

STAFF SUMMARY FOR MAY 14, 2020 WEBINAR/TELECONFERENCE

3. CENTRAL VALLEY SPORT FISHING**Today's Item****Information** ☐**Action** ☒

Consider adopting proposed changes to Central Valley sport fishing regulations.

Summary of Previous/Future Actions

- | | |
|-----------------------------------|---|
| • Notice hearing | Dec 11-12, 2019; Sacramento |
| • Discussion hearing | Feb 21, 2020; Sacramento |
| • Discussion hearing | Apr 15-16, 2020; Teleconference |
| • Today's adoption hearing | May 14, 2020; Webinar/Teleconference |

Background

In Dec 2019, FGC authorized publication of notice of proposed changes to Sacramento River fall-run Chinook salmon (SRFC) size, bag, and possession limits for the American, Feather, Mokelumne, and Sacramento rivers to encompass possible Pacific Fishery Management Council (PFMC) 2020 recommendations for Central Valley salmon escapement goals. For consistency, FGC generally adopts regulations annually to bring state law into conformance with federal fishery management goals for Central Valley salmon.

The scope of the options in the initial statement of reasons (ISOR) is intentionally broad to allow for flexibility in developing the final Central Valley salmon limits (exhibits 1-2; see Exhibit 3 for additional background).

At FGC's Apr 2020 meeting, DFW recommended:

- allow the take of any size Chinook salmon up to the daily bag and possession limits (option 1);
- maintain the same bag and possession limits as 2019 (bag limit of 2 Chinook salmon and a possession limit of 4 Chinook salmon) except for the Feather River, for which DFW recommended a bag limit of 3 Chinook salmon and a possession limit of 6 Chinook salmon;
- maintain the same season dates as 2019, except extend the season by two weeks (to Dec 31) on the Sacramento River from the Deschutes Road Bridge to the Red Bluff Diversion Dam;
- remove obsolete Coho salmon regulations; and
- prohibit fishing below flood control weirs in the Central Valley.

DFW drafted a negative declaration as a proposed mechanism for complying with the California Environmental Quality Act (CEQA) and provided the draft to FGC (Exhibit 7). FGC staff has reviewed and analyzed the negative declaration and determined that the finding reflects the independent judgment of FGC.

Significant Public Comments

1. Two commenters in Apr 2020 verbally expressed support for the season extension on the upper Sacramento River.

STAFF SUMMARY FOR MAY 14, 2020 WEBINAR/TELECONFERENCE

2. One commenter in Apr 2020 expressed support for additional recreational fishing opportunities, provided that science supports some level of additional allocation for the unharvested ocean quota that won't have long-term negative impacts on the population.

DFW has provided responses to these comments in its pre-adoption statement of reasons (PSOR) and indicates that the science does support an increase in fishing opportunities at the Sacramento and Feather rivers as recommended by DFW (Exhibit 6).

Recommendation

FGC staff: Adopt the negative declaration prepared pursuant to CEQA in Exhibit 7 and adopt the regulation changes as recommended by DFW.

DFW: Adopt the regulations as presented in the PSOR (Exhibit 6).

Exhibits

1. [DFW memo transmitting ISOR, received Nov 22, 2019](#)
2. [ISOR](#)
3. [Staff summary from Dec 11-12, 2019 for background purposes only](#)
4. [Economic and fiscal impact statement \(Std 399\)](#)
5. [DFW memo transmitting PSOR, received May 5, 2020](#)
6. [PSOR](#)
7. [Draft negative declaration](#)

Motion/Direction

Moved by _____ and seconded by _____ that the Commission adopts the negative declaration prepared pursuant to the California Environmental Quality Act, adopts the proposed project, and adopts proposed changes to sections 2.35 and 7.00, and subsections 7.50(b)(5), (68), (124), and (156.5).

Memorandum

Date: November 19, 2019

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

From: Charles H. Bonham
Director

Subject: **Submittal of Initial Statement of Reasons to Amend Central Valley Sport Fishing Regulations**

Please find attached the Initial Statement of Reasons (ISOR) to amend sections 2.35 and 7.00, and subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50, Title 14, California Code of Regulations, for sport fishing regulations in the Central Valley.

Similar to last year, the California Department of Fish and Wildlife (Department) is presenting three regulatory options for the 2020 Central Valley sport fishing regulations for the Fish and Game Commission's (Commission) consideration. The three options encompass possible Pacific Fishery Management Council (PFMC) 2020 recommendations for Sacramento River fall-run Chinook Salmon (SRFC) stocks. The purpose for providing options is to increase flexibility for development of the final Central Valley sport fishing regulations. The Department's preferred option is Option 1 – any size Chinook Salmon fishery, given the 2020 SRFC stock abundance forecast is sufficiently high to avoid the need to constrain in-river SRFC harvest. Specific bag and possession limits for SRFC will be presented to the Commission after the PFMC adopts its final recommendations at its April 2020 meeting.

The attached ISOR includes three additional proposed changes that are different from the 2019 regulations: (1) extend the fishing season by two weeks on the upper Sacramento River from Deschutes Road bridge to the Red Bluff Diversion Dam (RBDD); (2) remove obsolete regulations concerning take of Coho Salmon in the Feather River; and (3) prohibit fishing below concrete flood control weirs. The first change stemmed from a petition submitted for consideration to the Commission to extend the season on the Sacramento River downstream of the RBDD. After the Commission referred the petition to the Department for consideration, the Department evaluated the request in the ISOR, and found that an extension downstream of the RBDD was not warranted biologically, but that an extension upstream of the RBDD to the Deschutes Road bridge was warranted.

