

STAFF SUMMARY FOR APRIL 15-16, 2020

27. PUBLIC USE OF DEPARTMENT LANDS**Today's Item****Information** ☐**Action** ☒

Consider adopting proposed changes to wildlife areas and ecological reserves regulations.

Summary of Previous/Future Actions

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| • WRC vetting | Sep 10, 2019; WRC, Santa Rosa |
| • Notice hearing | Dec 11-12, 2019; Sacramento |
| • Discussion hearing | Feb 21, 2020; Sacramento |
| • Today's adoption hearing | Apr 15-16, 2020; Teleconference |

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. Public use of DFW-managed lands is prohibited until they are designated as a wildlife area or ecological reserve.

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.

At its Dec 2019 meeting, FGC approved a notice of proposed regulation for:

- designating eight properties, one as a wildlife area and seven as ecological reserves; and
- removing from existing regulation designations for four properties that DFW no longer possesses or manages (see Exhibit 1).

Other amendments would:

- 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.
- 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.

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DFW drafted a negative declaration as a proposed mechanism for complying with CEQA and provided that draft to FGC. FGC staff reviewed and analyzed the negative declaration and determined that it reflects the independent judgment of FGC. The draft negative declaration was circulated for comment on Feb 26, 2020 (see Exhibit 2) and FGC did not receive any substantial comments in response.

Significant Public Comments (N/A)**Recommendation**

FGC staff: Certify the final environmental document, adopt the proposed projects, and adopt the proposed changes to wildlife areas and ecological reserves regulations.

DFW: Adopt the regulations as proposed in the initial statement of reasons (ISOR).

Exhibits

1. [Public use of DFW lands ISOR](#), dated Nov 13, 2019
2. [Negative declaration, dated Feb 2020](#)

Motion/Direction

Moved by _____ and seconded by _____ that the Commission finds that the negative declaration reflects the independent judgment of the Commission, adopts the declaration, adopts the proposed projects, and adopts the staff recommended changes to sections 550, 550.5, 551, 552, 630 and 702 regarding public use of DFW lands.

**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: 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 21, 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 Elicuera 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 occasion 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 | \$462.50375.25 | \$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.

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_CountySubarea_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 | Monday, June 24 |
| California Department of Fish and Wildlife | Grassland Environmental Education Center |
| South Coast Region Headquarters | Los Banos Wildlife Area |
| 3883 Ruffin Road | 18110 Henry Miller Ave. |
| San Diego, CA 92123 | Los Banos, CA 93635 |
| Wednesday, June 19 | Tuesday, June 25 |
| Oroville Branch Library | Yolo Bypass Wildlife Area |
| 1820 Mitchell Ave. | 45211 County Road 32B (Chiles Road) |
| Oroville, CA 95966 | 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:

The California Department of Fish and Wildlife (Department) may experience a small increase in draw application fees for additional special hunts that have been proposed, as well as a small decrease in one-day or two-day hunting passes because some pheasant hunts are proposed to be no longer permitted in certain Type A wildlife area lands. The net revenue change is estimated to be \$149.52 per budget year.

The proposed changes are to designate seven ecological reserves and one wildlife area. 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.

The proposed regulation changes would increase special hunt opportunities 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.

Most of the proposed special hunt opportunities would be for upland game. One would be for tule elk. The anticipated number of applicants for each new special hunt and potential new revenue is shown in Table 1. The draw application fee for an upland game special hunt is \$2.42, and the application fee for tule elk is \$8.13. The estimated new revenue for the proposed upland game bird and tule elk special hunts is estimated to be as much as \$653.40.

Some proposed changes would decrease public use opportunities such as the elimination of early season pheasant hunting days on seven Central Valley Type A wildlife areas. Regular shoot days for the Type A wildlife areas during the waterfowl hunting season (basically September through January) are Saturday, Sunday, and Wednesday. No hunting occurs outside of those days for waterfowl or any other species, except for the possibility that pheasant could be permitted. In the current regulations (subsections within 551(s)) there are exceptions to the regular shoot days on seven Type A wildlife areas. Depending on the property, five to twelve consecutive days of pheasant hunting are allowed at the beginning of the six-week pheasant season which begins in early November.

However, starting approximately nine years ago, because of the steep decline in the wild pheasant population, the Department has annually issued a press release that excluded nearly all those extra pheasant hunt days. The Department had to exercise its authority to restrict or close a public use for conservation purposes. Only one extra day was retained on two properties via the press releases: the first Monday of pheasant season on Gray Lodge and Upper Butte Basin. In practice, this one day on two areas have been the only extra opportunity available, regardless of the current language in Section 551(s). So functionally, the proposed regulatory change would be a very small change from the current practices over the last nine years.

In order to hunt on a Type A wildlife area, people must purchase a hunting pass. One-day, two-day, and season-long hunting passes are sold through the Department's online license sales program. The current fee for a one-day Type A hunting pass is \$21.42. The current fee for a two-day hunting pass is \$36.21.

The hunter participation on "pheasant Mondays" in recent years at Gray Lodge and Upper Butte Basin has been very low compared to regular weekend shoot days. The Department estimates that five one-day passes are sold for each property for the first Monday, and four two-day passes are sold for each property for hunting on Sunday and Monday. If this day is no longer available for upland game hunting on those two properties, this could result in a total loss of \$503.88 in hunting pass sales.

The Department estimates that removing this one-day from two properties will not affect the sale of season-long hunting passes, hunting licenses or upland game stamps.

In sum, the proposed rulemaking could result in \$653.40 in new revenue to the Department along with a reduction in revenue estimated to be about \$503.88, resulting in a \$149.52 net revenue change for the Department that is absorbable within existing budgets and resources.

(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.

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(cc) 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(o) 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.

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. 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. 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.

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);
- ~~(61)~~(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);
~~(81)~~(79) Red Lake Wildlife Area (Alpine County) (Type C);
~~(82)~~(80) Rhode Island Wildlife Area (Contra Costa County) (Type C);
~~(83)~~(81) Round Valley Wildlife Area (Inyo and Mono counties) (Type C);
~~(84)~~(82) Sacramento Bypass Wildlife Area (Yolo County) (Type C);
~~(85)~~(83) Sacramento River Wildlife Area (Butte, Colusa, and Glenn counties) (Type C);
~~(86)~~(84) San Felipe Valley Wildlife Area (San Diego County) (Type C);
~~(87)~~(85) San Jacinto Wildlife Area (Riverside County), including the Davis Road Unit and the Potrero Unit (Type A);
~~(88)~~(86) San Luis Obispo Wildlife Area (San Luis Obispo County) (Type C);
~~(89)~~(87) San Luis Reservoir Wildlife Area (Merced County) (Type C);
~~(90)~~(88) San Pablo Bay Wildlife Area (Marin and Sonoma counties) (Type C);
~~(91)~~(89) Santa Rosa Wildlife Area (Riverside County) (Type C);
~~(92)~~(90) Shasta Valley Wildlife Area (Siskiyou County) (Type B);
~~(93)~~(91) Sheepy Ridge Wildlife Area (Siskiyou County) (Type C);
~~(94)~~(92) Silver Creek Wildlife Area (Lassen County) (Type C);
~~(95)~~(93) Slinkard-Little Antelope Wildlife Area (Mono County) (Type C);
~~(96)~~(94) Smithneck Creek Wildlife Area (Sierra County) (Type C);
~~(97)~~(95) South Fork Wildlife Area (Kern County) (Type C);
~~(98)~~(96) South Spit Wildlife Area (Humboldt County) (Type C);
~~(99)~~(97) Spenceville Wildlife Area (Yuba and Nevada counties) (Type C);
~~(100)~~(98) Surprise Valley Wildlife Area (Modoc County) (Type C);
~~(101)~~(99) Sutter Bypass Wildlife Area (Sutter County) (Type C);
~~(102)~~(100) Tehama Wildlife Area (Tehama County) (Type C);

~~(402)~~(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);

~~(403)~~(101) Upper Butte Basin Wildlife Area (Butte and Glenn counties), including the Howard Slough, Little Dry Creek, and Llano Seco management units (Type A);

~~(404)~~(102) Volta Wildlife Area (Merced County) (Type A);

~~(405)~~(103) Waukell Creek Wildlife Area (Del Norte County) (Type C);

~~(406)~~(104) Warner Valley Wildlife Area (Plumas County) (Type C);

~~(407)~~(105) West Hilmar Wildlife Area (Merced and Stanislaus counties) (Type C);

~~(408)~~(106) West Walker River Wildlife Area (Mono County) (Type C);

~~(409)~~ White Slough Wildlife Area (San Joaquin County) (Type C);

~~(410)~~(107) Willow Creek Wildlife Area (Lassen County) (Type B); and

~~(414)~~(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;

~~(40)~~(9) Sonny Bono Salton Sea National Wildlife Refuge (Imperial County) (Type A) (operated with the Imperial Wildlife Area); and

~~(44)~~(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 BARRANCA 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 |
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| (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> |
| (4) <u>(5)</u> | Oroville Wildlife Area | Allowed only on roads open to vehicles. |
| (5) <u>(6)</u> | San Felipe Valley Wildlife Area | Allowed only on designated trails or routes. |
| (6) <u>(7)</u> | San Jacinto Wildlife Area (Potrero Unit) | Allowed only on designated trails. |
| (7) <u>(8)</u> | Spenceville Wildlife Area | Allowed only on designated trails and roads. |
| (8) <u>(9)</u> | 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. |
| (9) <u>(10)</u> | 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 |
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| (1) | Antelope Valley Wildlife Area | Closed to hunting from February 1 through June 30. |

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| (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 |

