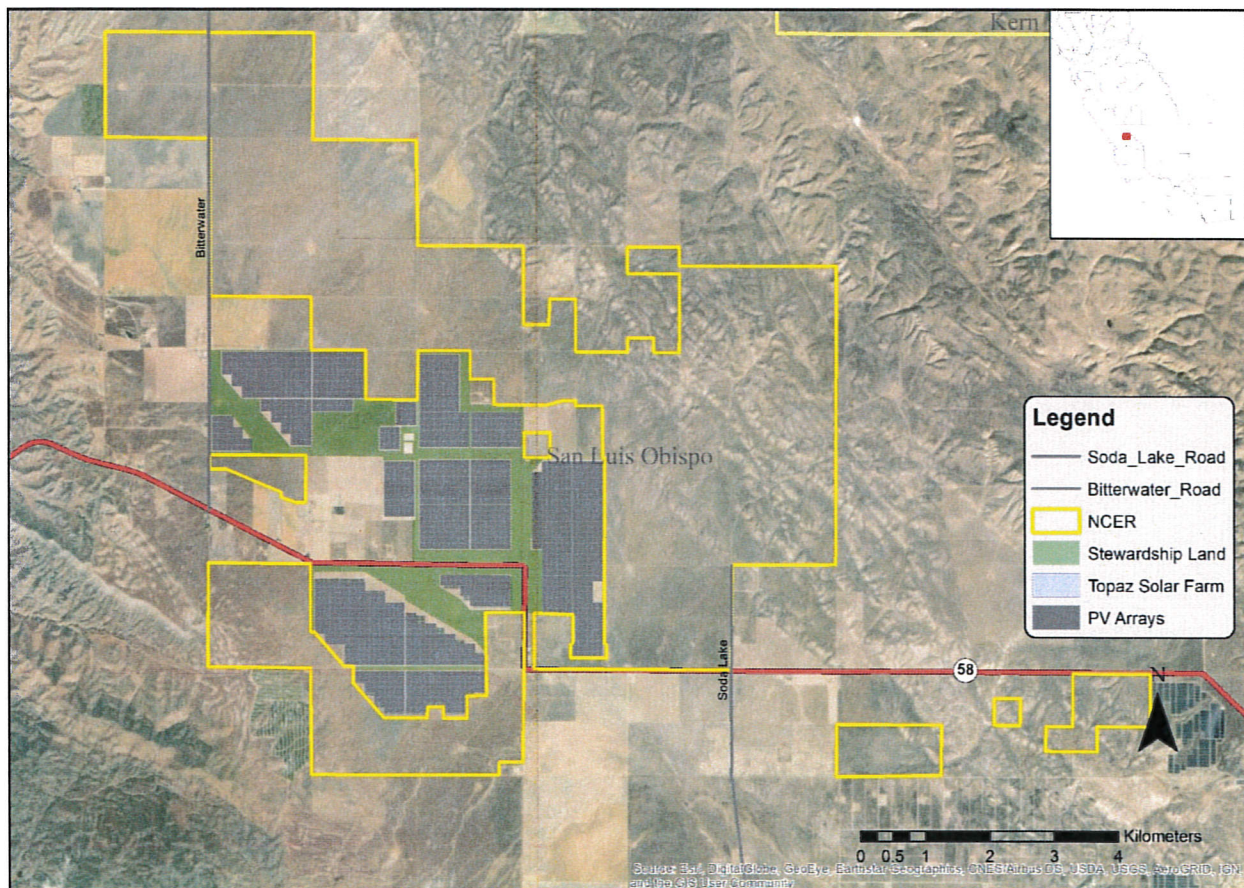
The overall intent of the incidental take permit for solar project related impacts was for the mitigation property to be closed for general public access to protect sensitive resources. Protection of these resources would not be assured if unsupervised public access were allowed. Areas open to public access on the nearby Carrizo Plains National Monument have been subject to illegal OHV use, vandalism, poaching, habitat degradation and lands immediately adjacent to the proposed ecological reserve are now being cultivated (both legally and illegally) for cannabis. Furthermore, the proposed reserve is actively grazed for habitat management and electric fencing is routinely used to control livestock which creates a potential public safety hazard. Closing the North Carrizo Ecological Reserve to general public access under 630 (h) would be consistent with the intent for the conserved lands to be protected.



## Proposed Regulatory Language: Designations and Site Specific Regulations

- §630. Additional Visitor Use Regulations on Department Lands Designated as Ecological Reserves.
- (b) (89) North Carrizo Ecological Reserve, San Luis Obispo County
- (d) (28) Allowed but only as part of department special opportunities at such times and in the specific areas designated by the department
- (h) (29) Closed to all visitor use/access except for special opportunities as provided in Section 630(d) of these regulations.

### Proposed North Carrizo Ecological Reserve



**Land Management Summary for  
Round Valley Wildlife Area  
August, 2019**

Description:

The Round Valley Wildlife Area (RVWA) is composed of two separate management units; the ±272-acre Swall Meadows Unit located in southern Mono County at 6,000 feet in elevation, and the ±100-acre Pine Creek Unit located 6 miles south in Inyo County (elevation 4,900 ft). The Pine Creek and Swall Meadows Units are located 12 miles and 16 miles northwest of the City of Bishop, California, respectively, with the Pine Creek Unit centrally located in Round Valley proper. The primary purpose for the RVWA is to provide high quality winter range, migration corridor, and spring holding area habitats for mule deer (*Odocoileus hemionus ssp. hemionus*) of the Round Valley herd. This herd, which occupies one of the most popular deer hunt zones in the state (X9A), has experienced significant population fluctuations over the last 25-years with habitat loss associated with residential development and wildfire identified as significant threats. Special status species that also benefit from the wildlife area include the Sierra Nevada bighorn sheep (*Ovis canadensis sierrae*) [buffer habitat], Sierra Nevada red fox (*Vulpes vulpes necator*), Owens Valley vole (*Microtus californicus vallicola*), Townsend's big-eared bat (*Corynorhinus townsendii*), Southwestern willow flycatcher (*Empidonax traillii extimus*), Sierra Nevada yellow-legged frog (*Rana sierra*), and Northern leopard frog (*Lithobates pipiens*). Several rare fish occur in the area but have not been located on the property in surveys. CDFW has documented frequent use of the wildlife area by more common species including black bear, mountain lion, bobcat, grey fox, and coyote.

Both units of the RVWA support the water birch (*Betula occidentalis*) riparian scrub natural community along perennial creeks with upland areas of sagebrush (*Artemisia tridentata*) - bitterbrush (*Purshia tridentata* var. *tridentata*) scrub. Bitterbrush occurs in dense stands along drainages, around meadow edges, and on well-drained alluvial fans. Understory plants in the area include various buckwheats (*Eriogonum* spp.), needlegrasses (*Achnatherum* spp.), gray horsebrush (*Tetradymia canescens*) and desert peach (*Prunus andersonii*). The Pine Creek Unit also supports areas of wet meadow/ irrigated pasture along Mill Creek and associated ditches. Rare plants that occur in the area include Great basin onion (*Allium atropurpureum* var. *atropurpureum*), Inyo County star-tulip (*Calochortus excavatus*), Inyo hulsea (*Hulsea vestita* ssp. *inyoensis*), Pinyon rock cress (*Boechera dispar*), Torrey's blazing star (*Mentzelia torreyi*), and Owens valley checkerbloom (*Sidalcea covillei*).

The Swall Meadows Unit (Map 1a) is adjacent to lands managed by the Inyo National Forest (INF) to the west and the Bureau of Land Management (BLM) Bishop Field Office to the east. To the south the land is owned by the City of Los Angeles Department of Water and Power (LADWP) with a single 10-acre private inholding served by a gated private road. To the north and northeast is the residential community of Swall Meadows. In this area the deer migration route between winter range in Round Valley below and the High Sierra above is constrained to only about 1.3 miles in width between the steep Wheeler Ridge of the Sierra Nevada mountain range and the Rock Creek Gorge. Much of Swall Meadows is subdivided into ½-acre parcels with single



family homes, which along with domestic pets, cars, lights, and noise can impede the natural movement of the deer and provide added stressors in this key connective habitat. The wildlife area properties, along with a number of private conservation easements, have been acquired to help protect the migration corridor.

The Pine Creek Unit (Map 1b) is adjacent to BLM land to the north and LADWP lands to the south and east. The LADWP land to the east is leased for agricultural use including livestock grazing. Directly to the west of the property is the small community of Rovana and two associated domestic wells. A sewage treatment facility is also located adjacent to the wildlife area. Rovana was once employee housing for the nearby Pine Creek Mine which is no longer in operation. Prior to CDFW acquisition the property had been proposed for residential development and up until the late 1990s the parcel was irrigated extensively and used for livestock pasture. The western portion of the property was used as a mobile home park for mine employees however all structures were removed from the property prior to CDFW ownership. Presently a small camping trailer without services is located on the property and used occasionally by visiting researchers by permission.

An additional  $\pm 176$  acres of land in the migration corridor adjacent to the Swall Meadows Unit have been preserved with conservation easements held by Eastern Sierra Land Trust, several which have been purchased with grant funds from CDFW/ Wildlife Conservation Board. The 325-acre Buttermilk Country Wildlife Area located 6 miles to the southwest was acquired for similar purposes in 1990.

#### Management Objectives:

The primary purpose for the RVWA is to provide high quality winter range, migration corridor, and spring holding area habitats for the Round Valley mule deer herd. Of the eight fee-title acquisitions that have occurred for the wildlife area beginning in 1993, seven were completed with funds from the Wildlife Conservation Board Habitat Conservation Fund (Proposition 117). In 2016 one 20-acre property in Swall Meadows was acquired with Water Bond (Proposition 84) funding.

The Round Valley mule deer herd population is currently believed to be stable at an estimated 1,850 animals, however it has fluctuated to fewer than 1,000 and as many as 6,000 deer in the last 25 years. In addition to the threat of additional residential development several significant wildfires have consumed large areas of limited winter range habitat, including the 2015 Round Fire which burned 7,000 acres including much of the Swall Meadows Unit. Large high-intensity wildfires temporarily, and in some cases permanently, reduce forage availability and quality for deer and other wildlife, while also providing opportunities for the establishment of exotic non-native plants that may result in lower quality habitat.

Habitat management objectives at the RVWA are focused on maintaining large areas of upland bitterbrush dominated shrub natural communities crossed by strips of riparian vegetation along creeks and ditches, and areas of wet meadows. A mosaic of early successional sagebrush-bitterbrush scrub, which is more nutritious than older decadent growth, is desired along with areas of taller old growth shrubs which provide security and thermal cover for deer (Kucera and Mayer 1999). Because of its high nutritional value, bitterbrush is a crucial component of mule deer diets in the late fall and winter. The leaves and shoots provide significant quantities of calcium, phosphorus, fat and crude protein at a critical time of year for the deer. Riparian areas provide water, cover

for fawning, security, and temperature management, as well as nutritious forage. Meadows are beneficial to many wildlife species and are important for pregnant and lactating does.

Potential management objectives include the following:

➤ **Biological Elements**

**Habitats**

- Protect and enhance sagebrush-bitterbrush natural communities
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
  - Evaluate opportunities for vegetation management activities on degraded sites or decadent shrub areas. This may include seeding/planting native species, mowing areas of decadent shrub growth, or other restoration practices as prescribed.
  - Partner with organizations such as the Eastern Sierra Land Trust and Friends of the Inyo that may be able to assist with habitat restoration or enhancement tasks such as fence removal (or conversion to wildlife-friendly standards), native plantings, etc.
  - Coordinate with partners such as BLM, INF, Calfire, Inyo and Mono Counties to conduct education and wildfire risk reduction activities.
- Protect and enhance water birch riparian scrub and other montane riparian natural communities
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
  - Direct appropriate public uses away from sensitive resource zones.
- Protect and enhance irrigated pasture/ wet meadow natural communities
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
  - Direct appropriate public uses away from sensitive resource zones.
  - Continue efforts to expand wet meadows towards pre-2000 acreages at the Pine Creek Unit utilizing available water rights and existing/restored irrigation infrastructure.

- Evaluate opportunities for vegetation management activities on degraded sites or decadent shrub areas. This may include seeding/planting native species, mowing areas of decadent shrub growth, or other restoration practices as prescribed. Targeted grazing may be beneficial to irrigated meadows.
- Monitor and protect water quality and quantity reaching the wildlife area
  - Install and maintain appropriate water measurement and diversion infrastructure associated with water rights utilized on the properties.
  - Monitor upstream uses that may impact water supply or water quality reaching the wildlife area.

### **Wildlife Populations**

- Monitor wildlife population trends and habitat use
  - Coordinate with Unit Biologist or appropriate CDFW Program Staff.
  - Partner with groups such as Point Blue Conservation Science and Eastern Sierra Audubon Society (bird counts).
- Survey for occurrences of special status wildlife species
  - Coordinate with Unit Biologist or appropriate CDFW Program Staff.
  - Partner with academic institutions such as the UC Berkeley Museum of Vertebrate Zoology and research-based organizations such as Point Blue Conservation Science.

### **Plant Populations**

- Conduct botanical surveys of the properties to identify and map special status plant populations
  - Survey suitable habitats during the appropriate bloom periods for listed, rare, and CNPS California Rare Plant Ranked 1B and 2B plant species.
- Monitor known special status plant populations.
- Monitor for early detection of highly invasive non-native plants.

### **Public Use**

No special regulations are proposed at this time.

- Hunting is permitted, however due to proximity to a residential community it is prohibited over portions of the wildlife area by FGC 3004 (150 yard "safety zone" for buildings and shooting across public roads).
- Passive recreation such as walking, hiking, and wildlife viewing from appropriate access points is encouraged. Leash laws should be posted and enforced to avoid disturbance of wildlife, particularly deer.
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
- An entry point kiosk and interpretive walking trail should be considered for the Pine Creek Unit. This property is adjacent to a small community and an elementary school is located 1 mile to the east.

Access to the Pine Creek Unit is provided via the paved and county-maintained Pine Creek Road at the northwestern end of the property. There is small unpaved parking area near the site of the previous trailer park. Topographic quadrangle maps indicate a picnic area in this vicinity. Several unpaved roads cross the property at the western end which are open to the public. Vanadium Ranch Road runs along southern property boundary with several possible public entry points.

At the Swall Meadows Unit the protection of migration corridor and winter holding area habitat is prioritized over public access infrastructure. Pedestrian access is provided from Swall Meadows by parking at a gated service road on the property (unmarked, "Red Tail Road") along Rimrock Drive. This service road, associated with the community wells on the CDFW property, provides access to the northern portion of the Swall Meadows Unit. The southern portions of the wildlife area are only accessible to the public on foot from adjacent public lands.

#### Reasons for proposed additions, deletions or amendments to regulations

The Round Valley property is proposed for designation as a wildlife area. The addition of the RVWA to Section 551(b), Title 14, California Code of Regulations clarifies that the primary management purpose of the property is developing a statewide program of ecological conservation, restoration, preservation, development and management of wildlife and wildlife habitat and hunting. The designation also allows the property to be available for public use in a manner that is compatible with the primary purpose.

#### Proposed Regulatory Language: Designations and Site-Specific Regulations

§551. Additional Visitor Use Regulations on Department Lands Designated as Wildlife Areas.