The draft negative declaration for compliance with the California Environmental Quality Act will be provided to the Commission prior to the discussion hearing.

The Department asks that the Commission request that the Office of Administrative Law make the regulations effective on or before July 16, 2020.

If you have any questions or need additional information, please contact Kevin Shaffer, Chief, Fisheries Branch, by telephone at (916) 327-8841 or by e-mail at

Melissa Miller-Henson, Executive Director
Fish and Game Commission
November 19, 2019
Page 3

Kevin.Shaffer@wildlife.ca.gov.

The public notice should identify Senior Environmental Scientist, Karen Mitchell, as the Department's point of contact for this rulemaking. Ms. Mitchell can be reached at (916) 445-0826 or by e-mail at Karen.Mitchell@wildlife.ca.gov.

Attachment

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Melissa Miller-Henson, Executive Director
Fish and Game Commission
November 19, 2019
Page 3

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State of California
Fish and Game Commission
Initial Statement of Reasons for Regulatory Action

Amend Sections 2.35 and 7.00, and Subsections (b)(5), (b)(68), (b)(124),
and (b)(156.5) of Section 7.50
Title 14, California Code of Regulations
Re: Central Valley Sport Fishing Regulations

I. Date of Initial Statement of Reasons: November 18, 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) Discussion Hearing

Date: April 16, 2020

Location: Sacramento, CA

(d) Adoption Hearing

Date: May 14, 2020

Location: Teleconference

III. Description of Regulatory Action

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

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

Current regulations in subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50 prescribe the 2019 seasons and daily bag and possession limits for Sacramento River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; SRFC) sport fishing in the American, Feather, Mokelumne, and Sacramento rivers, respectively. Collectively, these four rivers constitute the "Central Valley fishery" for SRFC for purposes of this document (Figure 1). Each year, the Department of Fish and Wildlife (Department) recommends new Chinook Salmon bag and possession limits for consideration by the Fish and Game Commission (Commission) to align the fishing limits with up-to-date management goals, as set forth below.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