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| | | 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) | Grizzly Island Wildlife Area (Garibaldi Unit) | Closed to the public |
| (18) (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. Gold Hills and Island Slough units are <u>The Island Slough Unit is</u> open to hunting on Christmas Day when Christmas falls on a Saturday, Sunday or Wednesday. |
| (19) (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). |
| (20) | Grizzly Island Wildlife Area (Cordelia and Montezuma Slough units) | No hunting or possession of firearms or archery equipment. |
| (24) (19) | 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. |
| (22) (20) | Hallelujah Junction Wildlife Area | Closed to all visitor use from February 1 through June 30. Dogs are prohibited except for hunting. |

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| (23) <u>(21)</u> | Hill Slough Wildlife Area | No hunting or possession of firearms or archery equipment. |
| (24) <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> |
| (25) <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. |
| (26) <u>(24)</u> | Hope Valley Wildlife Area | Closed to hunting from February 1 until the opening of archery deer season. |
| (27) <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. |
| (28) <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. |
| (29) <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. |
| (30) | Lake Berryessa Wildlife Area | Dogs are prohibited from February 15 through July 15. |
| (31) <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. |
| (32) <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. |

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| (33) <u>(30)</u> | Little Panoche Reservoir Wildlife Area | The use of dogs for wild pig hunting is prohibited. |
| (34) <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. |
| (35) <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. |
| (36) <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. |
| (37) <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) <u>(35)</u> | Moss Landing Wildlife Area | Closed to hunting on New Year's Day. The Salt Ponds are closed to hunting. |
| (39) <u>(36)</u> | 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. The Southern Crossing unit is closed to all visitor uses during restoration. Dogs are prohibited from March 2 through June 30. |
| (40) <u>(37)</u> | 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) <u>(38)</u> | 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. |

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| (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) <u>(42)</u> | 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) <u>(43)</u> | Rector Reservoir Wildlife Area | Closed to hunting from the day after spring turkey season closes to the opening of archery deer season. |
| (47) <u>(44)</u> | Red Lake Wildlife Area | Closed to hunting February 1 through August 31 except during archery deer season. |
| (48) <u>(45)</u> | Sacramento Bypass Wildlife Area | Closed to hunting February 1 through August 31. |
| (49) <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. |
| (50) <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. |
| (51) <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. |
| (52) <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. |

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| (53) <u>(50)</u> | San Luis Obispo Wildlife Area | Closed to all visitor uses except for the shooting area/range. |
| (54) <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. |
| (55) <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). |
| (56) <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. |
| (57) <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. |
| (58) <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. |
| (59) <u>(56)</u> | 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. |
| (60) <u>(57)</u> | 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. |
| (61) <u>(58)</u> | 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 |

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| | | 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. |
| (62) | White Slough Wildlife Area | Closed to hunting February 1 through August 31. |
| (63)(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.

| | 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. |

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| (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. |
| (9) | Lake Berryessa Wildlife Area | Special draw entry permits are required. |
| (10) <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. |
| (11) <u>(10)</u> | Little Panoche Reservoir Wildlife Area | Self-registration is required on site. |
| (12) <u>(11)</u> | Morro Bay Wildlife Area | Shooting hours are from 7:00 a.m. until sunset. |
| (13) <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. |
| (14) <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. |
| (15) <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. |
| (16) <u>(15)</u> | Oroville Wildlife Area | Special draw entry permits are required for the spring turkey season. |
| (17) <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. |
| (18) <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. |

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| (19) (18) | San Pablo Bay Wildlife Area | Blinds shall be available on a first come-first served basis. |
| (20) (19) | 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. |

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| (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 (Cordelia and Montezuma Slough Units) | All firearms and archery equipment are prohibited. |
| (21) <u>(20)</u> | Hill Slough Wildlife Area | All firearms and archery equipment are prohibited. |
| (22) <u>(21)</u> | Hollenbeck Canyon Wildlife Area | Rifles and pistols are prohibited. |
| (23) <u>(22)</u> | Horseshoe Ranch Wildlife Area | During spring turkey season only shotguns and archery equipment may be used. |
| (24) <u>(23)</u> | Imperial Wildlife Area (Finney-Ramer Unit) | Rifles and pistols are prohibited. |
| (25) <u>(24)</u> | Kinsman Flat Wildlife Area | During spring turkey season only shotguns and archery equipment may be used. |
| (26) <u>(25)</u> | Laguna Wildlife Area | Rifles and pistols are prohibited. |
| (27) | Lake Berryessa Wildlife Area | Firearms are allowed only for special hunts. |

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| (28) <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. |
| (29) <u>(27)</u> | Lake Sonoma Wildlife Area | Firearms are allowed only for special hunts. |
| (30) <u>(28)</u> | Little Panoche Reservoir Wildlife Area | Rifles and pistols are prohibited. |
| (31) <u>(29)</u> | Lower Sherman Island Wildlife Area | Rifles and pistols are prohibited. |
| (32) <u>(30)</u> | Mad River Slough Wildlife Area | Rifles and pistols are prohibited. |
| (33) <u>(31)</u> | Miner Slough Wildlife Area | Rifles and pistols are prohibited. |
| (34) <u>(32)</u> | Morro Bay Wildlife Area | Rifles and pistols are prohibited. |
| (35) <u>(33)</u> | Moss Landing Wildlife Area | Rifles and pistols are prohibited. |
| (36) <u>(34)</u> | Mouth of Cottonwood Creek Wildlife Area | Rifles and pistols are prohibited. |
| (37) <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. |
| (38) <u>(36)</u> | O'Neill Forebay Wildlife Area | Rifles, pistols, and shotgun slugs are prohibited. |
| (39) <u>(37)</u> | Oroville Wildlife Area | Rifles and pistols are prohibited except at the portion of the area designated as a shooting range. |
| (40) <u>(38)</u> | Perris Reservoir | Rifles and pistols are prohibited. |
| (41) <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. |

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| (42) <u>(40)</u> | Point Edith Wildlife Area | Rifles and pistols are prohibited. |
| (43) <u>(41)</u> | Rhode Island Wildlife Area | Rifles and pistols are prohibited. |
| (44) <u>(42)</u> | Sacramento Bypass Wildlife Area | Rifles, pistols, and archery equipment are prohibited. Buckshot and slugs are prohibited. |
| (45) <u>(43)</u> | Sacramento River Wildlife Area | Rifles and pistols are prohibited. |
| (46) <u>(44)</u> | San Felipe Valley Wildlife Area | Rifles and pistols are prohibited in designated areas. |
| (47) <u>(45)</u> | San Luis Reservoir Wildlife Area | Rifles and pistols are prohibited. |
| (48) <u>(46)</u> | San Pablo Bay Wildlife Area | Rifles and pistols are prohibited. |
| (49) <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). |
| (50) <u>(48)</u> | South Spit Wildlife Area | Rifles, pistols, and archery equipment are prohibited. |
| (51) <u>(49)</u> | Sutter Bypass Wildlife Area | Rifles and pistols are prohibited. |
| (52) <u>(50)</u> | 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> |
| (53) <u>(51)</u> | West Hilmar Wildlife Area | Rifles and pistols are prohibited. |
| (54) | White Slough Wildlife Area | Rifles and pistols are prohibited. All firearms and archery equipment are prohibited in the portion of the area designated as Pond 9. |

(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.

| | AREA | SPECIES | HUNT REQUIREMENTS |
|--|------|---------|-------------------|
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| (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. |
| (4) | Gray Lodge Wildlife Area | Pheasant | 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. |
| (5) (4) | Gray Lodge Wildlife Area | Quail and Rabbit | Allowed only on <u>pheasant hunt waterfowl shoot days during the pheasant season.</u> |
| (6) (5) | Gray Lodge Wildlife Area | Turkey | Allowed only through a special drawing during the spring season. |
| (7) | Grizzly Island Wildlife Area | Pheasant | 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. |
| (8) (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. |
| (9) (7) | Grizzly Island Wildlife Area (Crescent and Grizzly Island units) | Rabbits | Allowed daily in July and on <u>pheasant hunt waterfowl shoot days during the pheasant season.</u> |
| (10) (8) | 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. |
| (11) (9) | Honey Lake Wildlife Area | Quail and rabbit | Allowed only on waterfowl shoot days that occur during the pheasant season. |
| (12) (10) | Imperial Wildlife Area | Quail | Allowed only on pheasant hunt days. |
| (13) (11) | Imperial Wildlife Area (Wister Unit) | Rabbits | Allowed daily during the rabbit season except during the waterfowl season, when |

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| | | | rabbits may be taken only on pheasant hunt days. |
| (14) <u>(12)</u> | Imperial Wildlife Area (Wister Unit) | Raccoons | Allowed daily from August 1 through one week before opening of waterfowl season. |
| (15) | Los Banos Wildlife Area | Pheasant | 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. |
| (16) <u>(13)</u> | Los Banos Wildlife Area | Raccoons and rabbits | Self-registration is required. Raccoons may not be taken during waterfowl season. |
| (17) | Mendota Wildlife Area | Pheasant | 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. |
| (18) <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 | 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. |
| (20) <u>(15)</u> | 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 and pheasant hunt days. |
| (21) <u>(16)</u> | Shasta Valley Wildlife Area | Quail | Self-register at area. Quail shoot days are limited to waterfowl shoot days only. |
| (22) <u>(17)</u> | Tehama Wildlife Area | Deer | During the G-1 deer season, only persons with department issued entry permits may enter. |

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| (23) <u>(18)</u> | Tehama Wildlife Area | Deer | Allowed only with a J-3 apprentice tag available through the big game drawing |
| (24) <u>(19)</u> | Tehama Wildlife Area | Wild Pigs | Allowed only with a tag obtained through a special drawing. No dogs permitted. |
| (25) <u>(20)</u> | Upper Butte Basin Wildlife Area | Rabbits | Allowed only during the September dove season, and on waterfowl or pheasant hunt days during the late dove season. |
| (26) <u>(21)</u> | 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) | Upper Butte Basin Wildlife Area | Pheasant | 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. |
| (28) <u>(22)</u> | Volta Wildlife Area | Rabbits | Allowed except during waterfowl season. Self-registration required. |
| (29) | Yolo Bypass Wildlife Area | Pheasant | 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. |

(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. |

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| (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. |

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| (27) | White Slough Wildlife Area | Waterfowl, pheasants, quail, and dove only. |
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(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> hour before shoot time. |

[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.