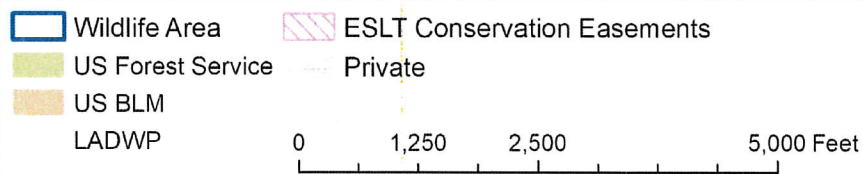
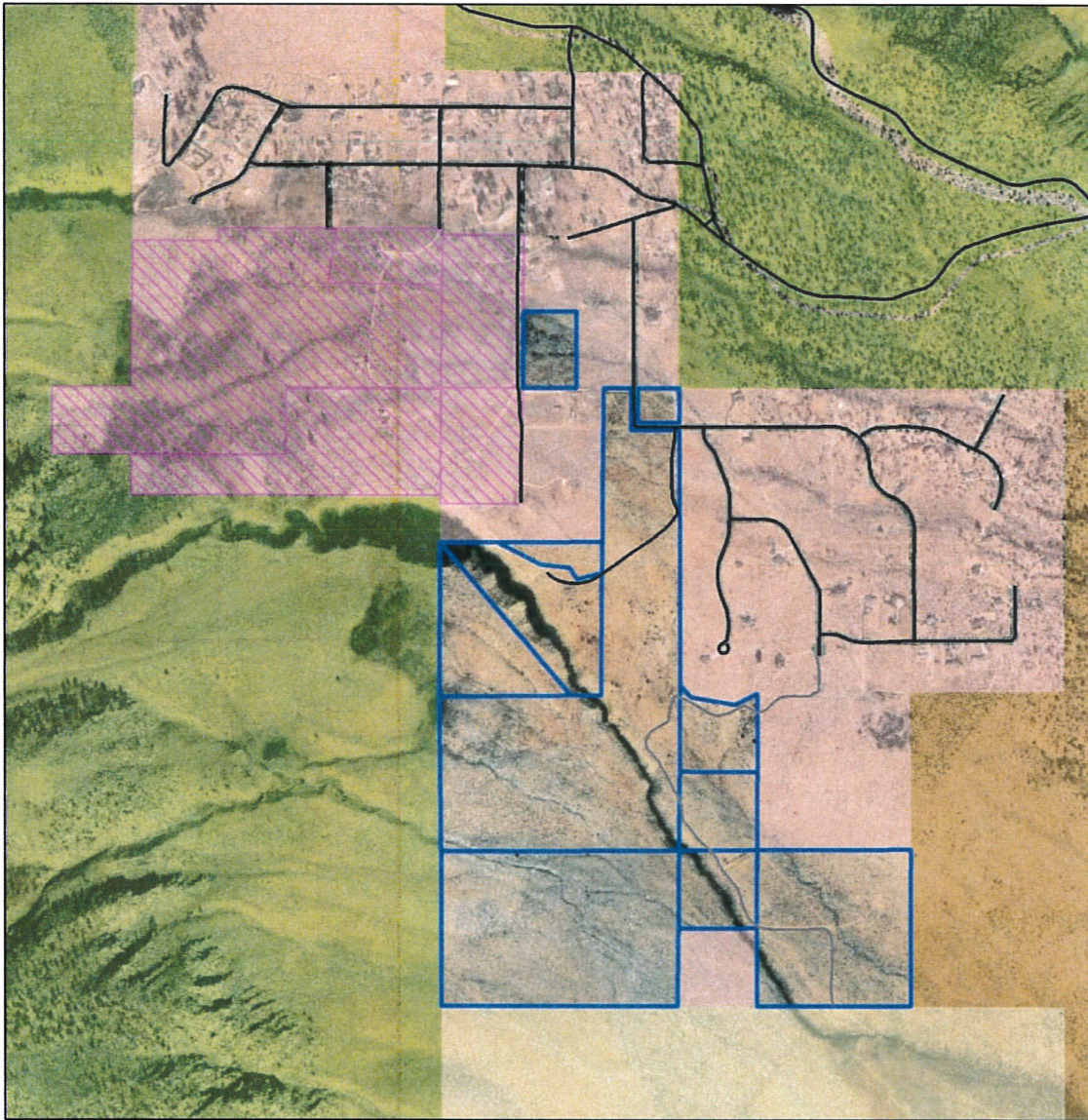
(b) Wildlife areas owned and operated by the department:

(83) Round Valley Wildlife Area (Inyo and Mono Counties) (Type C).

No site-specific regulations are proposed at this time.

**Swall Meadows Unit  
Round Valley Wildlife Area  
(Mono County)**

Map 1a. Property Map

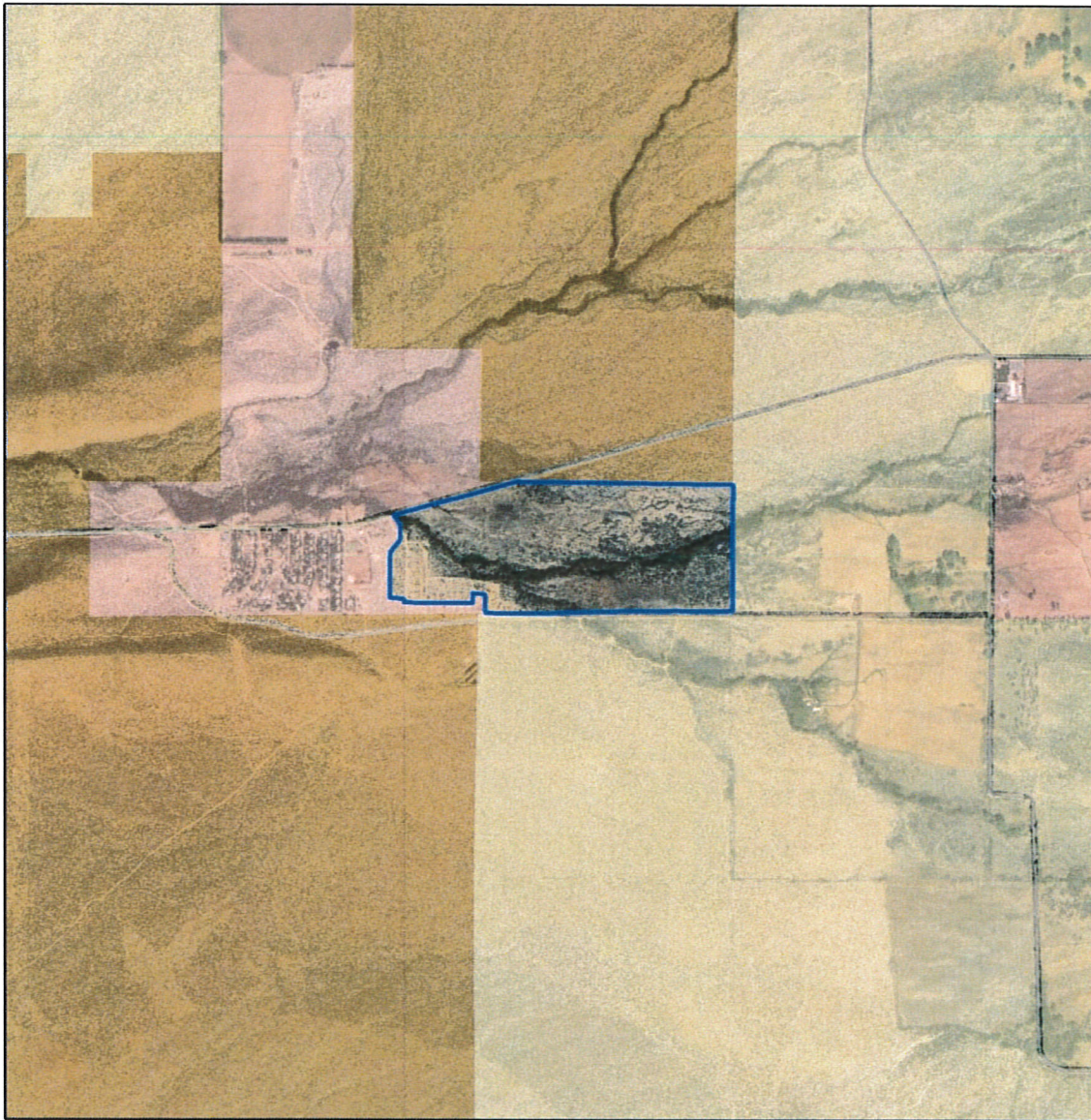


A. Johnson, 6/25/2019



**Pine Creek Unit  
Round Valley Wildlife Area  
(Inyo County)**

Map 1b. Property Map



 Wildlife Area  
 US Forest Service  
 US BLM  
LADWP

Private

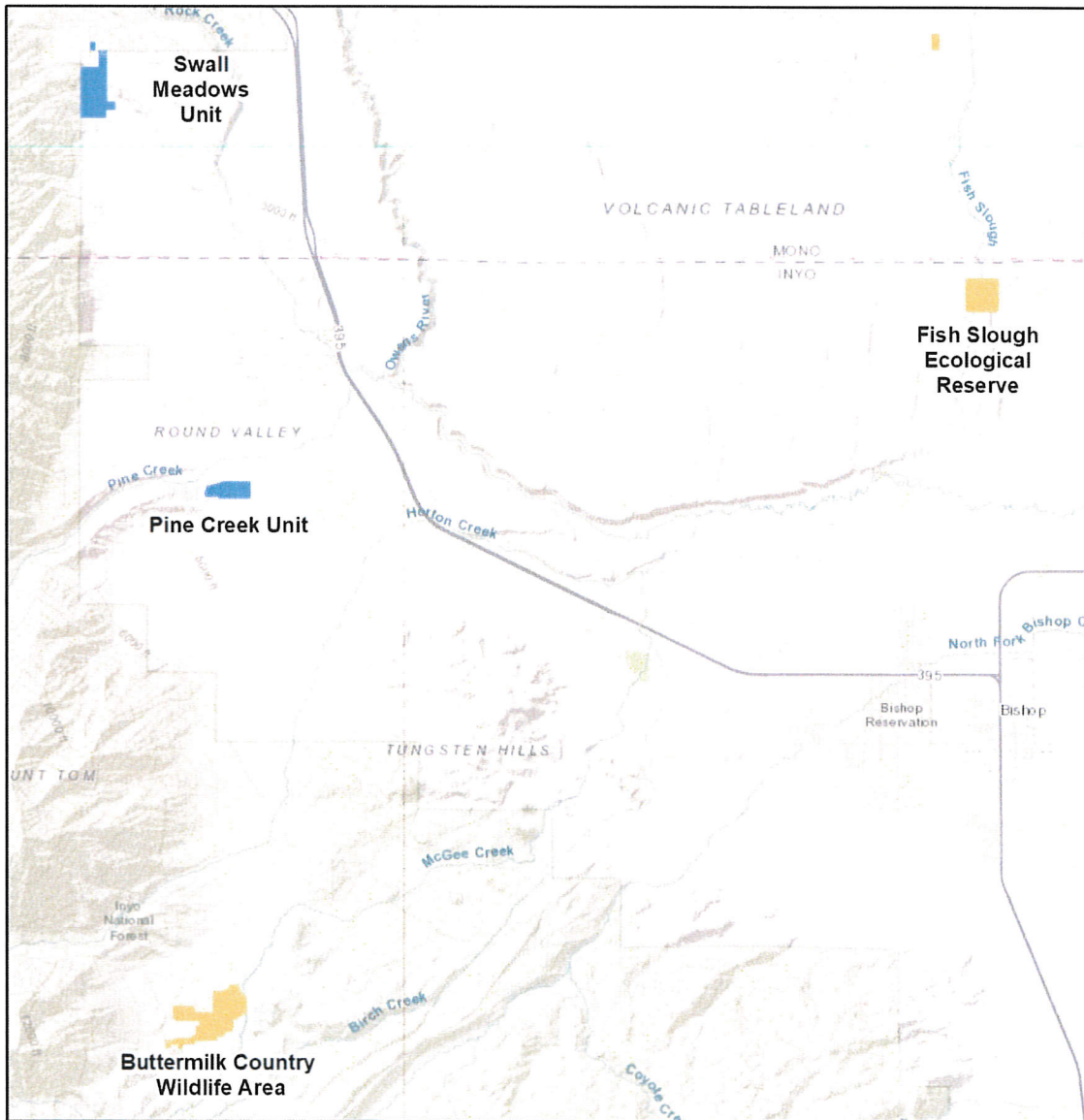
0 1,250 2,500 5,000 Feet



A. Johnson, 6/25/2019

# Round Valley Wildlife Area (Inyo and Mono Counties)

## Map 2. Vicinity Map



Wildlife Area

0 2 4 8 Miles



A. Johnson, 8/29/2019

Land Management Summary for  
The Santa Margarita River Ecological Reserve  
October 2019

**Description**

The proposed Santa Margarita River Ecological Reserve (SMRER) consists of 251.19 acres owned in fee-title by the California Department of Fish and Wildlife (the Department) within the City of Temecula in Riverside County, west of Highway 15. It is within a much larger, similarly named, cooperatively managed area known as the Santa Margarita Ecological Reserve (SMER-SDSU).

The SMER-SDSU lies on the Riverside/San Diego county line between Temecula and Fallbrook. The 4344-acre reserve encompasses a 5-mile reach of the Santa Margarita River. The reserve is managed by San Diego State University (SDSU) under a cooperative management agreement, and comprises land owned by SDSU, the SDSU Research Foundation, the U.S. Bureau of Land Management, and the California Department of Fish and Wildlife (CDFW).

The Department's lands are in the northeastern portion of the SMER-SDSU, starting at the confluence of Temecula Creek and Murrieta Creek and extending about 1.33 river miles southwest along the Santa Margarita River. The parcels are located south of the River.

Vegetation types include Sycamore, cottonwood, and willow forests along the riparian corridor, and coast live oak occurs along ephemeral drainages. Upland areas support coastal sage scrub and southern mixed chaparral, with patches of native grasslands.

The Santa Margarita River corridor, provides habitat for a diverse ensemble of wildlife species. Of particular significance is that the area serves as a vital wildlife corridor for mountain lion and deer. Along the Santa Margarita River west of I-15, the mountain lion habitat remains relatively intact. The river corridor is critical to mountain lion migration as it links areas in the southern Santa Ana Mountains (Cleveland National Forest, Camp Pendleton, Santa Rosa Plateau) with areas further southeast (Agua Tibia Wilderness of the Cleveland National Forest). The river also leads to the only passable undercrossing of Interstate 15, a formidable barrier to wildlife movements in the area. The proposed SMRER is practically adjacent to the undercrossing. The Nature Conservancy has preserved the property on the opposite side of the undercrossing, east of Highway 15, which improves the value of the undercrossing as a wildlife dispersal route.

The Santa Margarita River provides critical habitat for the following state and federally listed species:

Common Name	Scientific Name	State- listed	Federally listed
Belding's savannah sparrow	<i>Passerculus sandwichensis beldingi</i>	Endangered	N/A
Leaset Bell's vireo	<i>Vireo bellii pusillus</i>	Endangered	Endangered
Stephen's kangaroo rat	<i>Dipodomys stephensi</i>	Threatened	Endangered



Tidewater goby	<i>Eucyclogobius newberryi</i>	N/A	Endangered
Thread-leaved brodiaea	<i>Brodiaea filifolia</i>	Endangered	Threatened
Nevin's barberry	<i>Berberis nevinii</i>	Endangered	Endangered

### **Management Objectives**

The subject parcels were acquired using a mix of proposition funds including: Wildlife & Natural Areas Conservation Program (Prop 70, SEC. 2720) (1988), Calif. Clean Water & Air, Safe Neighborhood Parks, Coastal Protection (Prop 40) (2001), and the Habitat Conservation Fund (Prop 117) (Mtn. Lion Initiative).

The primary purpose of acquiring the the land for the SMRER was the preservation of key south coast riparian habitat and its large diversity of plant and wildlife species. The Santa Margarita River is a unique area in several ways. First, it is one of the last mostly free-flowing rivers in southern California, supporting extensive stands of riparian habitat. Second, the area serves as a critical wildlife corridor for mountain lion, deer, and other species. Third, the river supports roughly 1/4 of the remaining breeding population of the endangered least Bell's vireo, and a significant population of black-tailed gnatcatcher. The river corridor is critical to mountain lion migration as it links areas in the southern Santa Ana Mountains (Cleveland National Forest, Camp Pendleton, Santa Rosa Plateau) with areas further southeast (Agua Tibia Wilderness of the Cleveland National Forest). The river also leads to the only passable undercrossing of Interstate 15, a formidable barrier to wildlife movements in the area.