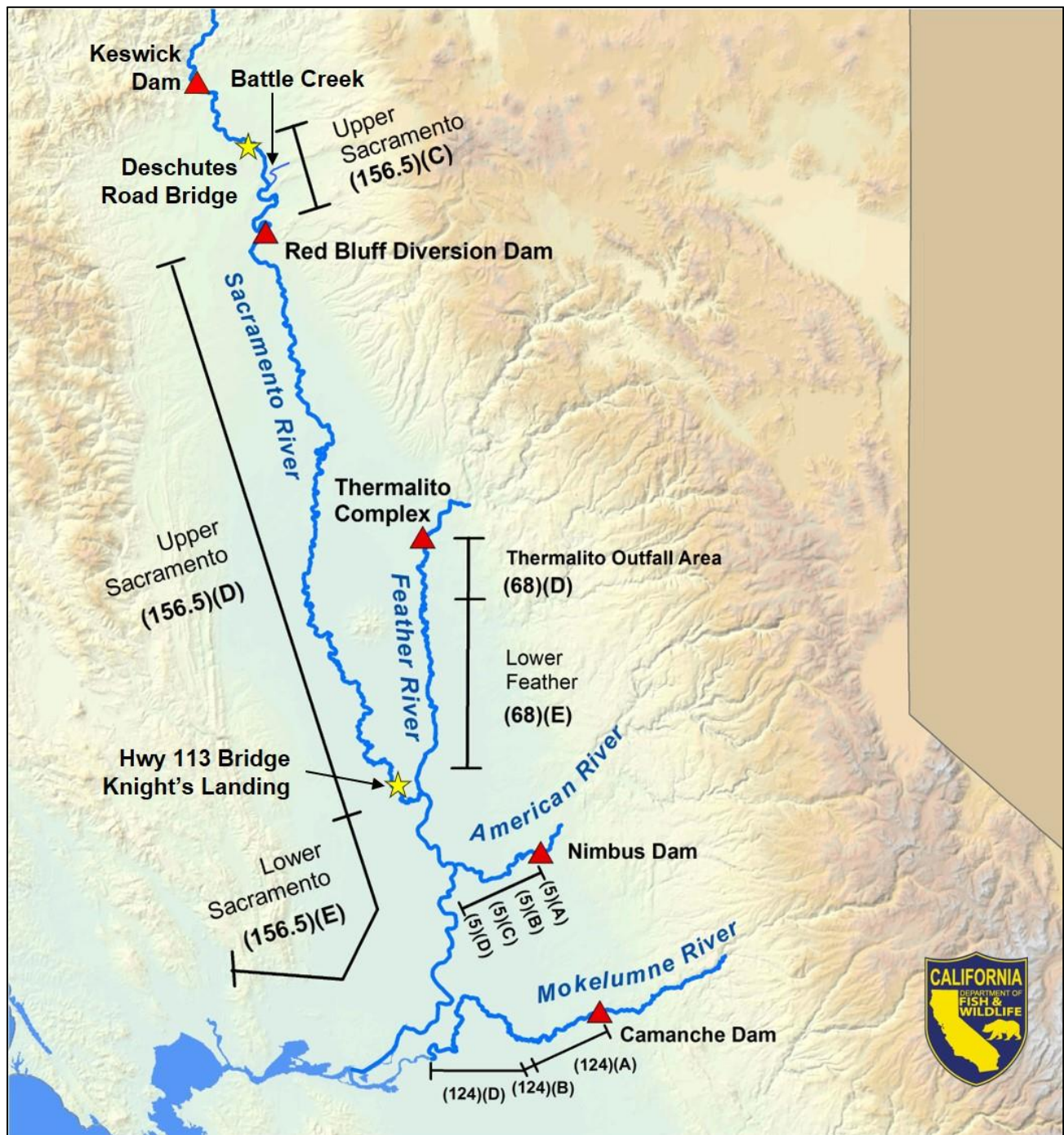


Figure 1. Map of the “Central Valley fishery” for Sacramento River fall-run Chinook Salmon, encompassing the following rivers and their respective subsections of Section 7.50: American (b)(5), Feather (b)(68), Mokelumne (b)(124), and Sacramento (b)(156.5).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2020 meeting and will adopt its final regulatory recommendations at its April 2020 meeting based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season. Based on the April 2020 recommendation by PFMC, the Department will recommend specific bag and possession limit regulations for the Central Valley fishery to the Commission at its April 16, 2020 meeting. The

Commission will then consider adoption of the Central Valley sport fishing regulations at its May 14, 2020 teleconference.

Proposed Regulations

CHINOOK SALMON BAG AND POSSESSION LIMITS

The Department recognizes the uncertainty of SRFC in-river harvest projections. Therefore, for the 2020 Central Valley fishery, the Department is presenting three regulatory options for the Commission's consideration to tailor 2020 Central Valley fishery management to target 2020 in-river fisheries harvest projections.

- Option 1 is the most liberal of the three options, and allows take of any size Chinook Salmon up to the daily bag and possession limits.
- Option 2 allows for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag and possession limits.
- Option 3 is the most conservative option, and allows for a grilse-only Chinook Salmon fishery.

All three options will also increase fishing opportunities on Chinook Salmon by extending the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam from a closure date of December 16 to a closure date of December 31. The rationale for this proposal is discussed in greater detail below.

A minor correction will also be made to subsections 7.50(b)(124)(A), (B), and (D), to ensure consistency in the format in which the daily bag and possession limit for hatchery trout or hatchery steelhead is displayed in the regulatory text.

Key to Proposed Regulatory Changes:

Because the PFMC recommendations are not known at this time, a range shown in [brackets] in the text below of bag and possession limits is indicated where it is desirable to continue Chinook Salmon fishing in the American, Feather, Mokelumne, and Sacramento rivers.

Bold text indicates changes to the in-river season or boundary.

The following options are provided for Commission consideration:

Option 1 – Any Size Chinook Salmon Fishery

This option would allow anglers to take up to [0-4] Chinook Salmon of any size per day. This option is the Department's preferred option if the 2020 SRFC stock abundance forecast is sufficiently high to avoid the need to constrain in-river SRFC harvest.

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through October 31 with a bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

- (D) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.

July 16 through October 31 with a daily bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

- (E) From 200 yards above the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

Mokelumne River, subsection 7.50(b)(124):

- (A) From Camanche Dam to Elliott Road.

July 16 through October 15 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

- (B) From Elliott Road to the Woodbridge Irrigation District Dam and including Lodi Lake.

From July 16 through December 31 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

- (D) From the Lower Sacramento Road bridge to the mouth.

From July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

- (C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through **December 31** with a bag limit of [0-4] Chinook Salmon

Possession limit – [0-12] Chinook Salmon.

- (D) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

- (E) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

Option 2 – Limited Adult and Grilse Salmon Fishery

This option would allow the take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag and possession limits. Should a reduction in the adult component of the stock be imposed by PFMC harvest projections, the Department is recommending specifying angling opportunities on the smaller, and possibly more numerous grilse salmon to increase angling harvest opportunities. Grilse returns from the previous season are included in pre-season stock abundance forecasts, but are not included in the current season adult returns used for evaluating conservation targets for SRFC. Due to their smaller size and immaturity, grilse are typically outcompeted by larger adults, and do not significantly contribute to the spawning population, and so they would be available for harvest without impacting the juvenile recruitment for the current season. Take of adult salmon would be limited under regulation, and the subsequent juvenile production would help rebuild the depressed stock size at a time when there is the need to restrict harvest of adult salmon.

The Department recommends a grilse salmon size limit of less than or equal to 27 inches total length based on an analysis of grilse data conducted by Department staff in 2019 (refer to Section III(e) below). A 27-inch total length grilse salmon cutoff is the best balance between angling harvest opportunity of possibly abundant smaller, two-year old male salmon and preserving the limited number of females available to spawn.

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through October 31 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0–4] fish may be over 27 inches total length.

- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0–4] fish may be over 27 inches total length.

- (D) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.

July 16 through October 31 with a daily bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

- (E) From 200 yards above the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Mokelumne River, subsection 7.50(b)(124)

- (A) From Camanche Dam to Elliott Road.

July 16 through October 15 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

- (B) From Elliott Road to the Woodbridge Irrigation District Dam and including Lodi Lake.

From July 16 through December 31 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

- (D) From the Lower Sacramento Road bridge to the mouth.