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, Lano 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.

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 County~~ counties;
- (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;

~~(400)~~ (105) Quail Hollow Ecological Reserve, Santa Cruz County;
~~(401)~~ (106) Quail Ridge Ecological Reserve, Napa County;
~~(402)~~ (107) Rancho Jamul Ecological Reserve, including the Headquarters Unit, San Diego County;
~~(403)~~ (108) Redwood Shores Ecological Reserve, San Mateo County;
~~(404)~~ (109) River Springs Lakes Ecological Reserve, Mono County;
~~(405)~~ (110) Saline Valley Ecological Reserve, Inyo County;
~~(406)~~ (111) San Antonio Valley Ecological Reserve, Santa Clara County;
~~(407)~~ (112) San Bruno Mountain Ecological Reserve, San Mateo County;
~~(408)~~ (113) San Diego River Ecological Reserve, San Diego County;
~~(409)~~ (114) San Dieguito Lagoon Ecological Reserve, San Diego County*;
~~(410)~~ (115) San Elijo Lagoon Ecological Reserve, San Diego County*;
~~(411)~~ (116) San Felipe Creek Ecological Reserve, Imperial County;
~~(412)~~ (117) San Joaquin River Ecological Reserve, Fresno and Madera counties;
~~(413)~~ (118) San Luis Rey River Ecological Reserve, San Diego County;
~~(414)~~ (119) Sands Meadow Ecological Reserve, Tuolumne County;
~~(415)~~ (120) Santa Cruz Long-toed Salamander Ecological Reserve, Santa Cruz County;
~~(121)~~ Santa Margarita River Ecological Reserve, Riverside County;
~~(416)~~ (122) Santa Rosa Plain Vernal Pool Ecological Reserve, including the Hall Road, Todd Road, Wikiup and Yuba Drive units, Sonoma County;
~~(417)~~ (123) Santa Rosa Plateau Ecological Reserve, Riverside County;
~~(418)~~ (124) Semitropic Ecological Reserve, Kern County;
~~(419)~~ (125) Sky Valley Ecological Reserve, Riverside County;
~~(420)~~ (126) Springville Ecological Reserve, Tulare County;
~~(421)~~ (127) Stone Corral Ecological Reserve, Tulare County;
~~(422)~~ (128) Stone Ridge Ecological Reserve, Butte County;
~~(423)~~ (129) Sycamore Canyon Ecological Reserve, Riverside County;
~~(424)~~ (130) Sycuan Peak Ecological Reserve, San Diego County;
~~(425)~~ (131) Table Bluff Ecological Reserve, Humboldt County;
(132) Tecopa Ecological Reserve, Inyo County
~~(426)~~ (133) Theiller Sebastopol Meadowfoam Ecological Reserve, Sonoma County;
~~(427)~~ (134) Thomes Creek Ecological Reserve, Tehama County;
~~(428)~~ (135) Tomales Bay Ecological Reserve, Marin County;
~~(429)~~ (136) Upper Newport Bay Ecological Reserve, Orange County*;
~~(430)~~ (137) Vernalis Ecological Reserve, San Joaquin County;
~~(431)~~ (138) Walker Canyon Ecological Reserve, San Diego County;
~~(432)~~ (139) Watsonville Slough Ecological Reserve, Santa Cruz County;
~~(433)~~ (140) West Mojave Desert Ecological Reserve, San Bernardino County;
~~(434)~~ (141) Woodbridge Ecological Reserve, San Joaquin County; and
~~(435)~~ Yaudanchi Ecological Reserve, Tulare County; and
~~(436)~~ (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. |
| (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. |

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|-----------------------------|---|--|
| (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> |
| (40) <u>(11)</u> | Canebrake Ecological Reserve | Allowed only at such times and in the specific areas designated by the department. |
| (41) <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. |
| (42) <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> |
| (43) <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. |
| (44) <u>(16)</u> | Cosumnes River Ecological Reserve | Allowed only at such times and in the specific areas designated by the department. |
| (45) <u>(17)</u> | Dales Lake Ecological Reserve | Waterfowl only. |
| (46) <u>(18)</u> | Eden Landing Ecological Reserve | Waterfowl allowed, but only at such times and in the specific areas designated by the department. |

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|-----------------------------|---|---|
| (17) <u>(19)</u> | Elkhorn Slough Ecological Reserve | Allowed only at such times and in the specific areas designated by the department. |
| (18) <u>(20)</u> | Estelle Mountain Ecological Reserve | Upland game only. |
| (19) <u>(21)</u> | Fish Slough Ecological Reserve | Allowed. |
| (20) <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> |
| (21) <u>(24)</u> | Kaweah Ecological Reserve | Allowed only at such times and in the specific areas designated by the department. |
| (22) <u>(25)</u> | Kerman Ecological Reserve | Allowed from July 1 through January 31. Only licensed hunters are allowed to possess firearms. Shotguns only. |
| (23) <u>(26)</u> | Liberty Island Ecological Reserve | Allowed only at such times and in the specific areas designated by the department. |
| (24) <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> |
| (25) <u>(29)</u> | North Table Mountain Ecological Reserve | Deer and upland game allowed from the day after spring turkey season through November 15. |
| (26) <u>(30)</u> | Oasis Springs Ecological Reserve | Allowed. |

| | | |
|-----------------------------|--|---|
| (27) <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). |
| (28) <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. |
| (29) <u>(33)</u> | Panoche Hills Ecological Reserve | Allowed from July 1 through January 31. |
| (30) <u>(34)</u> | Peninsular Ranges Ecological Reserve | Upland game only. |
| (31) <u>(35)</u> | Piute Creek Ecological Reserve | Allowed. |
| (32) <u>(36)</u> | Pleasant Valley Ecological Reserve | Allowed only at such times and in the specific areas designated by the department. |
| (33) <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. |
| (34) <u>(38)</u> | Rancho Jamul Ecological Reserve | Allowed only at the times and in the specific areas designated by the department. |
| (35) <u>(39)</u> | River Springs Lakes Ecological Reserve | Allowed. |
| (36) <u>(40)</u> | Saline Valley Ecological Reserve | Allowed. |
| (37) <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. |
| (38) <u>(42)</u> | San Felipe Creek Ecological Reserve | Allowed. |

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|-----------------------------|---------------------------------------|--|
| (39) <u>(43)</u> | Sky Valley Ecological Reserve | Upland game only. |
| (40) <u>(44)</u> | Stone Corral Ecological Reserve | Allowed only at such times and in the specific areas designated by the department. |
| (41) <u>(45)</u> | Tomales Bay Ecological Reserve | Waterfowl only. |
| (42) <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. |
| (43) <u>(47)</u> | Walker Canyon Ecological Reserve | Allowed. |
| (44) <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</u> | <u>Prohibited</u> | <u>Allowed only on the trail from Holly Oaks Park and the Luelf Pond OSP</u> |

| | | | |
|---------------------------|--------------------------------------|--|--|
| | <u>Ecological Reserve</u> | | <u>trail to Southern Oak Road.</u> |
| (2) <u>(3)</u> | Canebrake Ecological Reserve | Prohibited. | Allowed only on established trails in designated areas. |
| (3) <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. |
| (4) <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 |
| (5) <u>(6)</u> | Eden Landing Ecological Reserve | Allowed only on designated trails. | Allowed only on designated trails. |
| (6) <u>(7)</u> | Headwaters Forest Ecological Reserve | Allowed only on the northern 3.5 mile designated corridor. | Prohibited. |
| (7) <u>(8)</u> | Magnesia Spring | Year round access is allowed only on that portion of the Mike Schuler Trail in the | Year round access is allowed only on that portion of the Mike Schuler Trail in the |

| | | | |
|---------------------|--------------------------------------|---|---|
| | Ecological Reserve | 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. | 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. |
| (8) (9) | Redwood Shores Ecological Reserve | Allowed only along the levee-top road system. | Prohibited. |
| | | | |
| (9) (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. |

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| (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> |
| (11) <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. |
| (12) <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. |
| (13) <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. |
| (14) <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. |
| (15) <u>(16)</u> | Corral Hollow Ecological Reserve | Closed to all visitor use/access. |
| (16) <u>(17)</u> | Cosumnes River Ecological Reserve | Pets are prohibited, except when they remain inside a motor vehicle. |

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| <u>(18)</u> | Del Mar Mesa/Lopez Ridge Ecological Reserve | <u>Closed to all visitor use/access.</u> |
| (17) <u>(19)</u> | Goleta Slough Ecological Reserve | Visitors must stay on established trails, paths or other designated areas. |
| (18) <u>(20)</u> | Headwaters Forest Ecological Reserve | Pets are prohibited except for dogs on a leash on the northern 3.5 mile designated corridor. |
| (19) <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> |
| (20) <u>(23)</u> | Lake Mathews Ecological Reserve | Closed to all visitor use/access. |
| (21) <u>(24)</u> | Leek Springs Ecological Reserve | Closed to all visitor use/access. |
| (22) <u>(25)</u> | Limestone Salamander Ecological Reserve | Closed to all visitor use/access. |
| (23) <u>(26)</u> | Macklin Creek Ecological Reserve | Closed to all visitor use/access. |

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|-----------------------------|---|---|
| (24) <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□ |
| (25) <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> |
| (26) <u>(30)</u> | Phoenix Field Ecological Reserve | Closed to all visitor use/access. |
| (27) <u>(31)</u> | Pine Hill Ecological Reserve | Closed to all visitor use/access. |
| (28) <u>(32)</u> | Quail Ridge Ecological Reserve | Closed to all visitor use/access except for special opportunities as provided in subsection 630(d) (33) of these regulations |

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| (29) <u>(33)</u> | San Dieguito Lagoon Ecological Reserve | The California least tern nesting island is closed to all visitor use/access. |
| (30) <u>(34)</u> | San Joaquin River Ecological Reserve | Closed to all visitor use/access except for special opportunities as provided in subsection 630(e) (25) of these regulations. |
| (31) <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> |
| (32) <u>(37)</u> | Santa Rosa Plain Vernal Pool Ecological Reserve | Closed to all visitor use/access. |
| (33) <u>(38)</u> | Santa Rosa Plateau Ecological Reserve | Pets are prohibited. Smoking is prohibited, except inside a motor vehicle. |
| (34) <u>(39)</u> | Stone Ridge Ecological Reserve | Closed to all visitor use/access except for department authorized interpretive, educational, or research programs. |
| (35) <u>(40)</u> | Table Bluff Ecological Reserve | The fenced western lily area is closed to all visitor use/access. |
| (36) <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. |

| | | |
|-----------------|-------------------------------|---|
| (37) | 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.