San Diego State University currently owns and manages over 2,500 acres in the upper Santa Margarita River and manages the the Department's lands under a cooperative agreement. The Nature Conservancy (TNC) originally sold the proposed SMRER to the State for inclusion in the publicly owned and managed holdings that make up the larger, cooperatively managed SMER-SDSU. The Western Riverside County Regional Conservation Authority (RCA) created the Riverside County Multiple Species Habitat Conservation Plan (WRMSHCP) in which the SMER-SDSU is recognized as a Reserve. All the stakeholders coordinate to perform restoration projects or studies at the SMER-SDSU. The public may only access the property as part of organized recreational or educational events authorized by SDSU. These events do not include the property owned by CDFW.

Because of the presence of listed species and sensitive habitats that are present, and very high value of the site as dispersal corridor, it is appropriate to designate the Department's land as an Ecological Reserve.

### **Reasons for proposed addition to regulations**

The SMRER is proposed to be closed to regular public access and use because of the sensitivity of the resources on-site and in order to be managed compatibly with the entirety of the SMER-SDSU. Human activity may reduce the use of freeway underpasses by carnivores, and is therefore incompatible with the one of the major management goals of the property. Although, the area is heavily signed against trespassing, human encroachment is still a regular

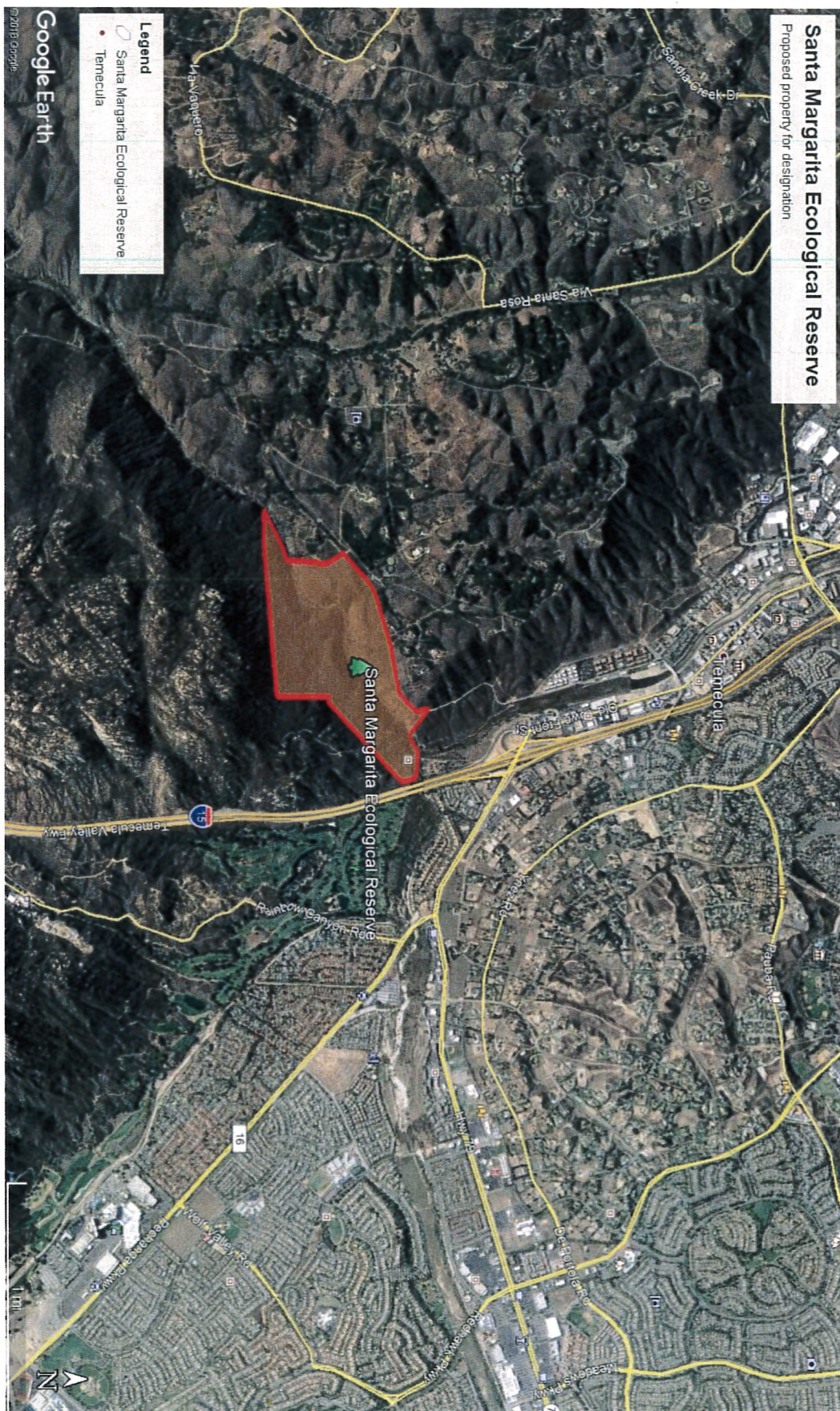
problem at this property. Recreation on less sensitive adjacent properties within the SMER-SDSU is not as problematic and SDSU authorizes organized hikes and environmental education activities for the public, as well as use of the site by researchers.

The addition of the SMRER to Section 630(b), Title 14, California Code of Regulations clarifies that the primary management purpose of the property is the conservation of the sensitive natural resources present on site.

**Proposed Regulatory Language: Designation and Closure**

§630(b)(122) Santa Margarita Ecological Reserve, Riverside County

§630(h)(37) Closed to all visitor use/access





LIFE (SANTA MARGARITA RIVER ECOLOGICAL RESERVE) →

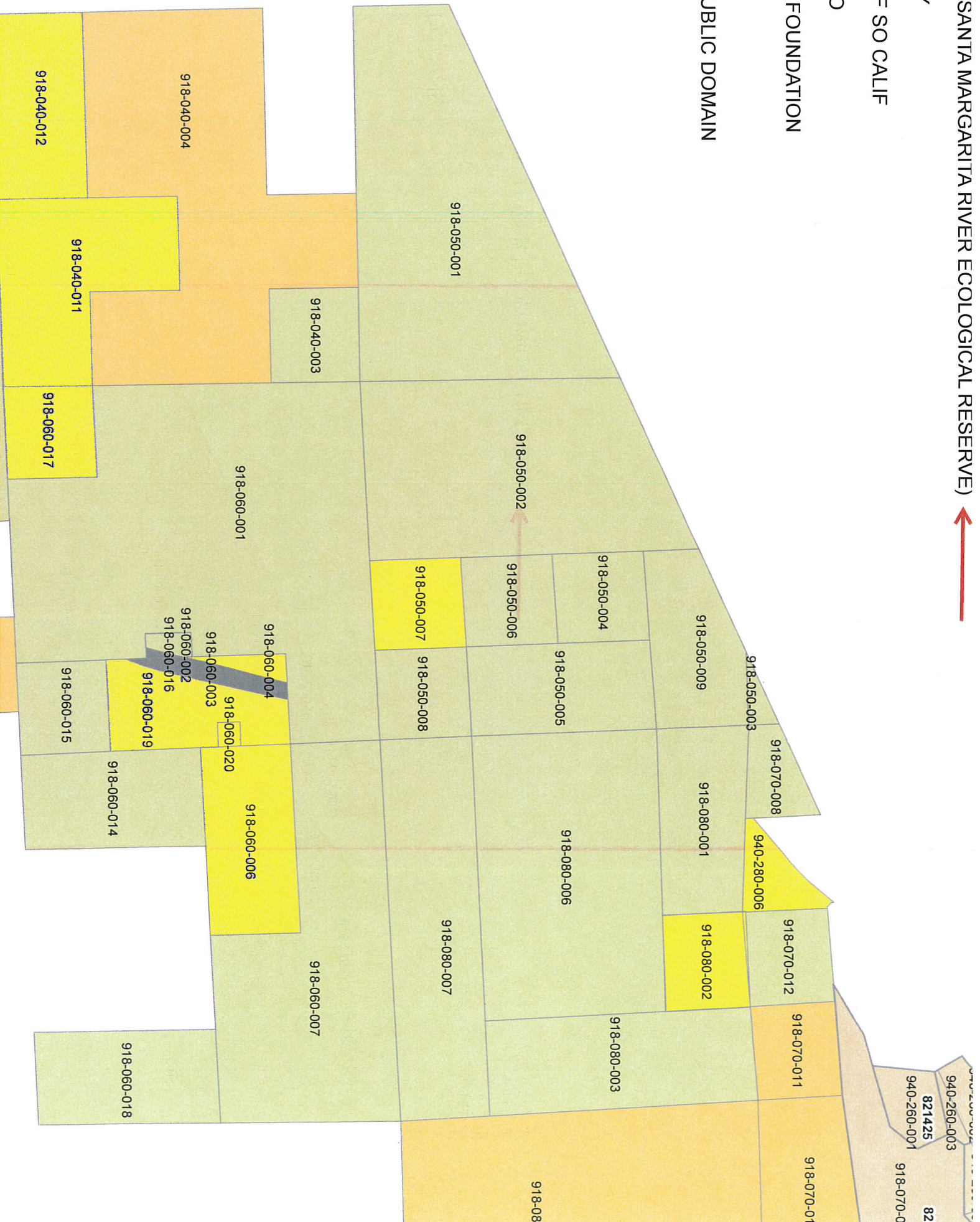
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**Land Management Summary for  
Tecopa Ecological Reserve  
June, 2019**

Description:

The Tecopa Ecological Reserve is ±84 acres located in extreme southeastern Inyo County at an elevation of 1,400 feet. The property consists of several disjunct parcels managed as a single unit around the community of Tecopa Hot Springs near Death Valley National Park. The key natural feature in the area is the Tecopa Marsh (really a system of small marsh patches) which are fed by natural warm springs in the area.

The primary purpose of the Tecopa Ecological Reserve is the protection of habitat for the [Amargosa vole](#) (*Microtus californicus scirpensis*) which is both state and federally listed as Endangered. The vole is highly vulnerable to extinction due to its limited range, narrow niche, declining habitat quality, and low population size. Amargosa voles depends on wetland vegetation dominated by three-square bulrush (*Schoenoplectus americanus*). The small rodent occurs in a single watershed with only 80 hectares of true habitat occurring in fragmented disjunct patches. The ecological reserve also preserves habitat for the [Amargosa niterwort](#) (*Nitrophila mohavensis*), a state and federally endangered plant that occurs only on highly alkaline, moist, salt-encrusted clay soils in the region. This member of the goosefoot family rarely reaches a height of 4 inches and grows colonially with large root systems. Like the vole it is threatened by habitat loss, groundwater extraction, and spring flow diversion. As a result of the rare desert wetlands in this arid location the marsh and tributary springs and spring channels are of high ecological value to numerous other plant and wildlife species. Other rare animals that are known to occur in the vicinity of the property include Townsend's big-eared bat (*Corynorhinus townsendii*), pallid bat (*Antrozous pallidus*), prairie falcon (*Falco mexicanus*), western snowy plover (*Charadrius alexandrinus nivosus*), Vermilion flycatcher (*Pyrocephalus rubinus*), yellow warbler (*Setophaga petechia*). Rare plants that occur in the area include alkali marsh aster (*Almutaster pauciflorus*) Ripley's aliciella (*Aliciella riplei*), Tecopa bird's-beak (*Chloropyron tecopense*), Cooper's rush (*Juncus cooperi*), Desert poppy (*Arctomecon merriamii*), Golden carpet (*Gilmania luteola*) and California sawgrass (*Cladium californicum*).

Preliminary vegetation classification indicates that the property hosts approximately 6 acres of permanently moist alkali meadows that would likely be classified as the three-square bulrush (*Schoenoplectus americanus*) semipermanently flooded herbaceous alliance. This alliance is within the Desert Sink vegetation type along with the adjacent areas of the drier alkali meadow saltgrass (*Distichlis spicata*) intermittently flooded herbaceous alliance, and playa that may be seasonally flooded. Other desert sink vegetation types that occur on the property include the Cooper's rush (*Juncus cooperi*) Intermittently flooded herbaceous alliance and Iodine bush-bush seepweed (*Allenrolfea occidentalis* shrubland alliance, *Suaeda moquinii* intermittently flooded shrubland alliance). Other primary vegetation types likely to occur on the property include Sparse Vegetation (<2% cover), Saltbush (*Atriplex* sp.) Scrub (multiple alliances), and Low Elevation Desert Wash (multiple alliances).

The large Ecological Reserve parcels are adjacent to land managed by the Bureau of Land Management (BLM) Barstow Field Office or other protected lands owned by The Nature Conservancy (TNC). The BLM land is within the Amargosa River Area of Critical Environmental Concern (ACEC). The adjoining public land administered by BLM and the TNC parcel contain Amargosa vole core habitat. Significant stands of three-square bulrush run through two of the properties and connects with core Amargosa vole habitat. The surrounding properties include trailer parks, scattered single-family homes, a County-operated hot springs bathhouse, a sewage treatment plant, and dirt roads. In the early 1900's the Tonopah and Tidewater (T&T) Railroad was constructed through the area and wetlands, fragmenting the wetland habitat into smaller disconnected patches of habitat. Today the historic railroad grade remains and functionally protects Tecopa and the surrounding marshes from inundation during flood events along the Amargosa River.

#### Management Objectives:

The primary purpose of the Tecopa Ecological Reserve is to protect and manage habitat for Amargosa vole and [Amargosa niterwort](#) (plant). The main acquisition consisting of the two 40-acre parcels was completed in March 2014. Two additional smaller acquisitions were completed later in 2014 adding a 3-acre property to the south near the Tecopa Hills and a 1-acre lot in the residential Tecopa trailer park with marsh habitat along a perennial channel occupied by voles and with connectivity to nearby larger marshes. The three acquisitions were completed using matching funds from the Wildlife Conservation Board Habitat Conservation Fund (Proposition 117) and U.S. Fish and Wildlife Service Section 6 Recovery Lands Acquisition Grant program.

The ecological reserve is located within the final US Fish and Wildlife Service designated Critical Habitat for the Amargosa vole. Through live-trapping and non-invasive efforts voles have been documented in only 21 marshes within their range with a population estimate of between 50 and 500 voles remaining in the wild. A captive colony was established in 2014 to breed voles for reintroduction to suitable habitat and ensure against possible extinction in the wild. Reintroductions are currently planned for 3 marsh sites during the summer of 2019 to include a release site on the ecological reserve.

In 2016 CDFW began drought stressor monitoring to detect habitat changes and better understand how ground and aquifer water exploitation, drought conditions, and climate change could affect the fragile network of desert wetlands and the vole. Unfortunately, there is evidence of accelerating habitat degradation, population diminishment, and metapopulation collapse that further endangers the Amargosa vole. Other anthropogenic threats such as wildfires further put the voles at risk of extinction. Fires occurring on the ecological reserve in both the fall of 2017 and spring 2018 burned significant areas of marsh known to have been occupied by voles. Both fires were apparently accidental ignitions beginning at residences in Tecopa.