From July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

- (C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through **December 31** with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

- (D) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

- (E) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Option 3 – Grilse-only Salmon Fishery

This option would allow for a grilse-only salmon fishery. Should a reduction in the adult component of the stock be imposed by PPMC harvest projections, the Department is recommending specifying angling opportunities on the smaller, and possibly more numerous grilse salmon to increase angling harvest opportunities. Grilse returns from the previous season are included in pre-season stock abundance forecasts, but are not included in the current season adult returns used for evaluating conservation targets for SRFC. Due to their smaller size and immaturity, grilse are typically outcompeted by larger adults, and do not significantly contribute to the spawning population, and so they would be available for harvest without impacting the juvenile recruitment for the current season. Take of adult salmon would be prohibited under regulation, and the subsequent juvenile production would help rebuild the depressed stock size at a time when there is the need to restrict harvest of adult salmon.

The Department recommends a grilse salmon size limit of less than or equal to 27 inches total length based on an analysis of grilse data conducted by Department staff in 2019 (refer to Section III(e) below). A 27-inch-total length grilse salmon cutoff is the best balance between angling harvest opportunity of possibly abundant smaller, two-year old male salmon and preserving the limited number of female salmon available to spawn.

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through October 31 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to

the Jibboom Street bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (D) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to the Live Oak boat ramp.

July 16 through October 31 with a daily bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (E) From 200 yards above the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

Mokelumne River, subsection 7.50(b)(124):

- (A) From Camanche Dam to Elliott Road.

July 16 through October 15 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (B) From Elliott Road to the Woodbridge Irrigation District Dam and including lake Lodi.

From July 16 through December 31 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (D) From the Lower Sacramento Road bridge to the mouth.

From July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

- (C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through **December 31** with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (D) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (E) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

EXTEND CHINOOK SALMON SPORT FISHING SEASON ON THE SACRAMENTO RIVER

Sport fishing interests have requested the Chinook Salmon sport fishing season on the Sacramento River be extended from the current December 16 closure date to December 31 to enhance late-season fishing opportunity on the river. The current sport fishing regulations for Chinook Salmon on the Sacramento River extend approximately 300 miles from the Deschutes Road bridge downstream to the Carquinez bridge. At issue is regulating the closure date to minimize contact in the fishery with federally and state-listed endangered winter-run Chinook Salmon.

In 2002, the Department provided evidence to support a shortened salmon fishing season in the lower Sacramento River system to protect winter-run Chinook Salmon, which resulted in the current December 16 season closure date. Since 2006, when the Central Valley Angler Survey program was reinstated, four winter-run Chinook Salmon coded-wire tag (CWT) recoveries have been made in Sacramento River sport fishery monitoring (Table 1). Two of the four recoveries occurred after the current season closure date of December 16 and both occurred upstream of Knights Landing. The other two recoveries occurred in December prior to the current season closure date, and both were again at or above Knights Landing. While the number of recoveries is modest and scattered among years, expansions of the CWT recoveries may suggest a more appreciable impact to winter-run Chinook Salmon at the population level than what the raw numbers do alone.

Table 1. Coded-wire tag recoveries of winter-run Chinook Salmon in the Sacramento River sport fishery, 2006 – 2018, as seen in monitoring conducted by the Central Valley Angler Survey. RM = river mile, F = female, M = male

Collection Date	Collection Location	Brood Year	Age	Sex	Fork Length (mm)
12/20/2008	3 river miles above Knights Landing RM 93	2006	3	F	792
12/06/2009	At Knights Landing RM 90	2007	3	M	751
12/26/2009	1 river mile below Butte City RM 168	2007	3	M	770

Late-fall-run Chinook Salmon spawning begins in December, peaks in late January, and continues into March. Late-fall-run Chinook Salmon have two main areas in which they spawn in the upper Sacramento River: the main stem river from Red Bluff up to Keswick Dam supports a population, and Battle Creek supports a hatchery population at Coleman National Fish Hatchery.

Based on the CWT information presented in Table 1, the Department does not support extending the Chinook Salmon fishing season in the Sacramento River downstream of the Red Bluff Diversion Dam (RBDD). With contact being made with winter-run Chinook Salmon both before and after the current closure date in this area, adding 2 weeks of fishing is not warranted.

However, the Department *does* support extending the fishing season upstream of the RBDD (RM 243), because most late season fishing for late-fall-run Chinook Salmon would occur near the mouth of Battle Creek (RM 275). This would provide an approximately 80-mile buffer from where the most upstream winter-run Chinook Salmon was recovered (RM 190). This will provide additional fishing opportunity on late-fall-run Chinook Salmon, with anglers primarily targeting hatchery fish going into Battle Creek, while continuing to protect state and federally-listed endangered winter-run Chinook Salmon. The Department will continue to monitor for winter-run Chinook Salmon recoveries to assess this regulation change.

Proposal: Amend subsection 7.50(b)(156.5)(C), Sacramento River

Extend the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam to December 31.

REMOVE EXCEPTION FOR TAKE OF COHO SALMON IN THE FEATHER RIVER

Section 7.00 includes an exception for the take of Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam. Section 7.00 also includes an exception for incidentally hooked Coho Salmon in the same area. Coho Salmon have not been stocked in Lake Oroville since 2013. Coho Salmon are no longer planted in the Feather River water impoundments. Therefore, the exceptions for take and incidentally hooked Coho Salmon stated in Section 7.00 should be removed.

Proposal: Amend Section 7.00, Re: Take of Coho Salmon in the Feather River

Remove exception for take and incidentally hooked Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam.