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 (New 01/14 <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 (New 01/14 <u>REV. XX/20</u>)), incorporated by reference herein; | |
| 2. | Attachment B: Applicant Acceptance of Terms, Conditions and Costs (DFW 730b(New 01/14 <u>REV. XX/20</u>)), incorporated by reference herein; and | |
| 3. | Attachment C: Supplement (DFW 730c (New 01/14 <u>REV. XX/20</u>)), incorporated by reference herein | |
| (B) | Type 1 Special Use Permit from January 1, 2016 through December 31, 2016. | \$81.75 |
| (C) <u>B</u> | Type 1 Special Use Permit starting January 1, 2017. | \$122.50 <u>\$132.75</u> |
| (D) | Type 2 Special Use Permit from January 1, 2016 through December 31, 2016. | \$308.25 |
| (E) <u>C</u> | Type 2 Special Use Permit starting January 1, 2017. | \$462.50 <u>\$502.25</u> |
| (F) | Type 3 Special Use Permit from January 1, 2016 through December 31, 2016. | \$375.25 |

| | | |
|------|--|-------------------------------------|
| (GD) | Type 3 Special Use Permit starting January 1, 2017. | \$536.00 <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.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: _____

Lead Agency: _____ Contact Person: _____

Mailing Address: _____ Phone: _____

City: _____ Zip: _____ County: _____

Project Location: County: _____ City/Nearest Community: _____

Cross Streets: _____ Zip Code: _____

Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: _____

Assessor's Parcel No.: _____ Section: _____ Twp.: _____ Range: _____ Base: _____

Within 2 Miles: State Hwy #: _____ Waterways: _____

Airports: _____ Railways: _____ Schools: _____

Document Type:

CEQA: ☐ NOP ☐ Draft EIR NEPA: ☐ NOI Other: ☐ Joint Document
☐ Early Cons ☐ Supplement/Subsequent EIR ☐ EA ☐ Final Document
☐ Neg Dec (Prior SCH No.) _____ ☐ Draft EIS ☐ Other: _____
☐ Mit Neg Dec Other: _____ ☐ FONSI _____

Local Action Type:

☐ General Plan Update ☐ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other: _____

Development Type:

☐ Residential: Units _____ Acres _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____
☐ Commercial: Sq.ft. _____ Acres _____ Employees _____
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____
☐ Educational: _____
☐ Recreational: _____
☐ Water Facilities: Type _____ MGD _____
☐ Transportation: Type _____
☐ Mining: Mineral _____
☐ Power: Type _____ MW _____
☐ Waste Treatment: Type _____ MGD _____
☐ Hazardous Waste: Type _____
☐ Other: _____

Project Issues Discussed in Document:

☐ Aesthetic/Visual ☐ Fiscal ☐ Recreation/Parks ☐ Vegetation
☐ Agricultural Land ☐ Flood Plain/Flooding ☐ Schools/Universities ☐ Water Quality
☐ Air Quality ☐ Forest Land/Fire Hazard ☐ Septic Systems ☐ Water Supply/Groundwater
☐ Archeological/Historical ☐ Geologic/Seismic ☐ Sewer Capacity ☐ Wetland/Riparian
☐ Biological Resources ☐ Minerals ☐ Soil Erosion/Compaction/Grading ☐ Growth Inducement
☐ Coastal Zone ☐ Noise ☐ Solid Waste ☐ Land Use
☐ Drainage/Absorption ☐ Population/Housing Balance ☐ Toxic/Hazardous ☐ Cumulative Effects
☐ Economic/Jobs ☐ Public Services/Facilities ☐ Traffic/Circulation ☐ Other: _____

Present Land Use/Zoning/General Plan Designation:

Project Description: (please use a separate page if necessary)

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

| | |
|--|--|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans District # _____ | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date _____ Ending Date _____

Lead Agency (Complete if applicable):

| | |
|------------------------|-----------------------|
| Consulting Firm: _____ | Applicant: _____ |
| Address: _____ | Address: _____ |
| City/State/Zip: _____ | City/State/Zip: _____ |
| Contact: _____ | Phone: _____ |
| Phone: _____ | |

Signature of Lead Agency Representative: Signed copy on file _____

Date: _____

Melissa Miller-Henson, Executive Director
California Fish and Game Commission

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

ENVIRONMENTAL CHECKLIST FORM

1. Project title: Public Use of Department of Fish and Wildlife Lands
2. Lead agency name and address:

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
3. Contact person and phone number: Julie Horenstein, 916-373-6607
4. Project location: Statewide
5. Project sponsor's name and address: California Department of Fish and Wildlife

P.O. Box 944209

Sacramento, CA 94244-2090
6. General plan designation: N.A.
7. Zoning: N.A.
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The California Fish and Game Commission proposes to make changes to Title 14 of the California Code of Regulations that would designate seven properties as Ecological Reserves (as defined in Fish and Code Section 1580) and one property as a State Wildlife Area (as defined in FGC 1525) and remove the designation of four properties; improve public safety, recreational opportunities, and/or regulations that govern public use of lands owned and/or managed by the California Department of Fish and Wildlife. See the attached Regulatory Language.
9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The Department of Fish and Wildlife manages over one million acres in California that represent the variety of undeveloped fish and wildlife habitats present in the state. Surrounding land uses include primarily open space, ranching, farming, timber production, suburban and urban development.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

Office of Administrative Law

Department of Finance

Public Use of Department of Fish and Wildlife Lands

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1. If so, has consultation begun?

The Department and Commission, in concordance with the Tribal Communication and Consultation Policy, sent a letter inviting the tribes listed with NAHC to consult or provide comments concerning the designation of these properties. No reply was received.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public

Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signed copy on file

Melissa Miller-Henson, Executive Director, Fish and Game Commission

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference

to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significant.

Public Use of Department of Fish and Wildlife Lands

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|--------------|
| I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | | | | |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | | |
| c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | | | | |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | | | | |
| II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | | | | |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | | |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | | | | |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | | |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | | | | |
| III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | | | | |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | | | | |
| c) Expose sensitive receptors to substantial pollutant concentrations? | | | | |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | | | | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|--------------|
| IV. BIOLOGICAL RESOURCES. Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | | | | |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | | | | |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | | | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | | | | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | | |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | | |
| V. CULTURAL RESOURCES. Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? | | | | |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | | | | |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | | | | |
| VI. ENERGY. Would the project: | | | | |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | | | | |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | | | | |
| VII. GEOLOGY AND SOILS. Would the project: | | | | |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | | |
| ii) Strong seismic ground shaking? | | | | |
| iii) Seismic-related ground failure, including liquefaction? | | | | |
| iv) Landslides? | | | | |
| b) Result in substantial soil erosion or the loss of topsoil? | | | | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|--------------|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | | |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | | | | |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | | | | |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | | | |

VIII. GREENHOUSE GAS EMISSIONS. Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY. Would the project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| <ul style="list-style-type: none"> i) result in a substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows? <ul style="list-style-type: none"> d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | | | | |
| XI. LAND USE AND PLANNING. Would the project: | | | | |
| <ul style="list-style-type: none"> a) Physically divide an established community? b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | | | | |
| XII. MINERAL RESOURCES. Would the project: | | | | |
| <ul style="list-style-type: none"> a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state? b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | | |
| XIII. NOISE. Would the project result in: | | | | |
| <ul style="list-style-type: none"> a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? b) Generation of excessive groundborne vibration or groundborne noise levels? c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | | | | |
| XIV. POPULATION AND HOUSING. Would the project: | | | | |
| <ul style="list-style-type: none"> a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | | | | |
| XV. PUBLIC SERVICES. Would the project: | | | | |
| <ul style="list-style-type: none"> a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: | | | | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|--------------|
| Fire protection? | | | | |
| Police protection? | | | | |
| Schools? | | | | |
| Parks? | | | | |
| Other public facilities? | | | | |
| XVI. RECREATION. | | | | |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | | |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | | |
| XVII. TRANSPORTATION. Would the project: | | | | |
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | | | | |
| b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? | | | | |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | | |
| d) Result in inadequate emergency access? | | | | |
| XVIII. TRIBAL CULTURAL RESOURCES. | | | | |
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | | | | |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | | | | |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | | | | |
| XIX. UTILITIES AND SERVICE SYSTEMS. Would the project: | | | | |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | | | | |

| Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|--------------|
| <ul style="list-style-type: none"> b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | | | | |
| XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | |
| <ul style="list-style-type: none"> a) Substantially impair an adopted emergency response plan or emergency evacuation plan? b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | | | | |
| XXI. MANDATORY FINDINGS OF SIGNIFICANCE. | | | | |
| <ul style="list-style-type: none"> a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | | | |

**EXPLANATION OF RESPONSES TO INITIAL STUDY ENVIRONMENTAL
CHECKLIST FOR PROPOSED REGULATIONS GOVERNING
PUBLIC USE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE LANDS**

I. AESTHETICS

- a), b), c) The Project will not have an adverse effect on any of the topics because the Project does not involve earthmoving, alteration or destruction of rock outcroppings or construction activities. Recreational uses will be managed to avoid impacts to native vegetation.
- d) The Project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area of the worksites because the Project does not require installation of artificial lighting.