Potential management objectives include the following:

#### ➤ **Biological Elements**



## **Habitats**

- Protect and enhance critical desert sink vegetation types including three-square bulrush, Cooper's rush, and saltgrass alkali meadow habitats.
  - Evaluate vegetation management activities as were completed at Borehole marsh to stimulate growth of three-square bulrush if the presence of decadent plant material becomes a limiting factor for Amargosa vole recovery at this site.
  - Partner with organizations such as the Amargosa Conservancy that may be able to assist with public education and monitoring of incompatible uses.
  - Coordinate with partners such as BLM, Calfire, and Inyo County to conduct education and wildfire risk reduction activities
- Protect and enhance playa habitats
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
- Protect and enhance barren salt encrusted dry soils that may be occupied by Amargosa niterwort and other rare plant species
  - Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.
- Protect and monitor water quality and quantity reaching the marsh
  - Monitor upstream uses and groundwater extraction that may impact water supply or water quality reaching the Tecopa marsh
  - Continue partnership with USGS to monitor groundwater using the 3 piezometer locations on the Ecological Reserve and additional sites on nearby TNC and BLM properties.

## **Wildlife Populations**

- Monitor Amargosa vole population trends and habitat use
  - Continue coordinated effort with CDFW Wildlife Investigations Lab, UC Davis, USFWS, and appropriate CDFW Program Staff
  - Take biosecurity precautions when visiting vole habitat: Utilize the 2012 Proposed Standard Operating Procedures for Amargosa Vole

Handling when visiting the marsh to prevent the spread of infectious mites or viral, bacterial, or fungal pathogens.

- Monitor wildlife population trends and habitat use
  - Coordinate with Unit Biologist or appropriate CDFW Program Staff.
  - Partner with groups such as Point Blue Conservation Science, The Nature Conservancy, and Eastern Sierra Audubon Society (bird counts).
- Survey for occurrences of special status wildlife species
  - Partner with academic institutions such as the UC Berkeley Museum of Vertebrate Zoology and research-based organizations such as Point Blue Conservation Science.

### **Plant Populations**

- Conduct a botanical survey of the property to identify and map special status plant populations
  - Survey suitable habitats on the property for Amargosa niterwort during the bloom period (May-October).
  - Survey the property for other rare plants likely to occur including the California Rare Plant Rank 1B species Tecopa bird's-beak (expected) and Golden carpet, and 2B species.
- Monitor known special status plant populations
- Monitor for early detection of highly invasive non-native plants

### **Public Use**

No special regulations are proposed at this time.

- Hunting wouldn't be appropriate due to 1) the adjacent residential community FGC 3004 (150 yard "safety zone" for buildings and shooting across public roads) and 2) the purpose of the property is to protect T&E species and sensitive wetland habitat.
- Passive recreation such as walking, hiking, and wildlife viewing from appropriate access points is encouraged. Leash laws should be posted and enforced to avoid disturbance of wildlife, particularly deer.



- Post property boundaries and points of entry to inform the public to avoid incompatible uses such as motorized vehicles, camping/campfires, etc.

Access to the property is provided from Tecopa Hot Springs Road (paved) from the nearby State Route 127. The outlying parcels are accessible from unpaved county-maintained roads, Furnace Creek Road, Sundown Street, and Noonday Street.

Reasons for proposed additions, deletions or amendments to regulations

The Tecopa property is proposed for designation as an ecological reserve. The addition of the DSLER to Section 630(b), Title 14, California Code of Regulations clarifies that the primary management purpose of the property is the conservation of the sensitive natural resources and T&E listed species. The designation also allows the property to be available for public use in a manner that is compatible with the primary purpose.

Proposed Regulatory Language: Designations and Site-Specific Regulations

§630. Additional Visitor Use Regulations on Department Lands Designated as Ecological Reserves.

(b) Ecological Reserves owned and operated by the department:

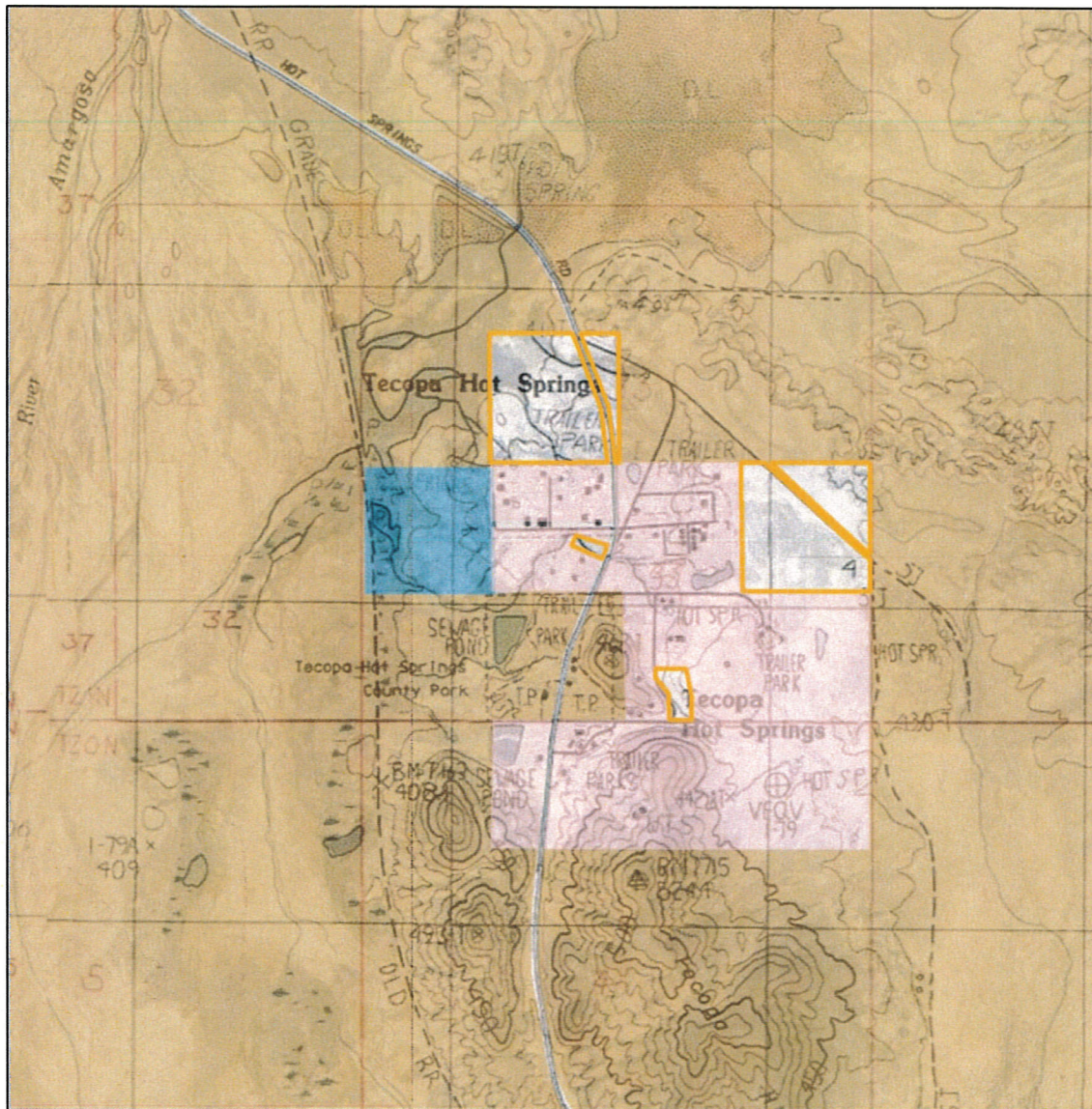
(126) Tecopa Ecological Reserve, Inyo County.



No site-specific regulations are proposed at this time.

**Tecopa Ecological Reserve**

**California Department of Fish and Wildlife  
Region 6 (Inland Deserts)**

**Map 1. Property Map**



-  Ecological Reserve
-  United States Bureau of Land Management
-  The Nature Conservancy
-  Private

0 0.25 0.5 1 Miles

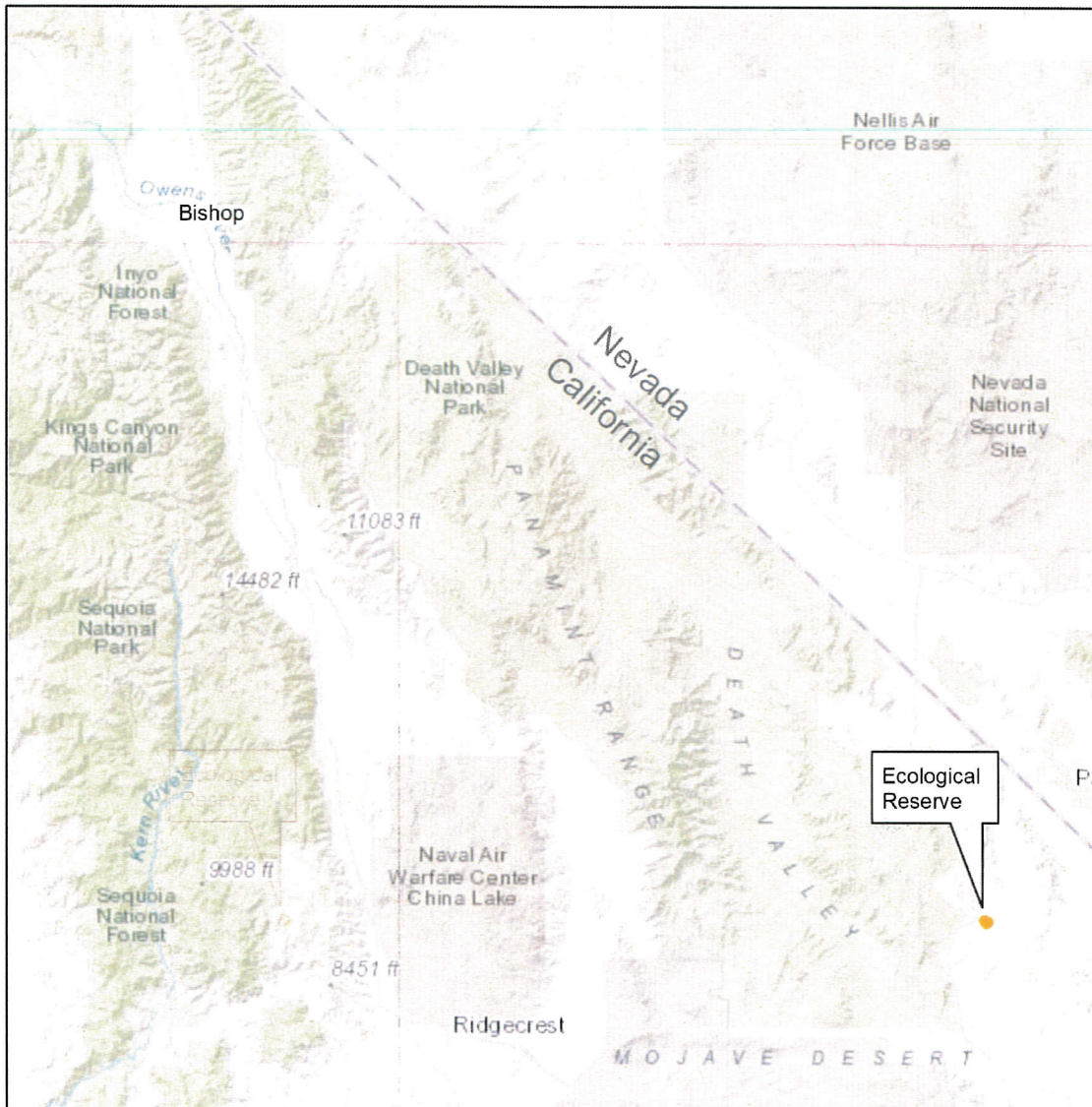




**Tecopa Ecological Reserve**

**California Department of Fish and Wildlife  
Region 6 (Inland Deserts)**

**Map 2. Vicinity Map**



 Ecological Reserve

0 25 50 100 Miles



**State of California  
Fish and Game Commission  
Initial Statement of Reasons for Regulatory Action  
Public Use of Department of Fish and Wildlife Lands**

**Attachments 3 through 10  
November 2019**



# United States Department of the Interior

BUREAU OF RECLAMATION  
Mid-Pacific Region  
Central California Area Office  
7794 Folsom Dam Road  
Folsom, CA 95630-1799

IN REPLY REFER TO:

CC-420  
LND-8.00

**FEB 18 2015**

Land Regulations  
**Attachment #3**  
Termination of management  
at three properties (4 pages)

**Fish & Wildlife**

**FEB 23 2015**

**Napa**

Mr. Scott Wilson  
Regional Director  
California Department of Fish and Wildlife  
7329 Silverado Trail  
Napa, CA 94558

Subject: Transmittal of Executed Agreement to Terminate the Lake Berryessa Wildlife Area  
Memorandum of Understanding (MOU)

Dear Mr. Wilson:

This letter is to transmit the executed Agreement to Terminate the Lake Berryessa Wildlife Area MOU. Enclosed is an original signed copy for your files.

Thank you for the work that your staff accomplished as a part of this MOU. The Bureau of Reclamation looks forward to continuing to work together in the future on items of mutual interest.

If you have questions, please contact Mr. Jeff Laird, Park Manager, at 707-966-2111 extension 106 or e-mail [jlaird@usbr.gov](mailto:jlaird@usbr.gov).

Sincerely,

Drew F. Lessard  
Area Manager

Enclosure

**Agreement to Terminate Memorandum of Understanding  
Between the Bureau of Reclamation and the  
California Department of Fish and Wildlife  
Regarding the Proposed Lake Berryessa Wildlife Area  
dated April 28, 1995.**

**IN WITNESS HEREOF**, the parties hereto agree to terminate the Memorandum of Understanding, between the Bureau of Reclamation and the California Department of Fish and Wildlife that was created to establish and manage the Lake Berryessa Wildlife Area, on the date set forth below.

**BUREAU OF RECLAMATION**

Signature: David G. Murillo

For  
Name: David G. Murillo

Office: Mid-Pacific Region

Date: 2/4/15

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

Signature: Scott Wilson

Name: Scott Wilson

Office: Region 3

Date: 10/23/14

Recommended by:  
Area Manager, Central California Area Office

Drew F. Lessard  
Drew F. Lessard



File Code: 2630

Date: July 22, 2019

California Department of Fish and Wildlife, Region 4
1234 E. Shaw Avenue
Fresno CA 93710

To: Julie Vance, Regional Manager,

By mutual agreement, the Sequoia National Forest allowed the lease agreement with the California Department of Fish and Wildlife for management of the South Fork Wildlife Area at Isabella Lake in Kern County to expire in 2014. Much of the work in the original South Fork Wildlife Area Management Plan was precluded or complicated by designation of the area as federally designated Critical Habitat for the endangered Southwestern Willow flycatcher and proposed Critical Habitat for the yellow-billed cuckoo.

The California Department of Fish and Wildlife has been released from further obligation under the agreement with regard to special management of the area known as the "South Fork Wildlife Area". This area is addressed in the Sequoia National Forest draft Revised Land Management Plan as a special interest area to be managed within the authority of the Forest Service. No further special designation or regulation by the California Department of Fish and Wildlife is required.

We appreciate the Department's efforts and support in wildlife management and look forward to collaborative efforts in the future. Please contact Steve Anderson at this office if you need more information.

Sincerely,

  
ALFRED WATSON  
District Ranger



DEPARTMENT OF DEVELOPMENTAL SERVICES  
PORTERVILLE DEVELOPMENTAL CENTER  
P.O. BOX 2000  
PORTERVILLE, CA 93258-2000  
(559) 782-2222  
FAX (559) 784-5630



July 7, 2017

Terry Palmisano  
[Terry.Palmisano@wildlife.ca.gov](mailto:Terry.Palmisano@wildlife.ca.gov)  
Program Manager  
Lands and Wildlife  
California Department of Fish and Wildlife  
20 Lower Ragsdale Drive  
Monterey, CA 93940

Dear Terry,  
California Department of Developmental Services, Porterville Developmental Center (DDS, PDC) would like to notice you of our intent, effect today 7/07/2017, to withdraw from the agreement, establishing the 166 acre Yaudanchi Ecological Reserve, dated November 10, 1976, between Department of Fish and Wildlife (former Department of Fish and Game) and Department of Developmental Services, (former Department of Health), Porterville Developmental Center. PDC intends to invoke section 6, of the agreement, either party may terminate the agreement giving 90 days written notice.