Section 7.00 also currently lists Fish and Game Code (FGC) Section 110 as a reference citation. FGC Section 110 was renumbered from FGC Section 206 in 2006, and the content of FGC Section 110 is no longer relevant to Section 7.00. For this reason, FGC Section 110 will be removed from the list of reference citations.

PROHIBIT FISHING AT CONCRETE FLOOD CONTROL WEIRS

Annually, during the rainy season, fish often get trapped below the concrete flood control weirs on the Sacramento River. Fish trapped in these areas are often state or federally-listed as endangered or threatened species and, therefore, should not be exposed to angling opportunity. Subsections 7.50(b)(156.5)(D) and (E) include a “Note” which states that it is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa, Tisdale, Fremont, and Sacramento weirs. However, there is no regulation in place that makes angling near flood control weirs unlawful. Consequently, Department law enforcement officers cannot issue citations to anglers who fish these areas. Section 2.35 prohibits angling near fishways and egg-taking stations, dams, weirs or racks with fishways or egg-taking stations, and the upstream side of fish screens; but does not apply to areas, excluding the Fremont Weir, described in the notes in subsections 7.50(b)(156.5)(D) and (E). Except for the Fremont Weir, there are no fishways at the weirs listed above. Even if a fishway exists, the closure only extends to 250 feet around the fishway and the flood weirs can be up to two miles across and several miles long, leaving uncertainty and difficulty in enforcing regulations. The 250 feet ruling is at or below the weir itself regardless of how far across it is.

Colusa Weir is an earthen weir and does not trap fish like the other concrete flood control weirs. It also does not have clearly delineated boundaries, which makes enforcement difficult. Therefore, the Colusa Weir is not included in the list of concrete flood control weirs proposed to be closed to fishing.

Proposal 1: Amend Section 2.35, Regarding Take of Fish at Weirs

Amend Section 2.35 to include and differentiate flood control weirs in the Central Valley from other types of weirs, and include a fishing closure of 0-250 feet downstream from the overflow side of Moulton, Tisdale, Fremont, and Sacramento weirs. Fremont Weir is added to this requirement in order to provide protection for fish in this important migration corridor.

The reference within Section 2.35 to FGC Section 5502 will also be removed, as this statute was repealed in 2007 per Assembly Bill 1729, Fish and Wildlife. The related authority citation of FGC Section 219 will also be removed from Section 2.35. Lastly, the reference to Section 201 is removed, because the proposed regulation is not trying to implement, interpret, or make specific anything with reference to the Commission’s power to regulate natural resources, commercial, or other activity.

Proposal 2: Amend subsections 7.50(b)(156.5)(D) and (E), Sacramento River

Remove Note which states it is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa, Tisdale, Fremont, and Sacramento weirs. These fishing closures will now be stipulated in Title 14, Section 2.35, with the exception of the Colusa Weir.

Necessity of the Proposed Regulation Changes

The proposed regulations are necessary to adjust Chinook Salmon bag and possession limits, size limits, and open seasons for the American, Feather, Mokelumne, and Sacramento rivers for consistency with PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season. The proposed regulatory changes will maximize sport fishing opportunity where possible through the proposed extension of the season end date on the Sacramento River above RBDD without adversely affecting SRFC or winter-run Chinook

Salmon. In addition, it is necessary to prohibit fishing near flood control weirs where fish can become trapped to protect federally and state-listed endangered or threatened species.

(b) Goals and Benefits of the Regulation

It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the State for the benefit of all the citizens of the State and to promote the development of local fisheries and distant water fisheries based in California in harmony with international law, respecting fishing and the conservation of the living resources of the ocean and other waters under the jurisdiction and influence of the State. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence, and the maintenance of a sufficient resource to support a reasonable sport use.

Adoption of scientifically-based SRFC bag and possession limits provides for the maintenance of sufficient populations of Chinook Salmon to ensure their continued existence. The extension of the fishing season on the upper Sacramento River provides additional angler opportunity while minimizing potential contact with federally and state-listed endangered winter-run Chinook Salmon. The prohibition of take at flood control weirs helps to provide protection for fish in important migration corridors. Removing the mention of prohibition of Coho salmon take in the Feather River removes a potential clarity concern for anglers.

The benefits of the proposed regulations are consistency with federal fishery management goals, sustainable management of the SRFC fishery, general health and welfare of California residents, and promotion of businesses that rely on sport fishing in the Central Valley.

(c) Authority and Reference Sections from Fish and Game Code for Regulation

Section 2.35

Authority cited: Sections 200, 205, 265 and 275, Fish and Game Code.

Reference: Sections 200, 205, 255, 265, 270 and 275, Fish and Game Code.

Section 7.00

Authority cited: Sections 200, 205, 265 and 275, Fish and Game Code.

Reference: Sections 200 and 205, Fish and Game Code.

Section 7.50

Authority: Sections 200, 205, 265, 270, 315, 316.5, 399 and 2084, Fish and Game Code.

Reference: Sections 200, 205, 265, 270, 316.5 and 2084, Fish and Game Code.

(d) Specific Technology or Equipment Required by Regulatory Change

None.

(e) Identification of Reports or Documents Supporting Regulation Change

Initial Statement of Reasons for Regulatory Action. Amendments to Section 7.50, Title 14, California Code of Regulations, Re: Central Valley Salmon Sport Fishing. November 2018

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

The Department presented the proposed amendments to the SRFC bag and possession limits at the Commission's Wildlife Resources Committee meeting on September 10, 2019.