II. AGRICULTURE AND FORESTRY RESOURCES

- a) The Project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use. The Project does not involve construction, earthmoving, or the conversion of the existing vegetation to a different type.
- b) The Project will not conflict with existing zoning for agricultural use or a Williamson Act contract because it will not change existing land use from agriculture.
- c) The Project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timber zoned Timberland Production because it will not change the existing vegetation type.
- d) The Project will not result in the loss of forest land or the conversion of forest land to non-forest use because it will not change the existing vegetation type.
- e) The Project will not involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland to non-agricultural land or conversion of forest land to non-forest land because it does not involve construction, earthmoving, ground clearing or changing the type of vegetation that is present.

III. AIR QUALITY

- a) The Project will not conflict with or obstruct implementation of the applicable air quality plan. Such an impact will not occur because implementation of the Project does not create any features that would be a source of air pollution. Visitors on the subject lands will not drive beyond designated parking areas, and the less than significant level of greenhouse gas emissions expected to be generated by visitor trips to the subject properties are discussed in Section VIII (a) (Greenhouse Gas Emissions).
- b) The Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable Federal or State ambient air quality standard because the Project is unlikely to generate significant air pollution (see response to III(a) and VIII(a)).
- c) The Project will not expose sensitive receptors to substantial pollutant concentrations because implementation of the Project will not emit pollutants.

- d) The Project will not create emissions such as those leading to objectionable odors affecting a substantial number of people, because the intended uses of the property, habitat conservation and compatible recreation, are unlikely to create those circumstances.

IV. BIOLOGICAL RESOURCES

- a) The Project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW), National Oceanic and Atmospheric Administration (NOAA) or U. S. Fish and Wildlife Service (USFWS). The reasons for this conclusion are discussed below. In addition to the reasons discussed below, biological resources on all CDFW lands are protected by multiple regulations within Section 550, Title 14, California Code of Regulations (CCR), including, but not limited to, subsection(g): Protection of Resources:

Section 550(g): "Except for the take of fish and/or wildlife in compliance with general and site-specific hunting and fishing regulations, or under written authorization from the department to conduct environmental research or environmental education, no visitor shall:

- (1) mine or disturb geological formations, archeological, cultural or anthropological artifacts, structures, or resources.*
- (2) take or disturb any bird nest, or eggs thereof.*
- (3) cut, saw, trim, remove, or disturb any plant, mammal, fish, mollusk, crustacean, amphibian, reptile, soil, sand, gravel, rock, mineral, or any other form of plant or animal life on department land, except that non-woody vegetation may be cut and used for temporary hunting blinds; or*
- (4) construct or build any type of structure, including those made of vegetation (except as provided in subsection 550(g)(3)) or any other type of material, on department land except as may be specifically authorized by a Special Use Permit."*

Another regulation within Section 550 that supports many of the less than significant or no effect responses in the current initial study is subsection (y) which prohibits visitors from operating a motor vehicle or trailer on CDFW lands except on designated roads. The use of off-highway or all-terrain vehicles (OHVs, ATVs) by visitors is entirely prohibited on CDFW lands, unless a site-specific regulation allows for it. This project does not include any site-specific authorization for the use of OHVs or ATVs.

CDFW monitors the properties it manages and has the authority to restrict or close areas to public uses if it appears necessary to protect natural resources, cultural resources, or public health or safety. For example, a trail can be closed temporarily if public access might impact the nesting success of a rare species, or if it would expose

hikers to unsafe conditions. It is illegal for visitors to enter CDFW lands, or portions of CDFW lands, that have been signed as closed to public access (Section 550(c)(2)(D)).

Although this amendment would prohibit all firearms and archery equipment on the Boca, Polaris, and West River Units of the Truckee River Wildlife Area (TRWA) (with the exception of the lawful possession of a concealed firearm as provided in subsection 550(cc)(1) of these regulations), this restriction only effects 4% of the TRWA and 96% of

the area is nearby and available for hunting. Under existing regulations, pistols and rifles are already prohibited. There are also U.S. Forest Service lands surrounding the area that are available for hunting. The removal of early season, consecutive pheasant hunt days from Section 551(s) has been implemented on the seven subject wildlife areas on annual basis for the last nine years, utilizing the Department's authority under Section 550(c)(2)(D), therefore the regulation change does not constitute a change in use. A minor exception to this is that pheasant hunting has been allowed on two of those wildlife areas on the first Monday of pheasant season during the past nine years, and that will no longer be allowed under the proposed regulation changes. However, there are opportunities to hunt pheasant on that Monday on CDFW Type C wildlife areas and on four federal refuges.

Based on CDFW's experience in wildlife management, these occasional limited opportunities will not have a significant effect on the target species' population, non-hunted species or their habitats due to hunts only occurring outside of the breeding/nesting season. CDFW would provide appropriate signage and barriers to keep hunters outside of sensitive habitats and within designated hunting boundaries. Special hunts would occur outside of the breeding/nesting season.

1. The property to be known as the Round Valley Wildlife Area (RVWA) (Inyo and Mono counties) will be added to the list of wildlife areas managed by CDFW. The primary uses of wildlife areas are hunting, fishing (not an option on RVWA), wildlife viewing, photography, environmental education and research. The property is far from major metropolitan areas, and adjacent to much larger tracts of land owned by the U.S. Forest Service, which allow similar uses. It is not expected that the level of public use will result in significant disturbance or damage to wildlife, habitat or other resources of concern, but the property is monitored by CDFW and CDFW has authority under Section 550(c)(2)(D), Title 14, CCR, to close or restrict public uses on department lands for the protection of natural resources, cultural resources, and/or public safety. Other than an educational kiosk at the entry point, no structures are anticipated to be built on the RVWA. As a result, any impacts to species would be less than significant.
2. The proposed changes for the Napa-Sonoma Marshes Wildlife Area (Napa, Sonoma and Solano Counties) will allow regulated bicycle use on the Green Island and Southern Crossing units of the wildlife area, in accordance with the area's land management plan (final land management plan dated October, 2011, SCH# 2010082042, excerpt re: bikes is Attachment 4 of the ISOR for the subject regulation changes). This use was found to have a less than significant effect on biological resources. It would take place on one established trail on each of these units, and there will be signage along the trail to avoid confusion about the public use rules. Some fencing will also be used on the Southern Crossing Unit.
3. Currently, all hunting on the Hollenbeck Canyon Wildlife Area (HCWA) (San Diego County) is prohibited between February 1 and August 31. To increase hunting opportunities while minimizing negative effects on nesting wildlife, CDFW recommends allowing crow hunting in a designated area (which may shift over time) until the end of the statewide crow season in early April (per Section 485(a)(1)). Based on CDFW's experience and expertise, crow hunting at this wildlife area is expected to attract minimal numbers of hunters, particularly later in the crow hunting season. For that reason, and by restricting this use to one part of the property, CDFW's opinion is that this change will not significantly increase disruption to

wildlife at the HCWA above what already occurs through existing visitor uses of this popular wildlife area during the early spring (e.g. hiking, bird-watching, photography).

4. The Southern Crossing Unit of the Napa-Sonoma Marsh Wildlife area is currently closed to public use in Section 551. There was an intensive habitat restoration plan in place for this unit, so it was closed for public safety and to maximize the establishment of newly planted vegetation. Because the more intensive approach to restoration will not be implemented, there is no longer a need to prohibit all public use of the unit. Public use would include walking and bike-riding on an established trail that is on a public access easement owned by the City of Napa. Signs will be posted and fences erected to keep visitors on the trail and avoid confusion regarding authorized public uses. These uses are in accordance with the area's land management plan (final land management plan dated October 2011, SCH# 2010082042), which was determined to have a less than significant effect on biological resources.
5. The property to be known as the Cañada de San Vicente Ecological Reserve (CSVER) (San Diego County) will be added to the list of ecological reserves managed by CDFW. CSVER is proposed to be closed to general public access with the exception of pedestrian and equestrian use of the trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road. About one-quarter mile of the trail is located within the ecological reserve before exiting onto adjacent public land. The proposed regulations will allow for occasional special hunts that would occur only at specific dates outside of the breeding/nesting season and in locations designated by CDFW. These hunts would be offered to a limited number of participants via a random drawing and would be supervised by CDFW staff. The uses proposed in these regulation changes are consistent with the land management plan (2016), which was found to have a less than significant effect on biological resources. The CSVER land management plan and associated environmental documents are available at <https://www.wildlife.ca.gov/Lands/Planning> .
6. The property to be known as the Cienega Springs Ecological Reserve (CSER) (Ventura County) will be added to the list of ecological reserves managed by CDFW. The property would be open for hiking, birdwatching, photography (i.e., pedestrian uses) and occasional special hunts for a common game species on specific dates and times and within specific areas designated by CDFW. These would be available to a limited number of participants via a random drawing, supervised by CDFW staff. Special hunts would outside of the breeding/nesting season.
7. The property to be known as the Deep Springs Lake Ecological Reserve (DSLER) (Inyo County) will be added to the list of ecological reserves managed by CDFW. The property will be open to hiking, wildlife viewing, photography (i.e., pedestrian use). The property will not be open to hunting. Both access routes to CDFW'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, it is unlikely to receive much public use. CDFW has more efficient access via private property and will monitor the reserve. Pursuant to subsection 550(i), Title 14, CDFW'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. The designation and associated public uses are not anticipated to have a significant effect on biological resources