If you have any questions or need anything further from me, please don't hesitate to contact me. Please send me any documents you may have or acquire that would support the termination of the agreement for my files.

Thank You.

A handwritten signature in black ink, appearing to read "Theresa Billeci".

Theresa Billeci  
Executive Director  
Porterville Developmental Center  
[Theresa.Billeci@pdc.dds.ca.gov](mailto:Theresa.Billeci@pdc.dds.ca.gov)



#### 3.10.2.5 Research and Scientific Studies

Several studies have been conducted in the NSMWA. Currently, there is no centralized library database for tracking this information. A brief description of the major research studies is provided below.

Land Regulations  
**Attachment #4**  
See bottom half of page  
(Section 3.10.3)

The Integrated Regional Wetland Monitoring (IRWM) Pilot Project is a CALFED-funded interdisciplinary research effort to examine wetland restoration outcomes in the North Bay and Delta and to aid in developing effective and informative monitoring strategies through a comprehensive and real-time approach. Field sites for this project include Coon Island, Pond 2A, and Pond 3 of the NSMWA.

An interdisciplinary research study was conducted by USGS scientists and scientists from the Point Reyes Bird Observatory (PRBO), UC Davis, and Humboldt State University to provide science support for the Napa-Sonoma Marsh Restoration Project (Takekawa et al. 2000; Takekawa et al. 2005).

Warner (2000) conducted a research study in the Napa-Sonoma Marsh complex to determine the physical processes that control the circulation patterns of water and suspend sediment in the tidal slough network.

Coon Island Unit was used by the U.S. Army Corps of Engineers and the DFG for preliminary data gathering to identify marsh vegetation by remote sensing (CDFG 1975).

#### 3.10.3 Proposed Recreational and Public Access Facilities

The Napa Plant Site Restoration (NPSR) Project at the Green Island Unit would utilize upland areas for site access, public access facilities (**Appendix E**), and DFG personnel housing (URS 2006a). The site access road has been realigned and raised. Gates on the site access road would be used to restrict public vehicle access to daylight hours. A DFG employee would reside in the existing residential housing on Green Island. The DFG warden and Napa County sheriffs would patrol the site on a regular basis. Public access and recreation facilities, including a primary staging area for parking, picnicking, restrooms, and boat launching centered on the barge channel, would be constructed at the Napa Plant Site (**Appendix E**). Hand launching of non-motorized watercraft (e.g., canoes, kayaks) would be possible at the existing boat ramp to the barge channel. Connections to bicycle access trails on Green Island Road and future connections to other outlying areas would be facilitated. A perimeter trail would be developed to support both pedestrians and cycling. The trail has the potential to connect with a regional trail network. The NPSR project team is working with the City of American Canyon to coordinate trail connection opportunities near the end of Eucalyptus Road (**Appendix A**). Smaller nature trails with interpretive signage would also be developed. In the long term, DFG is considering creating an environmental interpretive center on the property. The site access road and upland staging area presents a unique opportunity for locating an interpretive center adjacent to the Napa River and its wetlands.



Land Regulations  
**Attachment #5**  
Crow hunting on Hollenbeck Canyon  
Wildlife Area

December 5, 2018

California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

RE: Additional Visitor Use Regulations on Department Lands Designated as Wildlife Areas -  
Title 14 CCR § 551 (o)(24) – Hollenbeck Canyon

Dear Commissioners,

The San Diego County Wildlife Federation would like to recommend a change to Title 14 CCR § 551: Additional Visitor Use Regulations on Department Lands Designated as Wildlife Areas; Subsection (o)(24) Hollenbeck Canyon Wildlife Area, which currently states that the area is closed to hunting February 1 through August 31.

Specifically, we recommend that the hunting season for Hollenbeck Canyon Wildlife Area (HCWA) be extended to allow hunting of American crows to coincide with the California hunting season for American Crow. This extension of the hunting season would not apply to any other game or non-game animals. The current regulations allow hunting at HCWA from September 1<sup>st</sup> until January 31<sup>st</sup>. The recommended extension would allow hunting for American crows only, from the first Saturday in December for 124 consecutive days to coincide with the state-wide American crow season throughout the rest of California.

The rationale for this recommendation is based upon the following observations:

- American crow populations have increased significantly in the last few decades and have in particular moved into more populous areas in San Diego County;
- American crows are observed in large numbers in and around HCWA;
- HCWA is home to many threatened and endangered species, including for example the California Gnatcatcher;
- Crows are a contributing factor (along with fire, drought, loss of habitat and coyotes) in the decline of the native quail population;
- American crows are known predators of bird nests, both eggs and new-born fledglings;
- Applying hunting pressure on American crows is likely to encourage them to move on to other areas that host fewer endangered and threatened species than HCWA.

- Impact from the hunters who take advantage of the extended season would not create any undue stress within the nesting communities and should encourage successful nesting seasons due to lower predation by the corvids.

We have discussed our recommendation with Department of Fish and Wildlife (DFW) biologists in the South Coast Region Five (SCR). We realize that extending the hunting season has the potential to impact wildlife during their breeding/nesting season (which is why hunting is not allowed beyond February 1<sup>st</sup>). However, we feel that removing the threat, in this case American Crows, will assist in the recovery of endangered and non-endangered bird species during the nesting season. Hunting could be confined to specified locations within the HCWA if SCR felt that there was a significant impact from hunters walking off-trail. I believe I speak for all parties in our belief that the benefit from reducing crow predation on native birds would far outweigh any potential harm from crow hunting.

We have limited our recommendation to HCWA because we are not as familiar with the crow populations in other Wildlife Areas. However, if this problem is observed in other Wildlife Areas (which we believe it is, but we have made no observations), the Commission might want to consider implementing this extension of the American crow hunting season in other Wildlife Areas as well.

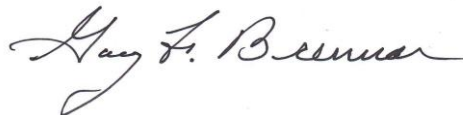
Below is a possible re-wording of Title 14, CCR § 551 (o)(24) to implement our recommendation:

- (A) Hunts Days: Daily during general season from September 1 through January 31 in designated area(s) for all species except crows.
- (B) American crows may be hunted in designated area(s) at any time during the California prescribed American Crow hunting season from the first Saturday in December and extending for 124 consecutive days.

We are not concerned with the specific language as much as we are with reducing the predation of threatened and endangered native species by American crows.

Finally, we understand that this regulation change may be included as a recommendation in the proposed Lands Package to be brought forward to the Commission by DFW in 2019. However, should the above change not be included in the upcoming Lands Package, we would like to petition the Commission to consider the above proposed change at their earliest opportunity.

Respectfully,



Gary F. Brennan  
President, San Diego County Wildlife Federation  
garydaranger@hotmail.com

Land Regulations  
Attachment #6  
Opening time for Delevan NWR

**From:** Spaan, Garrett <[garrett\\_spaan@fws.gov](mailto:garrett_spaan@fws.gov)>  
**Sent:** Friday, May 24, 2019 7:40 AM  
**To:** Underwood, Glenn@Wildlife <[Glenn.Underwood@wildlife.ca.gov](mailto:Glenn.Underwood@wildlife.ca.gov)>  
**Subject:** Informational Change

Glenn,

We are looking at trying to change the reservation and lottery entry times at Delevan NWR. To do this, we would like the change to be represented in the Waterfowl regs under the information section so that hunters are getting the same information everywhere. I am having trouble finding the right contact in the Department to discuss this with. If you could help point me in the right direction it would be greatly appreciated. Hope all is well.

Best regards,

-----  
Garrett Spaan  
Visitor Services Specialist  
Sacramento National Wildlife Refuge Complex  
752 County Rd 99W, Willows, CA 95988  
530/934-2801, FAX 530/934-7814

"A Million Birds Can't Be Wrong!"

Follow us on Facebook! <https://www.facebook.com/SacramentoNWRC>

Or visit our website: [www.fws.gov/refuge/Sacramento](http://www.fws.gov/refuge/Sacramento)

**From:** Garrett Spaan <[garrett\\_spaan@fws.gov](mailto:garrett_spaan@fws.gov)>  
**Sent:** Friday, May 24, 2019 10:45 AM  
**To:** Underwood, Glenn@Wildlife <[Glenn.Underwood@wildlife.ca.gov](mailto:Glenn.Underwood@wildlife.ca.gov)>  
**Cc:** Horenstein, Julie@Wildlife <[Julie.Horenstein@wildlife.ca.gov](mailto:Julie.Horenstein@wildlife.ca.gov)>; Yang, Xiao@Wildlife <[Xiao.Yang@wildlife.ca.gov](mailto:Xiao.Yang@wildlife.ca.gov)>  
**Subject:** Re: [EXTERNAL] RE: Informational Change

Glenn,

Yes, we would need to change the time the reservation expires from 1 hour to 1 1/2 hours for Delevan. Everything else would be informational. In the waterfowl reg booklet that is printed isn't there a table that lists when reservations start being called and when lottery starts being called? Thanks for the help.

Best regards,

Garrett

Sent from my iPhone

Land Regulations  
Attachment #7  
Changes to Section 552



United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Pacific Southwest Region  
DOI, Unified Regions 8/10  
2800 Cottage Way, Room W-2606  
Sacramento, California 95825-1846

October 3, 2019

RE: Section 552 regulations update

Dear Ms. Horenstein,

The U.S. Fish and Wildlife Service has a longstanding tradition of cooperatively working with the California Department of Fish and Wildlife and appreciates the opportunity to have worked with Department staff on updates to Section 552, Title 14, CCR. This section contains regulations for National Wildlife Refuges where hunting programs are cooperatively administered between the Department and the Service. The goal of this effort has been to increase consistency between state and federal public use regulations for the National Wildlife Refuges.

The Service supports the adoption of the cooperatively developed draft of Section 552 and would be happy to continue to work with Department staff if modifications are necessary prior to adoption of these regulations. Achieving consistency between the state and federal regulations will make it easier for the public to understand and facilitate enforcement by state and federal officers.

If you have any questions please contact me.

Sincerely,

Polly Wheeler, PhD.  
Regional Chief, National Wildlife Refuge System

#### 4.5.1 Hunting Element

The dominant vegetation within the Reserve is chaparral with coastal sage scrub, chaparral sage scrub, oak woodland, and non-native grassland. As such, quail are found in good numbers throughout the Reserve and, to a lesser extent, dove and turkey.

In the 1950s, guzzlers were installed on what was then private land, to enhance quail and smaller wildlife populations by increasing available water. Five of these guzzlers are known to still exist on the Reserve.

Turkeys tend to inhabit the Reserve during the winter and spring months when water is available, but are mostly absent in the summer and fall. During the summer and fall months, it is believed the turkeys move from the Reserve to adjacent, private lands that have available water from irrigation.

Deer are found throughout the Reserve, but formal surveys to estimate populations have not been conducted. Rabbits are also found throughout the Reserve but tend to be nocturnal and may not be readily available for hunting opportunities.

Because the Reserve is located near large populations, has limited staffing, operates with budgetary constraints, and a large portion was acquired for mitigation, it is believed that opening the Reserve to unregulated public access would have a detrimental effect to the wildlife and habitat/vegetation on the Reserve.

The CDFW offers hunt opportunities designed especially for new hunters, youth hunters, women hunters, mobility-impaired hunters and other individuals who have limited experience or opportunity to hunt on their own (see <https://nrm.dfg.ca.gov/DFGSpecialHunts/Default.aspx>). Depending on the time of year, CDFW's Special Hunts may include hunts for upland game birds and, upon occasion, deer.

Hunting at the Reserve will be conducted through scheduled hunts by which hunters are chosen to participate through a random public drawing of applications (a lottery). Hunters are required to have a valid license and the appropriate equipment, stamps, and tags. These hunts are conducted by CDFW staff and will have both an educational and safety component. There will be up to but no more than seven hunting days in any given year with no more than 20 hunters allowed per hunt. In addition to the above mentioned hunts, the CDFW may conduct managed hunts within the Reserve to control non-native and noxious species.

Providing a safe and controlled environment for new hunters has been found to increase their enjoyment of hunting and desire to continue hunting. It is also hoped that by educating new hunters in the field following their classroom instruction good hunter ethics and safety will be emphasized throughout their lifetime.

Care will be taken to ensure that lands are not over-hunted and that hunting does not interfere with other stewardship goals. This includes the protection of sensitive



habitat (e.g. that which is occupied by state and federal listed species), as well as the protection of sensitive plants and animals.

A typical hunt includes hunter check-in, safety/educational training/orientation, firearm inspection, field assignment/orientation, and check out.

Regulated public access and use is being proposed for the Reserve, adhering to the following:

### **GOAL 1**

1. Provide upland game bird hunting opportunities (e.g., dove, quail, turkey) to the public through the use of the Upland Game Bird Special Hunt Program or other programs.

### **TASKS**

1. Develop and promote youth-oriented, family, mobility-impaired, and general public hunting opportunities.
2. Promote hunter training and ethics through information, hunter education classes, and enforcement.
3. Explore and where feasible, provide additional hunts through the Upland Game Bird Heritage Program or other programs.
4. Conduct upland game bird surveys throughout the Reserve to ensure populations are sustainable and adjust hunting area and number of available hunts according to survey findings.
5. Enhance water availability for game and other wildlife species, while minimizing impacts to listed/sensitive species.
6. If feasible, provide use of the barn to support some aspects of the hunting program, such as hunter education.
7. Maintain relationships among CDFW staff, hunters, volunteer organizations, and when appropriate, implement the use of Memorandum of Understanding (MOU)s/Memorandum of Agreement (MOA)s.



**MULE DEER  
(ODOCOILEUS HEMIONUS)**



## **GOALS 2-3**

2. Conduct deer surveys on the Reserve to support big game hunting opportunities.
3. Conduct surveys for small and non-game species to assess the potential for limited small and non-game hunting opportunities and /or management activities.

## **TASKS**

1. Conduct surveys to estimate deer abundance on the Reserve.
2. Based on findings; determine if hunting opportunities for deer are feasible. Should surveys prove hunting is feasible, establish limited public hunting opportunities with an emphasis on youth, family, and mobility-impaired hunters.
3. Based on surveys, determine if non-game hunting opportunities and/or management activities are appropriate.
4. Based on surveys, determine if small game hunting opportunities and/or management activities are appropriate.
5. Evaluate hunting activities periodically to identify and report changes that are warranted to maintain consistency with Reserve goals.

## **IMPACT GUIDELINES**

1. Adhere to the tasks and Impact Guidelines noted in the Biological Elements section
2. Organize hunts to target specific species and limit hunters by using a random drawing for each hunt. Hunters drawn for each hunt would be allowed to hunt the Reserve on a specified date and location determined by the Department. It is not anticipated that limited regulated hunting would unduly interfere with the primary purpose for which the Reserve was acquired nor would hunting have an adverse impact on non-hunted species or their habitats due to the seasonality of hunting.
3. Provide appropriate signage and barriers to keep hunters outside of sensitive habitats and within the boundaries of designated hunting boundaries.
4. Hold pre-hunt meetings that provide hunters with safety, regulation, boundary, and other pertinent information needed to ensure protection of the public and non-targeted resources.
5. By following the above mentioned impact guidelines and other measures within the LMP, meant to eliminate or minimize impacts to resources; hunting as described above will have no significant or detrimental impacts.