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative

Chinook Salmon Bag and Possession Limits

The no change alternative would leave existing 2019 regulations in place. The no change alternative would not allow for appropriate harvest rates, while the proposed regulations will allow the state to harmonize its bag and possession limits with NMFS' regulations.

Extend Chinook Salmon Sport Fishing Season on the Sacramento River

The no change alternative would leave existing 2019 regulations in place, and current fishing opportunity on the Sacramento River would not change.

Remove Exception for Take of Coho Salmon in the Feather River

The no change alternative would leave the existing regulation in place, which is no longer relevant and, therefore, could be confusing to anglers.

Prohibit Fishing at Concrete Flood Control Weirs

The no change alternative would leave existing regulations in place, exposing state or federally-listed as endangered or threatened species to angling opportunity.

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.

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 a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the

resource, while providing inland sport fishing opportunities and thus, the prevention of adverse economic impacts.

- (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 Commission does not anticipate significant adverse economic impacts but acknowledges the potential for short-term negative impacts on the creation or elimination of jobs within the state. The Commission anticipates no adverse impacts on the creation of new business, the elimination of existing businesses or the expansion of businesses in California (see Table 2). Minor variations in the bag and possession limits and/or the implementation of a size limit are unlikely to significantly impact the volume of business activity. The loss of up to 27 jobs with Option 3 is not expected to eliminate businesses because reduced fishing days will be partially offset by the extension of the salmon fishing season by two weeks on a portion of the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam, and by opportunities to fish for grilse Chinook Salmon and other species.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a Chinook Salmon sport fishery encourages consumption of a nutritious food. The Commission anticipates benefits to the environment by the sustainable management of Chinook Salmon resources in the Central Valley.

The Commission does not anticipate any benefits to worker safety.

Other benefits of the proposed regulations are concurrence with federal fishery management goals and promotion of businesses that rely on Central Valley sport fishing.

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

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

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

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies

None.

- (f) Programs Mandated on Local Agencies or School Districts

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code

None.

- (h) Effect on Housing Costs

None.

VII. Economic Impact Assessment

This action is expected to sustain fishery activity within the range of historically typical seasons. Lower PFMC allocations can result in a smaller bag and possession limit, (more conservative), whereas larger PFMC allocations can result in a higher bag and possession limit (more liberal), both of which can skew the average fishing activity over seasons. The potential difference between a typical season and the options under consideration range from \$1.9 - \$3.9 M as shown in Table 2 below.

A typical season for the Central Valley fishery experiences an average of 179,550 sport salmon angler days in which anglers spend an average of \$83 -114 per day contributing a total of \$13.8 M (2019\$) in direct expenditures to California businesses. This expenditure is received by area businesses that spend a share on inputs and payroll. As employees receive income, their household spending again circulates in the local economy and statewide. These multiplier effects result in an estimated total economic impact of \$19.4 M (2019\$), and up to 136 jobs.

The regional and statewide economic impacts factor into the effort to balance the maintenance of the recreational fishery with resource preservation, while complying with PFMC allocations. The potential economic impacts that may result from each in-river harvest projection as specified in Option 1, Option 2, and Option 3 are evaluated in terms of each scenario's probable impact on the number of angler days, and thus area spending.

Table 2. Central Valley Fishery Economic Impacts (2019\$)

Regulation	Angler Days	Angler Expenditures	Total Econ Impact	Jobs
Option 1	179,550	\$ 13,801,889	\$ 19,407,577	136
Option 2	161,595	\$ 12,421,700	\$ 17,466,819	122
Option 3	143,640	\$ 11,041,511	\$ 15,526,062	109
Difference	Angler Day Loss	Expenditure Loss	Total Impact Loss	Job Loss
Option 1	0	\$ -	\$ -	0
Option 2	17,955	\$ 1,380,189	\$ 1,940,758	14
Option 3	35,910	\$ 2,760,378	\$ 3,881,515	27

Sources: California Department of Fish and Wildlife, Fisheries Branch economic analysis; U.S. Fish and Wildlife Service, 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; dollar figures adjusted for inflation with Implicit Price Deflator for Personal Consumption Expenditures, Bureau of Economic Analysis.

Historical correlations between catch limits and fishery participation levels suggest that Option 1 could enable a historically typical number of angler days for the 2019 Chinook Salmon season on the American, Feather, Mokelumne, and Sacramento rivers. Option 2 may result in declines in angler days of 17,955 below a typical year. Option 3 may result in larger declines, or an estimated 35,910 fewer angler days.

For all options, the proposed extension of the season end date for a portion of the Sacramento River would extend the period of angler regional economic contributions. Additionally, anglers may pursue other in-river sport fish aside from Chinook Salmon, such as steelhead (*Oncorhynchus mykiss*), striped bass (*Morone saxatilis*), largemouth bass (*Micropterus*

salmoides), sturgeon (*Acipenser transmontanus*) and catfish (*Ictalurus spp.*), that may mitigate any adverse impacts from any reductions in salmon fishing. In sum, the options presented to the Commission were conceived with the goal of enabling levels of recreational SRFC fishing in the range of historical averages, and thus should not be a source of significant adverse economic impacts.