8. The property to be known as the Indian Wells Valley Ecological Reserve (IWER)(Kern County) will be added to the list of ecological reserves managed by CDFW. This reserve would be closed to regular public access, although a proposed regulation would allow for occasional special hunts, for common upland game species, on specific dates for a limited number of participants selected through a random drawing. These hunts would be supervised by CDFW staff and would occur outside of the breeding/nesting season. It is anticipated that the designation as an ecological reserve and the occasional special hunts will have a less than significant effect on biological resources.
 9. The property to be known as the North Carrizo Ecological Reserve (NCER) (San Luis Obispo County) will be added to the list of ecological reserve managed by CDFW. This reserve would be closed to regular public access, although a proposed regulation change will allow for occasional special hunts on specific dates, for a limited number of participants selected through a random drawing. These hunts would be supervised by CDFW staff and would occur outside of the breeding/nesting season. The hunts are likely to focus on elk, and will be consistent with the state's elk conservation and management plan, approved in 2018 (<https://www.wildlife.ca.gov/Hunting/Elk>). It is anticipated that the designation as an ecological reserve and the occasional special hunts will have a less than significant effect on biological resources.
 10. The property to be known as the Santa Margarita River Ecological Reserve (SMRER) (Riverside County) will be added to the list of ecological reserves managed by CDFW. The property is part of a larger, cooperatively managed, reserve complex known as the Santa Margarita Ecological Reserve. Day to day management is provided by San Diego State University. The Santa Margarita Ecological Reserve is closed to regular public access, but authorizes scheduled hikes, environmental education activities and research. The SMRER is considered especially sensitive within the complex due to its proximity to a wildlife undercrossing for Highway 15. Organized activities do not routinely take place on CDFW's property, and it is anticipated that the designation of the property as an ecological reserve will have a less than significant effect on biological resources.
 11. The property to be known as the Tecopa Ecological Reserve (TER) (Inyo County) will be added to the list of ecological reserves managed by CDFW. 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, wildlife viewing, and photography from appropriate access points will be encouraged with signs posted to avoid incompatible uses such as motorized vehicles, camping and campfires. The TER parcels 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, so cooperative management may help minimize visitor impacts to CDFW lands. It is anticipated that the designation of the property as an ecological reserve will have a less than significant effect on biological resources.
- b) The Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies and regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service. Substantive adverse effects will not occur because no development of facilities or infrastructure in or near these natural communities are proposed, and public uses proposed in this project are either restricted to minimize disturbance to riparian and other

sensitive natural communities, or are authorized on remote properties that are unlikely to receive substantial public use. Monitoring, adaptive land management, public education, and working with adjacent landowners and constituent groups, will contribute to CDFW's protection of sensitive habitats on the subject properties.

- c) The Project will not have a substantial adverse effect on federally protected wetlands as defined by § 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means because the Project does not involve any on-the-ground physical changes that would affect wetlands, and because public uses proposed in this project are restricted or are authorized on remote properties that are unlikely to receive substantial public use.
- d) The Project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites because the Project does not involve any on-the-ground physical changes, and because public uses proposed in this project are restricted or are authorized on remote properties that are unlikely to receive substantial public use.
- e) The Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because the Project does not involve any on-the-ground physical changes.
- f) The Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan because it does not propose to develop any lands identified for conservation.

V. CULTURAL RESOURCES

- a) The Project will not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5 because the project does not involve any on-the-ground physical changes, and because of the restrictions placed on public uses. Properties that are open to unsupervised access for pedestrian uses such as hiking and wildlife viewing are remote and unlikely to receive substantial public use.
- b) The Project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5 for the same reasons described for item V.a).
- c) The Project is unlikely to disturb any human remains, including those interred outside of formal cemeteries for the same reasons described for item V.a).

VI. Energy

- a) The Project will not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The Project does not include any construction. CDFW staff already travel to the subject properties, although this will increase on an occasional basis, it will not result in significantly more trips. Members of the public will occasionally be traveling to these

properties, but they will be engaging in low energy consumption activities on-site such as hiking, hunting, and environmental education.

- b) The Project will not conflict with or obstruct a state or local plan for renewable energy. These properties were purchased for or accepted by CDFW for the purposes of natural resource conservation and compatible recreation. CDFW and the California Wildlife Conservation Board conduct due diligence to avoid acquiring properties with constraints or entitlements that conflict with those purposes.

VII. GEOLOGY AND SOILS

- a) The Project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault. Such an impact will not occur because the Project does not create any structures for human habitation.
 - ii. Strong seismic ground shaking. Such an impact will not occur because the Project does not create any structures for human habitation.
 - iii. Seismic-related ground failure, including liquefaction. Such an impact will not occur because the Project does not create any structures for human habitation.
 - iv. Landslides. Such an impact will not occur because the Project does not create any structures for human habitation.
- b) The Project will not result in substantial soil erosion or the loss of topsoil, because it does not include any construction, earthmoving or ground clearing activities. Recreational sources of erosion will be avoided by allowing only pedestrian use by visitors with the exception of horseback riding on about 1/4 mile on an existing dirt road on one property. Regulatory limitations on visitor access on the newly designated properties and the remoteness of several of the properties will reduce foot traffic.
- c) The Project will not result in a geologic unit or soil becoming unstable, potentially resulting in an on- on off-site landslide, lateral spreading, subsidence, liquefaction or collapse because it does not include construction, earthmoving, ground clearing or well drilling.
- d) The Project will not create a substantial direct or indirect risk to life or property on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) because the Project does not create any structures for human habitation.
- e) The Project will not create any sources of wastewater requiring a septic system or an alternative wastewater disposal system where sewers are not available because the limited public use will not require the construction of those facilities.
- f) The Project is very unlikely to directly or indirectly destroy a unique paleontological resource or site or unique geological feature for the reasons explained for item (b) in this section.

VIII. GREENHOUSE GAS EMISSIONS

- a) The Project will not generate greenhouse gas emissions, either directly or indirectly, that, may have a significant impact on the environment because the Project does not involve the regular operation of machinery, equipment or vehicles that emit greenhouse gasses. Seven of the eight subject properties will have limited public use, thus not generating many vehicle trips. Cienega Springs is more accessible, but the adjacent trout hatchery already generates visitor trips and a significant increase is not expected, plus planned riparian restoration will add native trees and shrubs to the area, offsetting some carbon emissions.
- b) The Project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases for the reasons described for item VII. a).

IX. HAZARDS AND HAZARDOUS MATERIALS

- a) The Project will not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials, primarily because no on-the-ground physical changes are proposed. Very limited hunting may be introduced on five properties as a result of this project, which may result in some deposit of spent ammunition on-site. However, only non-lead ammunition is legal to use for hunting in California. For upland game hunting, which will comprise the majority of the special hunts, only shotgun ammunition containing pellets composed of materials approved as nontoxic by the U.S. Fish and Wildlife Service may be used.
- b) The Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment because it does not involve the transport or use hazardous materials.
- c) The Project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Such impact is avoided because the Project will not create any feature that can emit hazardous substances.
- d) The Project does not include any site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- e) Only one of the properties with changes in use as a result of this project is located within an airport land use plan or within two miles of a public or public use airport. The Southern Crossing Unit of the Napa-Sonoma Marshes Wildlife Area is approximately one mile north of the Napa County Airport. There are no residences on the Southern Crossing Unit. It has been owned by the Department since 2005, and staff visit the property periodically for monitoring and maintenance. It is approximately 260 acres, and is disjunct from the other units of the approximately 14,000 acre wildlife area. It is not anticipated that opening the trail on the Southern Crossing unit to public access will result in greater airport-related hazards or excessive noise for CDFW staff, because the majority of staff time is spent on other parts of this wildlife area.
- f) The Project will not alter any roads and therefore will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

- g) The Project will not expose people or structures to a significant risk of loss, injury, or death involving wild land fires. CDFW land management staff consult annually with the local staff of the California Department of Forestry and Fire Protection and manage vegetation, the use of equipment, and CDFW and visitor vehicles to reduce the risk of wildfire. The limited access or remoteness of the properties that will be opened to public use as part of the Project also reduces the risk.

X.H YDROLOGY AND WATER QUALITY

- a) The Project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality because it will not involve the release of materials that could enter surface or groundwater or significant soil disturbance. Vegetation will remain intact on the project sites.
- b) The Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge because it will not use or divert surface water or groundwater.
- c) The Project will not alter existing drainage patterns on the on the subject properties in a manner that would result in substantial erosion or siltation on- or off-site because no construction, earthmoving or ground clearing is proposed.
 - i. The Project will not result in substantial erosion or siltation on- or off-site. See above explanation for item IX. c).
 - ii. The Project will not substantially increase the rate or amount of surface runoff. See above explanation for item IX. c).
 - iii. The Project will not contribute runoff water. See the above explanation for item IX. c).
 - iv. The Project will not impede or redirect flood flows. See the above explanation for item IX. c).
- d) The Project will not expose people or structures to a significant risk of inundation by seiche, tsunami, or mudflow or result in the release of pollutants due to project inundation. See the above explanation for item IX. c).
- e) The Project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. See the above explanation for item IX. c). Additionally, the Project does not involve irrigation of the subject properties or the discharge of water from the subject properties.

XI. LAND USE AND PLANNING

- a) The Project will not physically divide an established community because with one exception, none of the subject properties are within an established community. A portion of the proposed Tecopa Ecological Reserve is within the town of Tecopa (Inyo County), but its presence does not interfere with the use of public roads and the property will be open to pedestrian access.
- b) This Project does conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Parts of some of the subject properties were acquired by CDFW as mitigation for the environmental effects of various land development projects. The proposed regulation changes will protect sensitive

natural resources on all of the subject properties, including lands acquired through mitigation.