## La Panza Tule Elk Management Unit

### Description

The La Panza Tule Elk Management Unit (Unit) is 3,654,710 acres described as follows: In those portions of Fresno, Kern, Kings, Monterey, San Benito, and San Luis Obispo counties within a line beginning in Monterey County on Highway 101, five miles south of King City; south along Highway 101 to Highway 166 in San Luis Obispo County; east along Highway 166 to Highway 33 at Maricopa in Kern County; north and west along Highway 33 to Highway 198 at Coalinga in Fresno County; north along Highway 33 to Interstate Highway 5; north along Interstate Highway 5 to five miles south of Panoche Junction; southwest in a straight line to the point of beginning.

The Unit is within the Bay Delta and Central Coast, and the Central Valley and Sierra Nevada Provinces, as identified in the California State Wildlife Action Plan (California Department of Fish and Wildlife 2015); and historical tule elk (*Cervus canadensis nannodes*) range as depicted by McCullough (1969). Elevation varies from 1,500 ft. in the western portion to 5,100 ft. at Caliente Mountain. Summer daytime temperatures can exceed 100° F; winter temperatures can decline to 0° F. The Unit contains large areas of typical inner coast range vegetation dominated by chamise chaparral, mixed chaparral, oak woodland/savannah, open valley grassland, juniper-oak woodland, desert scrub, and dryland agricultural fields. Terrain varies from essentially flat in the Carrizo Plains to steep and rugged in the La Panza and Caliente Mountain ranges. There are no major water courses with free flowing perennial water within the Unit. However, the Salinas River is along the western edge, with headwaters near the center of the Unit, and the Cuyama River is along the southern edge.

Approximately 20% of the Unit is privately owned. Private land is used primarily for livestock grazing and crop production. Access is generally limited to landowners and invited guests. Vineyards and solar projects are emerging uses that could affect tule elk in the Unit.

Public land in the Unit is administered by the United States Department of Agriculture Forest Service (USFS; Los Padres National Forest), the United States Department of Interior Bureau of Land Management (BLM; Bakersfield District), and the California Department of Fish and Wildlife (Department). The Nature Conservancy has acquired private land in and near the Carrizo Plains. BLM and the Department have acquired several large parcels over the last 20 years to improve public access.

Recreational activities involving elk within the Unit include hunting, viewing/nature study, and shed collecting. Vehicular access along some unpaved roads is restricted by wet weather or road conditions. Access to other areas is prohibited to protect vulnerable species or habitats. Access to the American and South Chimineas subherds is good.

## **Elk Distribution and Abundance**

Initial efforts to reintroduce tule elk to the La Panza Unit began in 1983 when the Department brought 20 elk from the Tupman Tule Elk State Reserve in Kern County to a private ranch in the Pozo area. In 1985, the Department brought 103 more elk from the Owens Valley and 16 elk from Potter Valley to private ranches near Pozo and the Carrizo Plains. Elk have since dispersed from these sites and formed distinct subherds on public and private property.

The La Panza Tule Elk Management Unit Plan (California Department of Fish and Game 1988) identified the following subherds within the Unit: Big Rocks, located in the southwest portion of the Unit (now called the Stanley Mountain subherd); Carrizo Canyon, located in the south-central portion of the Unit (now called the South Chimineas subherd); Freeborn Mountain, located south of Highway 58 (now called the American subherd); Mustang Spring, located north of Highway 58 (now called the California Valley subherd); Yeaguas Mountain, located north of Highway 58 (now also called the California Valley subherd); and Carneros Rocks, located north of Highway 58 (also referred to as the Cedar Canyon subherd).

Additional subherds now recognized include the Pozo, Avenales, and San Juan subherds located south of Highway 58 and north of Highway 166 near the east boundary of the Los Padres National Forest; and the Cholame (also referred to as Shandon) subherd in northern San Luis Obispo County. The public hunt boundary for the La Panza Unit was expanded to include the Indian Valley (also referred to as San Miguel) subherd in northern San Luis Obispo/southern Monterey counties, and the Peachtree Valley and Priest Valley subherds in Monterey County. Tule elk from the Hernandez Reservoir/South San Benito unit are within geographic boundaries of the La Panza public hunt zone, for which a separate plan has been prepared.

The La Panza herd has grown rapidly, and has been one of the largest tule elk herd in the State since 1994. The current population estimate is 800 animals. Some subherds are still growing, others appear stable, and some may be in decline or are becoming more restricted in distribution because of local habitat conditions. Non-hunting mortalities from predation, poaching, and roadways have occurred, and a mortality from anthrax was suspected, but not confirmed. These mortality factors have not been quantified, however they have not suppressed elk population growth in the Unit.

In 2011, construction began on two large solar plants in California Valley on the northern portion of the Carrizo Plain, within the California Valley subherd boundaries. These plants were completed and operational by the end of 2014. Collectively, they converted approximately 5,500 acres of previously occupied elk habitat, which also provided habitat for endangered species such as San Joaquin kit fox. Both solar companies were required to mitigate for the loss/alteration of endangered species habitat by acquiring and transferring fee title and conservation easements for approximately 21,300 acres of suitable replacement habitat in the northern Carrizo Plains. Of these lands, the Department now holds fee title to 12,150 acres, and a

conservation easement on the remaining 9,150 acres. These lands must be managed as kit fox habitat.

To settle litigation regarding habitat loss, both solar companies purchased 9,100 additional acres of wildlife habitat. The intent of these acquisitions is to conserve habitat for various wildlife species including pronghorn and tule elk.

The Department has monitored population parameters (age, sex ratios, and minimum population numbers) of the La Panza herd with annual fixed-wing aircraft and helicopter surveys (Table 1). Some subherds are well established (Stanley Mountain, South Chimineas, American, California Valley, and Cedar Canyon) and should continue to support at least 800 elk, assuming private property conflicts remain minimal. Surveys conducted on Private Lands Management (PLM) ranches are recorded in Table 2.

### **Management Goals, Objectives, and Actions**

The management goals for this Unit are to: 1) In consideration of current habitat capacity, other land uses, and long term environmental changes, improve elk habitat conditions and population levels; 2) establish a positive, cooperative relationship with Tribes regarding elk management in recognition that the Department and Tribes share authority to regulate the take of elk as they move across jurisdictional boundaries; 3) enhance opportunities for the public to use and enjoy elk (e.g. hunting and wildlife viewing); and 4) alleviate human-elk conflicts and depredation complaints. Specific objectives and actions for each goal are listed below. Department regional and headquarters staff will perform the identified actions.

#### **Goal 1. In consideration of current habitat capacity, other land uses, and long term environmental changes, improve elk habitat conditions and population levels.**

The elk population in the Unit is increasing. Population management includes efforts to increase elk numbers where suitable, while minimizing or alleviating conflicts on private land and providing appropriate hunting opportunities. Specific harvest strategies vary for subherds based on local conditions, such as prevailing land ownership (public or private), potential competition with livestock (or actual damage to crops or fences), habitat quality/quantity, the potential for damage to sensitive habitats, or conflicts with other wildlife species.

Elk heavily utilize private lands and is essential to the survival of tule elk within the Unit. There is a potential for agricultural/private property conflicts in some areas that may cause conflict with landowners. The current population management strategy utilizes hunting to provide landowners an incentive to accommodate the needs of tule elk, while minimizing conflicts. Private lands where the presence of elk may be tolerated or encouraged include ownerships enrolled in the PLM program, and other properties where elk are desired by the landowner. Where suitable, unoccupied elk habitat exists, management actions should facilitate natural dispersal to reestablish elk where conflicts

Action 1.7.1

Provide bull and antlerless hunting opportunities at levels that allow for long-term growth of the elk population and provide landowners with incentives to support having elk on their properties. **Ongoing.**

Action 1.7.2

Review population objectives for established subherds (e.g., American, South Chimineas, and California Valley subherds) and specify desired population objectives for recently established subherds based on carrying capacity and human-elk conflicts. **Expected completion: 2021.**

Action 1.7.3

Review data on an annual basis and adjust population objectives as information is collected through monitoring, management, and research. **Ongoing.**

**Goal 2. Establish a positive, cooperative relationship with Tribes regarding elk management in recognition that the Department and Tribes share authority to regulate take as elk move across jurisdictional boundaries.**

The Department recognizes in its Tribal Communication and Consultation Policy that Tribes are unique and separate governments with inherent tribal sovereignty and is committed to communicating and consulting on a government-to-government basis with Tribes about elk management issues. Numerous Tribes have stated the need to co-manage elk across jurisdictions and landscapes and to prioritize restoration. However, there is a need to develop greater clarity on the specific processes for management of elk with individual Tribes.

Objective 2.1. Develop co-management agreements, memoranda of agreement, or similar mechanisms for the management of elk in cooperation with Tribes traditionally and culturally affiliated with the Unit by 2021.

Action 2.1.1

Establish a timeline with interested Tribes to develop co-management agreements, memoranda of agreement, or similar mechanisms. **Expected completion: 2019.**

Action 2.1.2

Contact Tribes and establish a timeline to provide additional input and address other management concerns. **Expected completion: 2019.**

Objective 2.2. Work with Tribes to complete monitoring and/or habitat projects that will assist in guiding management decisions or enhancing elk habitat by 2023.

Action 2.2.1

Collaborate with interested Tribes to identify monitoring and habitat projects and establish a timeline for implementation. **Expected completion: 2020.**

Action 2.2.2

Coordinate with interested Tribes to identify Department approved research projects utilizing GPS collars. **Expected completion: 2023.**

**Goal 3. Enhance opportunities for the public to use and enjoy elk (e.g. hunting and wildlife viewing).**

The Department will continue to work with conservation partners to inform the public about elk and elk management within the Unit, and promote various recreational opportunities such as hunting, wildlife viewing, photography and nature study.

The Department has identified regulated hunting as the primary tool to both manage elk populations and provide public recreation opportunities. Through regulations, hunting can influence elk distribution and population parameters. Timing and duration of hunt periods, hunt boundaries, tag designations (i.e., bull, antlerless or either-sex tags), quotas, and method of take (e.g., general methods, archery only, muzzleloader only) can affect hunter success, elk population numbers, and age/sex compositions within the Unit. The quality and quantity of elk demographic data and desires for hunter opportunity are other considerations in recommending and/or adopting elk hunting regulations. Each year, the Department considers modifications to hunt zone boundaries, tag quotas, hunt periods, and methods of take.

One option to alleviate conflicts is to allocate private-land-only tags that focus harvest on private property. Another potential recreational and population management strategy involves the Shared Habitat Alliance for Recreational Enhancement (SHARE) program. Under this program, participating landowners receive compensation and liability protection in exchange for allowing access to (or through) their land for public recreational use and enjoyment of wildlife. The SHARE program receives funding from application fees for access permits. Other projects to improve public hunting access on private land have yet to be implemented within the Unit, but as additional landowners learn about the SHARE program, public access opportunities for elk hunting may increase.

Objective 3.1. Increase elk hunting opportunities by at least 10% by 2023, where feasible and compatible with population objectives.

Action 3.1.1

Develop specific elk hunting boundaries to sub-divide the Unit into multiple elk zones, to better manage harvest and provide additional hunt periods. **Expected completion: 2020.**

Action 3.1.2

E-267

Clevenger, Anthony & Waltho, Nigel. (2000). Factors Influencing the Effectiveness of Wildlife Underpasses in Banff National Park, Alberta, Canada. Conservation Biology. Vol. 14. DOI: 10.1046/j.1523-1739.2000.00099-085.x.

#### ABSTRACT:

Wildlife crossing structures are intended to increase permeability and habitat connectivity across roads. Few studies, however, have assessed the effectiveness of these mitigation measures in a multispecies or community level context. We used a null model to test whether wildlife crossing structures serve large mam-mal species equally or whether such structures limit habitat connectivity across roads in species-specific ways. We also modeled species responses to 14 variables related to underpass structure, landscape features, and hu-man activity. Species performance ratios (observed crossing frequency to expected crossing frequency) were evaluated for four large carnivore and three ungulate species in 11 underpass structures in Banff National Park, Alberta, Canada. Observed crossing frequencies were collected in 35 months of underpass monitoring. Expected frequencies were developed from three independent models: radio telemetry, pellet counts, and habitat-suitability indices. The null model showed that species responded to underpasses differently. In the presence of human activity carnivores were less likely to use underpasses than were ungulates. Apart from hu-man activity, carnivore performance ratios were better correlated to landscape variables, and ungulate performance ratios were better correlated to structural variables. We suggest that future underpasses de-signed around topography, habitat quality, and location will be minimally successful if human activity is not managed.





<u>2020 PERMIT fee</u>	<u>Type 1: \$132.75</u>	<u>Type 2: \$502.25</u>	<u>Type 3: \$582.00</u>
STEP 1 starting July 1, 2014:	Type 1: \$40.75	Type 2: \$154.25	Type 3: \$178.75
STEP 2 starting January 1, 2016:	Type 1: \$81.75	Type 2: \$308.25	Type 3: \$375.25
STEP 3 starting January 1, 2017:	Type 1: \$122.50	Type 2: \$462.50	Type 3: \$536.00

**INSTRUCTIONS** To apply for a Special Use Permit, fill in the information requested on this page. Sign and date where indicated below. Mail or deliver the completed form and the appropriate permit fee to the Lands Supervisor Attn: Special Use Permits at the appropriate Regional Office at least 45 calendar days prior to the date of the requested activity or event. Type 1 and Type 2 permit fees are refundable. Type 3 permit fees are refundable until ten calendar days prior to the special event (see Attachment A for details). Regional office information is on page 3. **Information about permit types, terms and conditions, and potential additional costs, and refunds are in Attachment A.** Do not submit Attachment B unless and until you are notified by the Department that your application is going to be approved pending your acceptance of the conditions for your particular special use. If at least one purpose of the event is to raise funds or generate revenue, Attachment C must be completed and submitted with this application for the application to be considered complete. **Applications will not be processed unless they are complete and submitted with the entire permit fee.** The Department will not approve a Special Use Permit for an unlawful use of state resources under Government Code Section 8314.

~~If you will be charging a fee for participation in the event or activity (in addition to the Department's entrance fee, where required), charging a fee for a service, selling items or fund-raising on-site, complete **Attachment C** (Supplement) and submit it with the application. Please note the Department will not approve a Special Use Permit for any activity or event that would be an unlawful use of state resources under Government Code Section 8314.~~

You will be contacted by ~~Regional land management staff~~ Department regarding approval or denial of the Special Use Permit, permit conditions, and scheduling a site visit if necessary. ~~Information about terms and conditions, and potential additional costs, and refunds are in Attachment A.~~ For questions about your application, contact the Regional Office and ask to be contacted by land management staff for the Department land you would like to use. For general questions about Special Use Permits, contact the Department's Lands Program at (916) 445-3418.

**Payment Policy:** Payment may be made by money order, cashier's check, or personal or business check, ~~or credit card.~~ For credit cards, please use the Department's credit card authorization form found online under "Other Forms" at <http://www.dfg.ca.gov/licensing/forms/>. Personal or business checks must be made payable to the CA Dept. of Fish and Wildlife and have the account holder's name and address imprinted on the check. Checks returned to the Department for insufficient funds or other failure to pay the amount due may cause the Department to deny the issuance of a Special Use Permit or will render an issued permit invalid.

**ITEM 1. ALL APPLICANTS: PLEASE COMPLETE ALL SECTIONS BELOW**

FIRST NAME:	M.I.:	LAST NAME:	
ORGANIZATION NAME (IF APPLICABLE):		(AREA CODE) PHONE NUMBER(S):	
ADDRESS:		CITY/STATE/ZIP CODE:	FAX NUMBER:
E-MAIL ADDRESS:		DEPARTMENT LAND TO BE USED (ONE PROPERTY PER APPLICATION):	
REQUESTED DATE(S) OF USE (YOU MAY REQUEST MULTIPLE EVENTS ON ONE PROPERTY OVER A PERIOD OF 12 MONTHS OR LESS):			
NAME AND PHONE NUMBER FOR 2 <sup>ND</sup> CONTACT PERSON:			IS THIS EVENT(S) A HUNTING DOG TRIAL OR TEST? (Sec. 550(b)(1417), Title 14, CCR)
ESTIMATED NUMBER OF PEOPLE THAT WILL BE ON-SITE PER DAY:	TYPES AND ESTIMATED NUMBER OF VEHICLES (CARS & TRUCKS, RV'S, TRAILERS, BICYCLES, ETC.) THAT WILL BE ON-SITE PER DAY:		
ESTIMATED NUMBER AND TYPE(S) OF ANIMALS ON-SITE PER DAY (FOR EXAMPLE: 30 DOGS, 10 PHEASANTS). IF NONE, ENTER N/A.			