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

The Commission does not anticipate that any of the proposed options would induce substantial impacts on the creation or elimination of jobs. For the preferred Option 1, no change in job creation or elimination is anticipated. Option 2 and Option 3 have the potential to result in fewer angler visits, and absent substitution toward other sportfish and/or activities in the affected areas, the reduction in angler spending could reduce the support for 14 - 27 jobs statewide. These job impacts are statewide and may be moderated by the proposed season extension on a portion of the Sacramento River, from Deschutes Road bridge to Red Bluff Diversion Dam.

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

The Commission does not anticipate that any of the proposed options would induce substantial impacts on the creation of new business or the elimination of existing businesses, because the proposed economic impacts of the regulations are unlikely to be substantial enough to stimulate the creation of new businesses or cause the elimination of existing businesses. The proposed season extension for a portion of the Sacramento river is expected to sustain the number of fishing trips and the level of economic stimulus within historical averages.

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

The Commission does not anticipate that any of the proposed options would induce substantial impacts on the expansion of businesses currently doing business within the state. The proposed regulations are not anticipated to increase demand for services or products from the existing businesses that serve inland sport fishermen. The number of fishing trips and angler economic contributions are expected to remain within the range of historical averages.

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

The Commission anticipates benefits to the health and welfare of California residents. Chinook Salmon is a nutritious food source and providing inland sport fishery opportunities encourages consumption of this nutritious food. Sport fishing also contributes to increased mental health of its practitioners, as fishing is a hobby and form of relaxation for many. Sport fishing also provides opportunities for multi-generational family activities and promotes respect for California's environment by younger generations, the future stewards of California's natural resources.

(e) Benefits of the Regulation to Worker Safety

The Commission does not anticipate any benefits to worker safety from the proposed regulations because inland sport fishing does not impact working conditions.

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

Under all Options 1-3, the Commission anticipates benefits to the environment in the sustainable management of SRFC. It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the State for the benefit of all the citizens of the State and to promote the development of local fisheries and distant water fisheries based in California in harmony with international law, respecting fishing and the conservation of the living resources of the ocean and other waters under the jurisdiction and influence of the State. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence, and the maintenance of a sufficient resource to support a reasonable sport use.

In accordance with this policy, adoption of scientifically-based inland Chinook Salmon bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence and thus continued economic stimulus. The extension of the fishing season on the upper Sacramento River provides additional angler opportunity while minimizing potential contact with federally and state-listed endangered winter-run Chinook Salmon. The prohibition of take at weirs helps to provide protection for fish in important migration corridors. Removing the mention of prohibition of Coho Salmon take in the Feather River removes a potential clarity concern for anglers.

(g) Other Benefits of the Regulation

Other benefits of the regulation include consistency with federal fishery management goals, and the promotion of businesses that rely on Central Valley sport fishing.

Informative Digest/Policy Statement Overview

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

Current regulations in subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50 prescribe the 2019 seasons and daily bag and possession limits for Sacramento River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; SRFC) sport fishing in the American, Feather, Mokelumne, and Sacramento rivers, respectively. Collectively, these four rivers constitute the “Central Valley fishery” for SRFC for purposes of this document. Each year, the Department of Fish and Wildlife (Department) recommends new Chinook Salmon bag and possession limits for consideration by the Fish and Game Commission (Commission) to align the fishing limits with up-to-date management goals, as set forth below.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2020 meeting and will adopt its final regulatory recommendations at its April 2020 meeting based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season. Based on the April 2020 recommendation by PFMC, the Department will recommend specific bag and possession limit regulations to the Commission at its April 16, 2020 meeting. The Commission will then consider adoption of the Central Valley sport fishing regulations at its May 14, 2020 teleconference.

Proposed Regulations

CHINOOK SALMON BAG AND POSSESSION LIMITS

The Department recognizes the uncertainty of SRFC in-river harvest projections. Therefore, for the 2020 Central Valley fishery, the Department is presenting three regulatory options for the Commission’s consideration to tailor 2020 Central Valley fishery management to target 2020 in-river fisheries harvest projections.

- Option 1 is the most liberal of the three options, and allows take of any size Chinook Salmon up to the daily bag and possession limits.
- Option 2 allows for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag and possession limits.
- Option 3 is the most conservative option, and allows for a grilse-only Chinook Salmon fishery.

All three options will also increase fishing opportunities on Chinook Salmon by extending the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam from a closure date of December 16 to a closure date of December 31.

A minor correction will also be made to subsections 7.50(b)(124)(A), (B), and (D), to ensure consistency in the format in which the daily bag and possession limit for hatchery trout or hatchery steelhead is displayed in the regulatory text.

All options would be applicable to the following river segments and time periods:

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park, July 16 through October 31
- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge, July 16 through December 31
- (D) From the Jibboom Street bridge to the mouth, July 16 through December 16

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp, July 16 through October 31
- (E) From 200 yards above the Live Oak boat ramp to the mouth, July 16 through December 16

Mokelumne River, subsection 7.50(b)(124):

- (A) From Comanche Dam to Elliott Road, July 16 through October 15
- (B) From Elliott Road to the Woodbridge Irrigation District Dam and including Lodi Lake, July 16 through December 31
- (D) From the Lower Sacramento Road bridge to the mouth, July 16 through December 16

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

- (C) From Deschutes Road bridge to the Red Bluff Diversion Dam, August 1 through December 31
- (D) From the Red Bluff Diversion Dam to the Highway 113 bridge, July 16 through December 16.
- (E) From the Highway 113 bridge to the Carquinez Bridge, July 16 through December 16.