XII. MINERAL RESOURCES

- a) The Project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state because no excavation or construction will take place.
- b) The Project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Such an impact will not occur because no excavation or construction will take place.

XIII. NOISE

- a) The Project will not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in local general plans, noise ordinances, or applicable standards of other agencies. The Project does include occasional upland game hunting, but not close to residential areas, and it will not be a frequent activity or result in prolonged loud noise.
- b) The Project will not result in exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels, because no construction or earthmoving activities are involved.
- c) The Project will not expose people residing or working on the subject properties to excessive noise levels within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. See the explanation for item IX. e).

XIV. POPULATION AND HOUSING

- a) The Project will not induce substantial population growth in an area, either directly or indirectly. Such an impact will not occur because the Project will not construct any new homes, businesses, roads, or other human infrastructure.
- b) The Project will not displace any people and will not necessitate the construction of replacement housing elsewhere.

XV. PUBLIC SERVICES

- a) The Project will not have substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered government facilities because visitors will not live, shop, obtain healthcare, go to school or use other public services on the subject properties. CDFW staff already work periodically on the subject properties, typically a few people at a time. That number may increase slightly on the occasional days when a Department sponsored and/or authorized recreational, educational or volunteer activity takes place. These activities will typically involve 10 – 30 members of the public.
 - i. Fire. No existing or proposed facilities on these properties.

- ii. Police. The Department provides its own Law Enforcement and routinely monitors the properties.
- iii. Schools. No existing or proposed facilities.
- iv. Parks. Each designated property has been listed for the benefit of the people of California.
- v. Other public facilities. Minor improvements such as trails and signage.

XVI. RECREATION

- a) The Project would not increase the use of existing neighborhood and regional parks, or other recreational facilities. For the most part, the proposed changes will increase recreational opportunities by opening more CDFW properties to at least occasional public uses.
- b) The Project does not include constructed recreational facilities and does not require the construction or expansion of recreational infrastructure.

XVII. TRANSPORTATION

- a) The Project will not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities because no changes to transit infrastructure or facilities are included in the Project.
- b) The Project will not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) For two reasons: 1) it will not cause substantially more trips to be made to the subject properties by CDFW staff, since they are already responsible for monitoring and managing on-site natural resources, and 2) members of the public will not make a large change in the number of miles they typically drive because they will not visit the properties very often, compared to trips for work, shopping and other regular tasks.
- c) The Project will not substantially increase hazards due to geometric design features or incompatible uses because it does not include the design or change of roadways and will not introduce atypical vehicle use in the vicinity of the subject properties.
- d) The Project will not result in inadequate emergency access. Such an impact will not occur because no changes will be made to roads and there will not be a pronounced increase in traffic because of the limited proposed public uses or the remote location of the subject properties.

XVIII. TRIBAL CULTURAL RESOURCES

- a) The Project will not cause substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code Section 21074, because of the limited level of public use of the subject properties that results from restrictions within the proposed regulations and/or their remote location, and because no construction, earthmoving or ground clearing activities are included.
 - i. The Project will not cause a substantial adverse change to a tribal cultural resource as described above and one that is listed or eligible for listing in the California Register of

Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).

- ii. The Project will not cause a substantial adverse change to a tribal cultural resource as described above and no resource has been determined by the CDFW to be significant to events of California's history and cultural heritage, or to the lives of persons important in our past, or having characteristics of value, or in prehistory or history pursuant to the criteria set forth in subdivision (c) of Public Resources Code section 5024.1.

XIX. UTILITIES AND SERVICE SYSTEMS

- a) The Project does not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, telecommunications facilities, or increase the production of wastewater. The properties will only be open to limited public use, the occasional recreational and educational uses by relatively small numbers of visitors will not require reliance on local utilities or services or permanent on-site facilities.
- b) The Project does not require a particular level of water availability for the reason described for item XIX. a).
- c) The Project will not affect the capacity of any wastewater treatment provider to meet their existing or future commitments for the reason described for item XIX. a).
- d) The Project will not generate solid waste in excess of state or local standards or in excess of the capacity of the local infrastructure, or otherwise impair the attainment of solid waste reduction goals for the reason described for item XIX. a).
- e) The Project will not violate federal, state or local management and reduction statutes and regulations related to solid waste for the reason described for item XIX. a).

XX. WILDFIRE

- a) The Project will not substantially impair an adopted emergency response plan or emergency evacuation plan because it will not regularly or substantially add to the number of people or vehicles in an area with such a plan and does not involve any construction or earth moving activity.
- b) The Project will not expose occupants to wildfire or related pollutants because people will not occupy the subject properties as a result of the Project. At times when the risk is imminent CDFW has the authority to close all or parts of properties to visitors for public safety.
- c) The regulation changes that comprise the Project do not involve the installation or maintenance of infrastructure.
- d) The regulation changes that comprise the Project will not result in a significant risk of exposing people to flooding or landslides as part of post-wildfire effects on the landscape because CDFW has the authority to close all or parts of properties for public safety. The risk is also lower because most of the subject properties are only being opened to

occasional, organized public uses, or are unlikely to be visited often because of their remote location.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- a) The Project is unlikely to substantially degrade the quality of the environment, substantially reduce habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. It will introduce a limited amount of public use into areas that are currently closed, but based on its experience and expertise in wildlife management CDFW believe the level of disturbance to wildlife associated with the new public use opportunities will be less than significant, and that there are unlikely to be effects on rare or endangered species, or sensitive plant communities as a result of the Project. If necessary, CDFW does have the regulatory authority to close part or all of its properties to any or all designated uses to conserve natural or historical resources.
- b) The Project does not have adverse impacts that are individually limited, but cumulatively considerable. The Department believes that the cumulative degree of disturbance to wildlife caused by the limited public use opportunities or regular public access on very remote sites, will be less than significant.
- c) The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly because this Project will not have an adverse impact the environmental services provided by the terrestrial or aquatic habitats on the subject properties (e.g., groundwater recharge, water filtration, carbon sequestration, pollinator resources).

**NEGATIVE DECLARATION FOR PROPOSED REGULATIONS GOVERNING
PUBLIC USE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE LANDS**

prepared by the

STATE OF CALIFORNIA

THE NATURAL RESOURCES AGENCY

CALIFORNIA FISH AND GAME COMMISSION

as the

LEAD AGENCY UNDER THE CALIFORNIA

ENVIRONMENTAL QUALITY ACT for the

REGULATORY ACTION TO

AMEND SECTIONS 550, 550.5, 551, 552, 630 AND 702

OF TITLE 14, CALIFORNIA CODE OF REGULATIONS

February 2020

I.

The Project

The California Fish and Game Commission ("Commission") has prepared this Negative Declaration to comply with the California Environmental Quality Act ("CEQA") (Public Resources Code section 21000 *et seq.*). The Commission is the lead agency under CEQA with respect to the proposed project that involves changes to existing regulations ("Project") that govern the public use of lands under the jurisdiction of the California Department of Fish and Wildlife ("CDFW").

Generally, these lands are either ecological reserves (Fish and Game Code section 1580 *et seq.*) or wildlife areas (Fish and Game Code section 1525 *et seq.*) Ecological reserves are generally acquired to protect rare and/or endangered native plant and animal species and specialized habitat types. Wildlife areas are acquired for wildlife conservation and compatible recreational uses. For both of these categories of land, the Commission may adopt regulations that govern their use, operation, and protection. The existing regulations that would be changed under the Project are found in sections 550, 550.5, 551, 552, 553, 630 and 702 of Title 14 of the California Code of Regulations (CCR). Specific changes to the regulations under the Project are attached to this Negative Declaration as Attachment 1.

Changes are proposed across the aforementioned seven sections of Title 14, and they fall into two major categories:

- 1) Changes that do not result in any alteration of existing land use and/or are primarily administrative in nature. These changes include:
 - a. Editorial changes for improved clarity and consistency within the regulations that govern public uses of CDFW lands. There are changes that fit this description in each of the regulation sections involved in this project.
 - b. Removing the designation of wildlife area (subsection 551(b)) or ecological reserve (subsection 630(b)) from properties owned by other agencies where CDFW no longer has any regulatory or management authority. These sites were previously managed by CDFW under agreements that have expired or were terminated by the landowning entity.
 - c. Changes to Section 552. This section contains public use regulations for nine National Wildlife Refuges (refuges) over which CDFW has some management responsibilities through a cooperative management agreement with the United States Fish and Wildlife Service (USFWS). The USFWS has the authority to promulgate regulations for the refuges under 16 United States Code (USC) Sec 688 dd.(a)(1) (edition 2018). Section 552 is periodically updated to maintain consistency with the federal regulations for fishing and hunting on federal refuges in

50 Code of Federal Regulations (CFR) 32.24 (September 1, 2019) and other public uses authorized pursuant to 50 CFR sections 32.3 and 25.31 (October 1, 2018). Ultimately, the Commission does not have the discretion to establish regulations governing management of these lands that differ from what USFWS adopts; instead the Commission is limited to making state regulations consistent with federal ones. These refuges are also listed as wildlife areas in Title 14, and for this reason, the USFWS staff proposed deleting some subsections of Section 552 that are redundant with text in sections 550 and 551.

- 2) Changes in on the ground uses of land owned by the CDFW. These will be discussed individually in the following sections of this document. These changes are in Sections 551 and 630, Title 14, CCR. None of the proposed changes will result in a significant adverse effect on the environment.

II.