**ITEM 2. COMPLETE FOR ALL ACTIVITIES AND EVENTS OTHER THAN HUNTING DOG TRIALS OR TESTS.**

On a separate sheet of paper, describe the proposed event or activity in detail from set-up through tear-down and cleanup. Include the equipment and supplies that will be used. Attach the description to this application. The application is incomplete without the description. If an activity is not listed in the description, a Special Use Permit will not allow it.

**ITEM 3. ALL APPLICANTS: SIGN AND DATE APPLICATION.**

I certify under penalty of perjury under the laws and regulations of the State of California that all information on this application (including attachments) is true, complete and correct. I understand that it is unlawful to use or possess a Special Use Permit which was obtained by fraud or deceit (Fish and Game Code Section 1054). I understand that in the event the information in this application is found to be untrue, incomplete or incorrect, the Special Use Permit will be invalid, must be immediately surrendered to the Regional Manager or authorized representative, and future Special Use Permits may be denied.

APPLICANT/PERMITTEE SIGNATURE

PRINTED NAME AND TITLE (IF APPLICABLE)

DATE

For this Special Use Permit to be valid, it must include the entire Form DFW 730 (New 01/14 Rev XX/YY) completed by the applicant and Department staff, as indicated, and any attachment from the Department indicated below. The permittee or their representative must have the Special Use Permit in his or her possession on-site during the special use and show it, upon request, to any Department employee.

**➤For Department Completion Only ◀**  
**SPECIAL USE OF DEPARTMENT LANDS PERMIT**  
**(Requires Approval by Wildlife Area or Ecological Reserve Manager)**

1. Region # \_\_\_\_\_ 2. Name of Property (one property per application) \_\_\_\_\_

3. Permit Valid for Date(s): \_\_\_\_\_ 4. Unit(s) of Property to Be Used: \_\_\_\_\_

5. Circle Permit Type: 1 2 3 (Type 1 & Type 3 are defined in Attachment A. Type 2 = Dog trial per Sec. 550(b)(14), Title 14, and includes hunting dog trials and tests.)

6. Permit fee paid? Yes No 7. Map showing location of permitted activities attached? Yes No

8. Are Attachments A and B (re: terms, conditions and costs) attached to the permit? Yes No

9. Special conditions dated \_\_\_\_\_ are attached to this permit. (If none, enter N/A).

10. Comments: \_\_\_\_\_

11. Are there charges in addition to the permit fee? Yes No

**Additional Costs (if any):**

Additional Costs Total: \_\_\_\_\_

Cleaning/Damage Deposit: \_\_\_\_\_

**Total Due:** \_\_\_\_\_

Classification	Hourly Rate	# of Staff	Hours	Cost
<b>Other Costs</b>				
<b>Subtotal</b>				
<b>Overhead</b>				
<b>Total</b>				

<sup>1</sup> Attach explanation of any cost and/or deposit in addition to the permit fee.

Approved by: \_\_\_\_\_  
Wildlife Area or Ecological Reserve Manager

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
Regional Manager or Designated Representative

Date: \_\_\_\_\_



**Privacy Notice**

The California Information Practices Act of 1977 (Civil Code §1798.17) requires the California Department of Fish and Wildlife (Department) to provide the following information to individuals who are asked to supply information about themselves. The principal purpose for requesting the information on the attached Permit Application for Special Use of Department of Lands (Form DFW 730 (New 01/14)) and its attachments is to evaluate a proposed special use. The information is solicited in accordance with Sections 550, 550.5 and 703, Title 14, California Code of Regulations. It is mandatory for the applicant to provide all of the requested information to the Department. Failure to provide the information will delay and may result in denial of the application.

Information furnished on the attached Form DFW 730 (New 01/14), and/or Attachments B or C, may be used by various Department offices and staff as required in the regular course of business, and may be disclosed to other State and federal governmental entities where required by law. You have the right to review personal information obtained about you in accordance with Department policy and may contact the office of record maintaining such information for more information concerning your rights. The materials on this form and its attachments are maintained by the Lands Supervisor at the Department Regional Office to which the applicant submitted the application.

**ADDRESSES OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) REGIONAL OFFICES**

After determining the county where the proposed special use would occur, use the table below to find the corresponding CDFW Regional Office. Mail the completed application form, permit fee and any attachments or supplemental information to the attention of the LANDS SUPERVISOR at the Regional Office address listed below. If your Special Use Permit application is approved, use the same Regional Office address to submit the acceptance of terms and conditions (Attachment B), the permit fee and payment of additional costs, if any.

<b>CDFW Regional Office</b>	<b>Counties Served</b>
<b>NORTHERN REGION (1)</b> 601 Locust Street Redding, CA 96001 (530) 225-2300	Del Norte, Humboldt, Lassen, Mendocino, Modoc, Shasta, Siskiyou, Tehama, Trinity
<b>NORTH CENTRAL REGION (2)</b> 1701 Nimbus Road Rancho Cordova, CA 95670 (916) 358-2900	Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Nevada, Placer, Plumas, Sierra, Sutter, Yuba, and the portions of Sacramento, San Joaquin and Yolo Counties that are north of I-80 and/or east of I-5
<b>BAY-DELTA REGION (3)</b> <del>7329 Silverado Trail</del> <u>2815 Cordelia Rd. #100</u> <del>Napa, CA 94558</del> <u>Fairfield, CA 93710</u> (707) <del>944-5500</del> <u>428-2002</u>	Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Santa Cruz, San Francisco, Solano, Sonoma and the portions of Sacramento, San Joaquin and Yolo counties that are south of I-80 and/or west of I-5
<b>CENTRAL REGION (4)</b> 1234 East Shaw Avenue Fresno, CA 93710 (559) 243-4005	Fresno, Kern, Kings, Madera, Mariposa, Monterey, Merced, San Benito, San Luis Obispo, Stanislaus, Tulare, and Tuolumne
<b>SOUTH COAST REGION (5)</b> 3883 Ruffin Road San Diego, CA 92123 (858) 467-4201	Los Angeles, Orange, San Diego, Santa Barbara and Ventura
<b>INLAND DESERTS REGION (6)</b> 3602 Inland Empire Boulevard, Suite C-220 Ontario, CA 91764 (909) 484-0167	Imperial, Inyo, Mono, Riverside and San Bernardino



## Attachment A SPECIAL USE PERMITS-TERMS AND CONDITIONS

### 1) Issuance of Special Use Permits

Conducting a special use without a valid Special Use Permit is a violation of subsection 550(c)(2)(A), Title 14, California Code of Regulations (CCR) and is subject to enforcement action. A Special Use Permit may be issued to cover one event or multiple events, over a period of 12 months or less, on a single property. A separate application and fee are needed for each property. Special Use Permits are issued to a single individual or organization and are not transferable.

Criteria the Department uses to evaluate a Special Use Permit application are in Section 550.5(d), Title 14, CCR. The applicant will receive written notification from the Department's ~~Regional land management staff~~ regarding the approval or denial of the Special Use Permit, ~~permit fee, additional costs (if any)~~ Notice of pending approval will include the terms and conditions that the applicant will need to accept in order for the approval process to be completed. The conditions may include costs in addition to the permit fee. ~~of the Special Use Permit.~~ Permit denials will include a written explanation of the reason(s) for the denial. If a permit is denied, the permit fee will be returned to the applicant.

#### PLEASE NOTE:

If you receive a Type 1 or Type 2 Special Use Permit (defined below), you must sign and return **Attachment B** and also pay in full any additional charge ~~cost~~ or deposit indicated by the Department on the second page of the Special Use Permit in order for the permit to be valid. **Attachment B** with the applicant's signature and any indicated payment must be received ~~by the "Lands Supervisor"~~ at the appropriate Regional office at least five calendar days before the special use is scheduled to begin. Make and retain a copy of Attachment B to keep with ~~the other pages of your Special Use Permit.~~

If you receive a draft Type 3 Special Use Permit, a finalized, valid permit will not be issued until after you sign **Attachment B** and return the entire draft permit with payment in full any additional charge or deposit that is indicated on the second page of the draft Special Use Permit. The applicant-signed draft permit and payment of any additional charges ~~should~~ must be received ~~by the "Lands Supervisor"~~ at the appropriate Regional Office at least 10 calendar days before your the special use is scheduled to begin.

### 2) Types of Special Use Permits

**Type 1 Special Use** - Type 1 special uses involve 30 or fewer visitors on-site, and ten or fewer (0 – 10) animals (such as dogs or horses) or bicycles (or other pedaled vehicles) in total, and does not involve the use of animals, bicycles, vehicles, or large equipment outside of designated parking areas, roads, trails, or areas authorized for visitor use, or use of the site for more than one full day during regular operating hours for the subject property. "Visitor" is defined in Section 550(b)(5), Title 14, CCR.

**Type 2 Special Use** – Type 2 special uses are hunting dog trials and tests. "Dog Trial" for the purposes of Department land, is defined as an organized competitive or scored event for testing hunting dog performance. (Section 550(b)(14), Title 14, CCR).

**Type 3 Special Use** - Type 3 special uses involve any one of the following (with the exception of Dog Trials): over 30 visitors on-site, over ten animals (such as dogs or horses) or bicycles (or other pedaled vehicles) in total; use of animals, bicycles, vehicles, or large equipment outside of designated parking areas, roads, trails, or areas authorized for visitor use; or use of the site for more than one day during regular operating hours for the subject property.

### 3) Fees and Costs for Special Use Permits

A ~~permit~~ fee is charged in order for the Department to recover normal costs associated with evaluating and issuing Special Use Permits. Special Use Permit fees are listed at the top of Page 1 of this application package. If the Department intends to approve your Special Use Permit, you will receive written notification if there are additional costs that must be paid to the Department associated with your Special Use that would need to be recovered paid to the Department as a condition of issuing your permit. If a special use is cancelled, Type 1 and Type 2 permit fees are refundable. Special Use permit fees for Type 1, 2 and 3 permits, are refundable only if none of the permitted activities have taken place and all of the activities and dates covered by the permit are cancelled in writing, in an email or hardcopy, submitted to the Area Manager or their designee. Type 3 permit fees are only refundable until ten calendar days prior to the scheduled



State of California – Department of Fish and Wildlife  
**PERMIT APPLICATION FOR SPECIAL USE OF DEPARTMENT LANDS**  
Form DFW 730a (New 01/14/Rev 1/20)

start of the special use, after which the permit fee will be forfeited if the permittee cancels the special use. ~~Cancellations prior to ten days before a Type 3 special use must be provided to the Area Manager in writing.~~

PERMIT FEE STEP 1 starting July 1, 2014:	Type 1: \$40.75	Type 2: \$154.25	Type 3: \$178.75
STEP 2 starting January 1, 2016:	Type 1: \$81.75	Type 2: \$308.25	Type 3: \$375.25
STEP 3 starting January 1, 2017:	Type 1: \$122.50	Type 2: \$462.50	Type 3: \$536.00

**Additional Costs:** If the Regional Manager or their designated representative determines that Department staff will need to conduct work outside of normal duties to prepare for the special use, monitor or assist with the special use, and/or return the site to its previous condition following the special use, payment to the Department to cover the additional anticipated cost may be required ~~before the Department will issue the Special Use Permit~~. The additional cost will be based on the estimated number of hours to be worked, the job classification(s) of Department personnel required to conduct the work, other costs to be incurred by the Department (e.g., extra mileage, supplies) and overhead based on the Department's official rate. **Payment to cover additional costs is due with your submission of Attachment B (i.e., five calendar days before the start of a Type 1 or Type 2 special use, ten calendar days before the start of a Type 3 special use).**

**Cleaning or Damage Deposit:** Depending on circumstances and the anticipated need for cleaning or damage repair associated with a special use, the Department may charge the applicant a cleaning or damage deposit in an amount determined by the Regional Manager or their designated representative. Costs to return the site to its previous condition will be deducted from this deposit. The Regional Manager or their designated representative will determine how much, if any, of the deposit is refunded. **Payment of any deposit is due with your submission of Attachment B (same timeframe as "Additional Costs").**

**Revenue Generating Uses:** The Department will not approve a Special Use Permit for any activity or event that would be an unlawful use of state resources under Government Code Section 8314. Unless an event is sponsored or co-sponsored by the Department, the Regional Manager or their designated representative may charge a guaranteed minimum fee or percentage of the gross revenue as a condition of issuing a Special Use Permit that authorizes revenue generating activities on Department lands. The criteria utilized to determine the fee or percentage are in Section 550.5(d)(3)(A), Title 14, CCR. **Payment of a guaranteed minimum fee or percentage of estimated gross revenue may be due with your submission of Attachment B.**

#### **4) Terms and Conditions for Special Use Permits**

**Special Conditions:** To protect human health and safety, natural or cultural resources, or Department facilities, the Regional Manager or their designated representative may impose **special conditions** in addition to the standard terms and conditions included in this application (Section 550.5(d)(5)(A), Title 14, CCR). All terms and conditions for a Special Use Permit, including any special conditions, will be provided to the applicant with written notification of approval or pending approval from the Department.

**Standard Terms and Conditions:** Standard terms and conditions for Special Use Permits are listed below.

1. A Special Use Permit is valid only for the date or dates and time or times specified on the permit.
2. Special Use Permits are not transferable.
3. In accordance with subsection 550.5(d)(8), Title 14, CCR, the permittee or representative must have the Special Use Permit in his or her possession and on-site during the special use and present it to any Department representative upon request.
4. Only the special use activities directly authorized in the Special Use Permit are permitted. All activities in connection with this Special Use Permit must be carried out in compliance with all applicable laws and regulations.
5. The permittee, employees, agents, representatives, contractors and participants in the special use will be responsible for knowing and complying with all general rules and regulations for use of Department lands in Sections 550 and 550.5, Title 14, CCR as well as any site-specific regulations for the subject property in Section 551 (for a Wildlife Area) or Section 630 (for an Ecological Reserve).



**PERMIT APPLICATION FOR SPECIAL USE OF DEPARTMENT LANDS**

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6. No structures may be constructed on or transported onto the property, and no modification, decoration, or alteration of Department facilities, grounds, trees or shrubs shall occur unless specifically described in writing, submitted with the Special Use Permit application and authorized in the Special Use Permit.
7. Permittee will control all traffic, vehicles and equipment associated with the special use as directed by the Regional Manager or designated representative.
8. Permittee will restore the area to its prior condition to the satisfaction of the Regional Manager or designated representative.





9. Per California Government Code Section 14998, *et seq.*, if the special use includes filming or still photography for other than personal use or news media, the permittee must possess a valid permit State Film Permit from the California Film Commission prior to conducting filming or photography. A State Film Permit is not required by the Department in order to process a Special Use Permit application; however, it must be obtained prior to the start of filming or photography.

10. Film or photographs for other than personal use must credit the subject property and the California Department of Fish and Wildlife.

11. The Department may require, at the discretion of the Regional Manager or designated representative, any of the following additional conditions (a – f):

- a. Fire control measures and additional firefighting equipment to be furnished by the permittee at no cost to the Department.
- b. First-aid or other medical or paramedic services to be supplied by the permittee, including but not limited to ambulance service, doctors or nurses, at no cost to the Department.
- c. Additional law enforcement or traffic control personnel at the expense of the permittee.
- d. Parking arrangements required for the permittee's operating personnel.
- e. Provision of sanitary facilities, at the expense of the permittee, above and beyond any sanitary facilities that may be furnished by the Department.
- f. Provision of garbage cans for the special use activities and removal of garbage to be provided by the permittee at the permittee's expense.

12. The Regional Manager or their designated representative may terminate any special use activity when the Department deems termination is necessary for human health and safety or protection of natural or cultural resources or Department facilities and may revoke a Special Use Permit for violation of any Department rules or regulations, or conditions of the Special Use Permit. In addition, any Special Use Permit may be cancelled without notice in the event of a disaster or unforeseen emergency.

13. Permittee shall be responsible for any damage to Department land or property, and property of third parties, in connection with the activity or event for which the Special Use Permit is issued. It is an express condition of the Special Use Permit that the State of California, the Department, and its officers, agents, employees and representatives, shall be free from all liabilities and claims by reason of any death of or injury or injuries to any person(s) or damage to property of any kind whatsoever, from any cause or causes whatsoever, arising out of any use of Department land or property under the custody or control of permittee, its agents, employees, representatives, contractors, invitees or guests, or any event or activity carried on in connection with this Special Use Permit. Permittee hereby covenants and agrees to indemnify and save harmless the State of California, the Department, and its officers, agents, employees, representatives, invitees and guests of and from any and all claims, liabilities, losses, obligations, charges, expenses (including attorney's fees), damages and costs on account of, or arising out of, any such deaths, injuries, liabilities, claims, suits, or losses however occurring, or damage growing out of same, other than those caused solely by the willful or actively negligent acts of the Department.

14. For events or activities having greater potential hazard or liability to the State than is incurred through typical daily activities on the subject property, the permittee will be required by the Regional Manager or their designee to obtain, and provide a certificate of insurance with required endorsements as proof of liability insurance coverage. The policy will cover the period of the Special Use Permit and will be for no less than a Combined Single Limit (CSL) of \$1,000,000 per occurrence. The Special Use Permit will be revoked prior to the event or activity if proof of insurance is required as a condition of issuing the Special Use Permit and it is not provided.

Insurance policies shall be underwritten to the satisfaction of the State and shall contain the following special endorsements:





The State of California, Department of Fish and Wildlife, its officers, employees, and servants are included as additional insureds but only insofar as operations under this permit are concerned;

The insurer will not cancel or reduce the insured's coverage during the period that this Special Use Permit is in effect or without 30 days prior written notice, whichever is shorter, to the Department.

This cancellation provision shall not be construed in derogation of the duty of the permittee to furnish insurance during the entire term of the Special Use Permit.

15. The interest of permittee, if any, created by this Special Use Permit may be subject to property taxation. Permittee agrees to pay any possessory interest tax or any other tax levied on such interest and to indemnify the Department from any damage or loss arising by reason of such tax or Revenue and Taxation Code Section 107.6.

16. No amendment or variation of the terms of this Special Use Permit shall be valid unless in writing and signed by the Department. No oral understanding or agreement not incorporated in this Special Use Permit shall be binding on the Department.

17. Permittee and its contractors and subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), sexual orientation, race, color, ancestry, religion (includes religious dress and grooming practices), national origin (includes language use restrictions), disability (physical and mental, including HIV and AIDS), genetic information, gender, gender identity, and gender expression, medical condition (genetic characteristics, cancer or a record or history of cancer), age (40 and above), marital status, and use of family care leave. Permittee and its contractors and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Permittee, its contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12990 (a – f), et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285, et seq.). The applicable regulations of the Fair Employment and Housing Council implementing Government Code Section 12990 (a – f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Special Use Permit by reference and made a part hereof as if set forth in full. Permittee, its contractors and subcontractors shall give written notice of their obligations under this paragraph to labor organizations with which they have a collective bargaining or other agreement. Further, permittee shall post in conspicuous places available to employees and applicants for employment, all mandated notices/posters available through the California Department of Fair Employment and Housing. (Government Code Sections 12920-12994). Permittee shall include the nondiscrimination and compliance provisions of this paragraph in all contracts and subcontracts to perform work under this Special Use Permit.

#### **REMEDIES FOR WILLFUL VIOLATIONS:**

The Department may determine a willful violation of the Fair Employment Practices Act to have occurred upon the receipt of a final judgment having that effect from a court in an action to which permittee was a party, or upon receipt of a written notice from the Fair Employment Practices Council that it has investigated and determined that permittee has violated the Fair Employment Practices Act and has issued an order pursuant to the appropriate provisions of the Government Code. In case of a willful violation of the Fair Employment Practices Act, the Department shall have the right to terminate this Permit and any loss or damage sustained by the Department by reason thereof shall be borne and paid for by permittee.

18. Permittee agrees that the Department, the California Department of General Services, the Bureau of State Audits, or their designated representative(s), shall have the right to review and copy any records and supporting documentation pertaining to the special use that is the subject of this Special Use Permit. Permittee agrees to maintain such records for possible audit for a minimum of three years after the last date that this Special Use Permit is in effect, unless a longer period of records retention is stipulated. Permittee agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any officers, employees or representatives who might reasonably have



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information related to such records. Further, permittee agrees to include a similar right of the State to audit records and interview staff in any contract or subcontract related to this Special Use Permit or any special use it authorizes.



**Attachment B**  
**APPLICANT ACCEPTANCE OF TERMS, CONDITIONS AND COSTS**

If the Department intends to approve a Special Use Permit, Department staff will complete the blank information fields near the bottom of this page and return it to you for signature. **Applicants: do not sign Attachment B until the Department has provided you with the terms and conditions for your special use and returned your application with Attachment B for your signature.**

**For a Type 1 or Type 2 Permit (Type 2 is a dog trial as defined in Section 550(b)(1417), Title 14, CCR):** This form will be attached to a signed Special Use Permit that will include the permit Terms and Conditions and notification of additional costs, if any. **The Special Use Permit will not be valid unless you sign Attachment B and return the signed original with payment of any additional costs at least five calendar days prior to the start of your event or activity.** Send these items to the ~~Lands Supervisor~~ Attn: Special Use Permits at the appropriate Regional Office. Make and retain a copy of the signed Attachment B to keep with your permit. A valid Special Use Permit includes the completed application, including the section signed by the Wildlife Area or Ecological Reserve Manager and any attachments indicated on the permit.

**For a Type 3 Permit:** This form will be attached to a draft Special Use Permit (not valid). The draft special use permit will notify you if there are any special conditions for your special use in addition to the terms and conditions in Attachment A and/or if there are costs in addition to the permit fee. In order to receive a valid Special Use Permit signed by the Department, sign below after reading the terms, conditions and costs, and then return this form with the draft Special Use Permit and any payment due to the ~~Lands Supervisor~~ Attn: Special Use Permits at the appropriate Regional Office **at least ten calendar days before the start of your event or activity.** If there are any charges beyond the permit fee, an itemized explanation will be attached to the draft Special Use Permit. After the Special Use Permit is signed by the Wildlife Area or Ecological Reserve Manager and the Regional Manager (or designated representative), it will be returned to you as your valid permit. A valid Special Use Permit includes the completed application, including the section signed by the managers mentioned above, and any attachments indicated on the permit.

**Payment Policy:** Payment may be made by money order, cashier's check, or personal or business check, ~~or credit card.~~ ~~For credit cards, please use the Department's credit card authorization form, available online under "Other Forms" at <http://www.dfg.ca.gov/licensing/forms/>.~~ Personal or business checks must be made payable to the CA Dept. of Fish and Wildlife and have the account holder's name and address imprinted on the check. Checks returned to the Department for insufficient funds will render the Special Use Permit invalid. The Department may also deny the issuance of a Special Use Permit or revoke an issued permit, if the permittee has failed to reimburse the Department for the amount due.

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I have read and accept the attached Terms and Conditions for the Special Use Permit issued to

[Name] \_\_\_\_\_ for [Activity or Event] \_\_\_\_\_ at:

\_\_\_\_\_ on \_\_\_\_\_  
Name of Subject Property on Permit Application      Date(s) that Permit is Valid  
(Entered by CDFW staff)      (Entered by CDFW staff)

I understand that the Regional Manager or authorized representative may terminate without prior notice any special use activity or event when it is necessary to protect human health and safety, natural or cultural resources or Department facilities. The Regional Manager or designated representative may revoke this Special Use Permit for violation of any rules or regulations of the California Fish and Game Commission or the terms and conditions of this Special Use Permit. I also understand that any Special Use Permit may be cancelled without notice in the event of disaster or unforeseen emergency.

\_\_\_\_\_  
Applicant/Permittee Name and  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title, if Applicable



**Attachment C  
SUPPLEMENT**

**INSTRUCTIONS:** If you will be charging a fee for participation in the event or activity (beyond the Department's entrance fee, where required), charging a fee for a service provided on-site, or selling items or fund-raising on-site, complete and attach this form to your Special Use Permit application. If additional space is required, continue on a separate sheet of paper and attach. If a question does not apply to your use, enter N/A.

1. Is the applicant a non-profit, tax-exempt organization qualified under Internal Revenue Code Section 501(c)?  
Yes                      No
2. Is this a "campaign activity" as defined in Government Code Section 8314?    Yes              No
3. List all fees and charges to participants/ attendees:
  - For Department lands where visitors must pay an entry permit or day fee, list any fees or charges that would be in addition to the Department's fee.
  - If any fees charged to participants/attendees are intended to recover the permittee's cost for the Special Use Permit application and permit fees, indicate in this section by identifying the portion of the participant or attendance fees intended to recover that cost.
4. List of items or services to be sold during the special use.
5. Estimated gross receipts and net proceeds to the permittee.
6. Identify additional individuals, businesses or organizations that will receive revenue from entrance fees or from providing goods or services. If the specific individuals, businesses or organizations are unknown at this time, at a minimum identify the types of entities that are likely to receive revenue from this event or activity.
7. Method(s) of advertising and promoting the event. Attach sample copy of brochures, flyers, posters, etc. The Department reserves the right to review and approve all promotional materials to protect the interests of the Department.
8. Detailed description of displays and concession booths to be installed, if any.
9. List of all organizations involved, whether sponsors, recipients or promotional firms. Commercial sponsors must be specifically listed.

**State of California  
Fish and Game Commission  
Initial Statement of Reasons for Regulatory Action  
Public Use of Department of Fish and Wildlife Lands**

**Attachment 12**

**Necessity for Changes to the Permit Application for Special Use of  
Department Lands (DFW 730 (New 01/14))  
November 2019**

**Page 1** (*Page numbers are per the existing (New 01/14) version of the application form*)

1. References to the form number will change to DFW 730 (Rev [Month]/20) to comply with the convention for numbering forms.
2. Permit Fee
  - a. Delete Special Use Permit fees from the phase-in period from 2014 through 2017 because that text is no longer necessary. Only show the permit fees for 2020. Department fees are adjusted each year in accordance with Section 699, Title 14, California Code of Regulations (CCR), pursuant to the frequency and method required by Fish and Game Code Section 713. Because this implements the exact requirements in the statute, this is not a regulatory change.
3. Instructions
  - a. Replace “the Lands Supervisor” with “Attn: Special Use Permit”. Lands Supervisor” is deleted because there may be multiple lands supervisors in a Regional office, and the office administrative staff are better equipped to process and circulate this paperwork. This change is necessary to improve efficiency in processing applications, based on feedback from Regional staff.
  - b. Insert “calendar” into the third sentence of this paragraph. This is necessary for consistency with subsection 550.5.(d), Title 14, CCR and other references to deadlines within DFW 730 (New 01/14).
  - c. Delete the sentence regarding refunds because the information is not comprehensive, it is redundant with text in Attachment A, and it is not relevant for most applicants for Special Use Permits. Instead the public is simply directed to check Attachment A for information about refunds, where the information is comprehensive. This is necessary to make the overall document more concise and provide greater clarity for the public.
  - d. An instruction for Attachment B and amendments to the instructions for Attachment C are proposed to provide clarification for the public.

Department staff who review submitted applications have reported that the public would benefit from clarification about the use of these attachments.

4. Payment Policy

- a. Delete text about credit cards. Special Use Permits are not processed through the Department's Automated License Data System (ALDS). The Department does not have a mechanism for credit card transactions outside of ALDS.

**Page 3**

1. Addresses of Regional Offices

- a. Update the address for the headquarters of the Bay-Delta Region for accuracy.

**Page 5 (Attachment A)**

1. Issuance of Special Use Permits

- a. It is necessary to amend the language in the second paragraph of this section to clarify that the costs being discussed are in addition to the permit fee, and that payment of these costs is not due until after the applicant has been notified that their application has been approved.
- b. Under "PLEASE NOTE": Amend language to clarify how the public should utilize Attachment B and submit payment for any additional charges for a Special Use Permit. "Lands Supervisor" is deleted because there may be multiple lands supervisors in a Regional office, and the office administrative staff are better equipped to process and circulate this paperwork. This change is necessary to improve efficiency in processing applications, based on feedback from Regional staff.

Also change "additional charge" to "additional cost" for consistency with other references to additional costs in the document.

2. Types of Special Use Permits: No changes proposed.

**Pages 5-6**

3. Fees and Costs for Special Use Permits:

- a. Delete the text that shows the phase-in of fees during the first three years that Special Use Permits because it is no longer necessary. Add a sentence to direct the reader to the top of the first page of the application to see the current permit fees rather than repeating them on this page. It

is simple for the reader to find, and more straightforward to change the amount if that is necessary in the future.

- b. Add language to clarify what is required to obtain a refund. Land management staff have reported that some permittees expect a partial refund of the permit fee if they cancel some but not all of the permit fees after the permit is issued. Also, cancellations need to be in writing for the sake of clarity of everyone involved and documentation to provide a refund of a permit fee if all of the subject activities are cancelled.
- c. Additional costs (page 6): Propose to delete confusing text that states a permit will not be issued unless the permit fee is paid. This is confusing because the permit application will not even be reviewed until the entire permit fee is paid. It conflicts with earlier instructions that the permit fee is due when the application is submitted.

Additional text is proposed to clarify when additional charges for a Special Use are due. This is currently stated, in a more general manner, in the above section on the issuance of permits (under PLEASE NOTE). For the sake of clarity this warrants more specific text in this section that focuses on additional costs.

Cleaning or damage deposit: Additional text is proposed to clarify when a damage or cleaning deposit is due, if it is required. The due date is stated in a more general manner, in the above section: Issuance of Permits (under PLEASE NOTE). For the sake of clarity, this should be stated more explicitly in this subsection that focuses on cleaning and damage deposits.

Revenue generating uses: Additional text is proposed to clarify when a minimum fee is due for special uses that include fund raising or the generation of revenue. The due date is stated, in a more general manner, in the above section: Issuance of Permits (under PLEASE NOTE). For the sake of clarity, this should be stated more explicitly in this subsection that focuses on special uses that generate revenue.

## **Page 6**

### **1. Terms and Conditions of Special Use Permits**

- a. This change is for item number 9 under Terms and Conditions of Special Use Permits ("Per California Government Code Section 14998..."). According to Department land managers, filmmakers have been confused about when a State Film Permit is needed in order to film on Department lands. They tend to think it must be obtained before a Special Use Permit can be issued, but it is only required before they start filming. Text is proposed to be added to clarify this matter.



## Page 9

1. Attachment B: Applicant Acceptance of Terms, Conditions and Costs
  - a. In the introductory paragraph of this page, text is proposed to be added to clarify when the page should be signed and submitted to the Department. Department land managers have indicated that many applicants are confused about this
  - b. Replace “the Lands Supervisor” with “Attn: Special Use Permit” to improve efficiency in processing applications, based on feedback from Regional staff.
  - c. Delete text about credit cards. Special Use Permits are not processed through the Department’s Automated License Data System (ALDS). The Department does not have a mechanism for credit card transactions outside of ALDS.