Project Location

The regulations that would be changed under the Project address at least one wildlife area, ecological reserve, or both, in most of the counties in California. As mentioned in the Initial Statement of Reasons for the Project, there are 110 wildlife areas that encompass approximately 712,383 acres, and there are 135 ecological reserves encompassing approximately 230,175 acres. Specific locations of each of these properties can be found on CDFW's website: <https://www.wildlife.ca.gov/Lands/Places-to-Visit>. Under the Project, there is land that will be designated as a wildlife area or ecological reserve, and land that will no longer be a wildlife area or ecological reserve. These properties are shown on Attachment (2)

III.

Additions, Deletions and Amendments to Section 551, Title 14, CCR Resulting in Changes to Public Uses of Wildlife Areas Owned by CDFW

551(b)(81): Add the property to be known as the Round Valley Wildlife Area (RVWA) (Inyo and Mono counties) to the list of wildlife areas managed by CDFW. A description and map of the RVWA is in Attachment 2 of the Initial Statement of Reasons (ISOR) for the subject regulation changes. The primary uses of wildlife areas are hunting, fishing (not an option on RVWA), wildlife viewing, photography, environmental education and research. The property is far from major metropolitan areas, and adjacent to much larger tracts of land owned by the U.S. Forest Service, which allow similar uses. It is not expected that the level of public use will result in significant disturbance or damage to wildlife, habitat or other resources of concern, but the property is monitored by CDFW and CDFW has authority under Section 550(c)(2)(D), Title 14, CCR, to close or restrict public uses on department lands for the protection of natural resources, cultural

resources, and/or public safety. Other than an educational kiosk at the entry point, no structures are anticipated to be built on the RVWA.

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 (Napa, Sonoma and Solano Counties) will allow regulated bicycle use on two (2) units of the wildlife area, in accordance with the area's land management plan (final land management plan dated October, 2011, SCH# 2010082042, excerpt re: bikes is Attachment 4 of the ISOR for the subject regulation changes).

- 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)(22): Currently, all hunting on the Hollenbeck Canyon Wildlife Area (HCWA), (San Diego County) is prohibited between February 1 and August 31. To increase hunting opportunities while minimizing negative effects on nesting wildlife, CDFW recommends allowing crow hunting in a designated area until the end of the statewide crow season in early April (per Section 485(a)(1)). Based on CDFW'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, CDFW'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)(36): This proposed change will 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. Public use would include walking and bike-riding on an established trail that is on a public access easement owned by the City of Napa.

551(r)(50): This amendment would 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, these units have a rifle and pistol prohibition. Due

to their proximity to the town of Truckee, and ongoing concerns received at CDFW'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. Although this will read as a loss of hunting opportunity, the area was 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 anglers, and help prevent illegal take of game, as well as inappropriate target shooting, while not resulting in a significant loss of legal hunting opportunities. It is unlikely that this change will make a significant difference to the existing level of disturbance to wildlife and their associated habitats since these properties are frequently used for walking, wildlife observation, fishing or access to fishing.

551(s)(4), 551(s)(7), 551(s)(15), 551(s)(17), 551(s)(19), 551(s)(27), 551(s)(29): Delete text in these seven subsections that provide “extra” pheasant hunt days on the subject wildlife areas. An alternative that might be considered by the Commission is to remove all of the “extra” pheasant hunt days in the subject subsections except for the first Monday of the pheasant season on the Gray Lodge and Upper Butte Basin Wildlife Areas (551(s)(4) and (27) respectively).

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, CDFW has utilized its authority, under subsection 550(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.

Pheasant hunting will continue to be available on Saturdays, Sundays and Wednesdays on CDFW'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.

Note that removing the extra hunt days on Gray Lodge Wildlife Area, the Crescent and Grizzly Island Units of the Grizzly Island Wildlife Area, and Upper Butte Basin Wildlife Area will also remove extra days for hunting rabbits on those sites (s)(5),(9) and (25) respectively). It will also remove extra days for hunting quail on Gray Lodge Wildlife Area (s)(5)). Hunting those species will still be available on those properties throughout the waterfowl season on Saturdays, Sundays and Wednesdays. Most hunters do not utilize these extra days (all weekdays), and it is not anticipated that the proposed changes will affect the populations of these common species. Their populations are more affected by habitat conditions and natural predators.

These change will not have a pronounced effect on recreational opportunities offered on Department-managed lands on a statewide basis. Although there will be some reduction of pheasant hunting on seven Type A areas, the reduction is all weekdays (workdays for most people), and upland game hunting will continue to be allowed seven days a week on Type C wildlife areas. There may be additional opportunities created on the newly designated properties in this regulation package in the form of "special hunts". It is difficult to accurately predict whether the reduction of pheasant hunt days on the seven subject properties will affect the wild pheasant populations on these properties. Most of the existing hunting opportunities will continue and, as mentioned above, there are other factors that influence the abundance of wild pheasants.

IV.

Additions, Deletions and Amendments to Section 630, Title 14, CCR Resulting in Changes to Public Uses of Ecological Reserves Owned by CDFW

630(b)(32), (39), (49), (64), (89), (119), (121), (133): These subsections, respectively, designate the following properties as ecological reserves:

- Cañada de San Vicente Ecological Reserve (CSVER), San Diego County,
- Cienega Springs Ecological Reserve (CSER), Ventura County,
- Deep Springs Lake Ecological Reserve (DSLER), Inyo County,
- Indian Valley Wells Ecological Reserve (IWER), Kern County,
- North Carrizo Ecological Reserve (NCER), San Luis Obispo County,
- Santa Margarita River Ecological Reserve (SMRER), Riverside County, and
- Tecopa Ecological Reserve (TER), Inyo County

Ecological reserves are established to protect rare or endangered species and sensitive habitats. They may include other key resources to conserve the state's biodiversity, such as natural connections between remaining tracts of intact habitat that allow for wildlife movement. When an area is designated as an ecological reserve, the general public uses are limited to hiking, wildlife and wildflower viewing, photography, environmental education and research. Biological, physical (e.g., water, geology), cultural, historical resources on all CDFW lands are protected under Section 550, Title 14, CCR.

CDFW monitors the properties it manages and has the authority to restrict or close areas to public uses if it appears necessary to conserve natural resources, cultural resource, or public health and safety. For example, a trail can be closed temporarily if public access might impact the nesting success of a rare species. It is illegal for visitors to enter CDFW lands, or portions of CDFW lands, that have been signed as closed to public access (Section 550(c)(2)(D)).

In some cases, the conditions on an ecological reserve warrant site-specific regulations that place permanent restrictions on public uses, or the authorization of additional recreational opportunities. These site-specific regulations may be adopted at the time of designation (addition to Title 14), or during a future update of the land regulations. Because of the limited scope of public uses, and CDFW's ability to provide additional habitat protection if necessary, the designation of the seven properties as ecological reserves will have a less than significant effect on the environment.

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 CDFW. These would be "special hunts" offered to a limited number of participants via a random drawing. The land management plan for this property, which underwent public review pursuant to CEQA, includes limited hunting. (California Department of Fish and Wildlife, 2016, excerpt included as Attachment 8 of the ISOR for the subject regulation changes). The low number of hunters on-site at any given time, the infrequency of these events, and the fact that they are supervised by CDFW staff will result in a less than significant effect on the environment.

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 CDFW. These would be "special hunts" offered to a limited number of participants via a random drawing.

CDFW will be creating a hunting opportunity where one does not currently exist, but where this activity was available until the mid-1990s.

CDFW would organize hunts to target a specific common game species. Based on CDFW'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 it have an adverse impact on non-hunted species or their habitats due to its only occurring outside of the breeding/nesting season.

CDFW would provide appropriate signage and barriers to keep hunters outside of sensitive habitats and within designated hunting boundaries.

CDFW 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 CDFW's experience and expertise in wildlife and natural lands management, by following the above-mentioned guidelines and the existing protective regulations in Title 14; hunting as described above will have no significant adverse impacts to the environment.

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 CDFW. These would be "special hunts" offered to a limited number of participants via a random drawing.

CDFW would organize hunts to target common upland game species. Based on CDFW's experience, these occasional limited opportunities, often involving inexperienced junior hunters, 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.

CDFW 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.

CDFW 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 CDFW'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 adverse impacts to the environment.

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 CDFW.

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 CDFW. Since CDFW's acquisition of the property in 2011, no hunting has 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 CDFW'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 of the ISOR for the subject regulation changes). 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.

Carefully managed elk hunting is considered by CDFW to be an important element in managing a healthy population of tule elk, and when conducted under the supervised conditions of a special hunt, will have no significant adverse effects on the environment.

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. 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)(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.

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 lacks public access 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. CDFW, 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 have federally-listed species) and within the buffer zone for minimizing disturbances to a pair of golden eagles that have successfully nested on the property.
- 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 CDFW staff 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). The property would also be available for CDFW-authorized environmental education activities and research under existing subsections 550(e) and (f). The closure of the CSVER to general public access would not have an adverse effect on the environment.

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, as well as authorized environmental education or research activities (existing subsections 550(e) and (f)). 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. There is also the potential to connect this site to additional mitigation lands, which would further enhance the habitat value of this site (John Battistone, personal communication, 2019). To maintain the high level of protection that is appropriate for a mitigation site, CDFW, 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, CDFW 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). The closure of this property to general public access would not have an adverse effect on the environment.

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 (see above for 630(d)(28)), as well as authorized environmental education or research activities (existing subsections 550(e) and (f)). 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 CDFW'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 closure of this property to general public access would not have an adverse impact on the environment.

630(h)(37): The 251-acre property that comprises the proposed Santa Margarita River Ecological Reserve (SMRER) 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 CDFW'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. CDFW's property is adjacent to a wildlife underpass below Highway 15. Human activity has been associated with less use of wildlife underpasses (see Attachment 10 of the ISOR for the subject regulation changes). The regulation to keep SMRER closed to general public access would not have an adverse impact on the environment.

V.

REFERENCES

1. 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