The following options are provided for Commission consideration:

Option 1 – Any Size Chinook Salmon Fishery

This option is the Department's preferred option if the 2019 SRFC stock abundance forecast is sufficiently high to avoid the need to constrain inland SRFC harvest.

Bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

Option 2 – Limited Adult and Grilse Salmon Fishery

Bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Option 3 – Grilse Salmon Fishery Only

Bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

EXTEND CHINOOK SALMON SPORT FISHING SEASON ON THE SACRAMENTO RIVER

Sport fishing interests have requested the Chinook Salmon sport fishing season on the Sacramento River be extended from the current December 16 closure date to December 31 to enhance late-season fishing opportunity on the river. At issue is regulating the closure date to minimize contact in the fishery with federally and state-listed as endangered winter-run Chinook Salmon.

The Department supports extending the fishing season from December 16 to December 31 upstream of the Red Bluff Diversion Dam (River Mile (RM) 243), which will provide late season fishing for late-fall-run Chinook Salmon without negatively impacting winter-run Chinook Salmon.

Proposal: Amend subsection 7.50(b)(156.5)(C), Sacramento River

Extend the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam to December 31.

REMOVE EXCEPTION FOR TAKE OF COHO SALMON IN THE FEATHER RIVER

Section 7.00 includes an exception for the take of Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam. Section 7.00 also includes an exception for incidentally hooked Coho Salmon in the same area. Coho Salmon have not been stocked in Lake Oroville since 2013. Coho Salmon are no longer planted in the Feather River water impoundments. Therefore, the exceptions for take and incidentally hooked Coho Salmon stated in Section 7.00 should be removed.

Proposal: Amend Section 7.00, Re: Take of Coho Salmon in the Feather River

Remove exception for take and incidentally hooked Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam.

PROHIBIT FISHING AT CONCRETE FLOOD CONTROL WEIRS

Annually, during the rainy season, fish often get trapped below the concrete flood control weirs on the Sacramento River. Fish trapped in these areas are often state or federally-listed as endangered or threatened species and, therefore, should not be exposed to angling opportunity. Subsections 7.50(b)(156.5)(D) and (E) include a “Note” which states that it is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa, Tisdale, Fremont, and Sacramento weirs. However, there is no regulation in place that makes angling near flood control weirs unlawful. Section 2.35 prohibits angling near fishways and egg-taking stations, dams, weirs or racks with fishways or egg-taking stations, and the upstream side of fish screens; but does not apply to areas, except for Fremont Weir, described in the notes in subsections 7.50(b)(156.5)(D) and (E).

Proposal 1: Amend Section 2.35, Regarding Take of Fish at Weirs

Amend Section 2.35 to include and differentiate flood control weirs in the Central Valley from other types of weirs and include a fishing closure of 0-250 feet downstream from the overflow side of Moulton, Tisdale, Fremont, and Sacramento weirs.

Proposal 2: Amend subsections 7.50(b)(156.5)(D) and (E), Sacramento River

Remove Note which states it is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa, Tisdale, Fremont, and Sacramento weirs. These fishing closures will now be stipulated in Title 14, Section 2.35, with the exception of the Colusa Weir.

Benefits of the Proposed Regulations

The Commission anticipates benefits to the environment in the sustainable management of Central Valley Chinook Salmon resources. Other benefits of the proposed regulations are consistency with federal fishery management goals, health and welfare of California residents, and promotion of businesses that rely on Central Valley Chinook Salmon sport fishing.

Consistency and Compatibility with Existing Regulations

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate recreational fishing in waters of the state (Fish and Game Code sections 200, 205, 315 and 316.5). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to Chinook Salmon recreational fishing seasons, bag, and possession limits for Central Valley sport fishing.

Proposed Regulatory Language

Section 2.35, Title 14, CCR is amended to read:

**§ 2.35. Taking Fish ~~near~~Near Dams, Fishways, ~~Screens and Egg-Taking~~Screens, Egg Taking-
Stations, and Flood Control Weirs.**

(a) No fish may be taken within 250 feet of:

~~(a)~~(1) Any fishway or any egg-taking station.

~~(b)~~(2) Any dam or any weir or rack which has a fishway or an egg-taking station.

~~(c)~~(3) The upstream side of any fish screen.

(4) The overflow side of Moulton, Tisdale, Fremont, and Sacramento flood control weirs.

(b) Fish may be taken upstream or downstream from any dam that does not have a fishway or egg-taking station ~~(this supersedes Section 5502 of the Fish and Game Code).~~

Note: Authority cited: Sections 200, 205, ~~249~~, 265 and 275, Fish and Game Code. Reference: Sections 200, ~~204~~, 205, 255, 265, 270 and 275, Fish and Game Code.

Proposed Regulatory Language

Section 7.00, Title 14, CCR is amended to read:

§ 7.00. District General Regulations.

Unless otherwise provided, waters shown as open to trout fishing in subsections (a) through (g) below, are open to fishing for other species. Gear restrictions listed in this section apply to the take of all species of fish unless otherwise noted. Every body of water listed in subsections (a) through (g) of Section 7.00 (below) is closed to all fishing, except during the open season as shown. Unless otherwise provided, waters closed to trout fishing are closed to fishing for all other species, except that these closures do not apply to fishing for amphibians (see Section 5.05), freshwater clams (see Section 5.20), crayfish (see Section 5.35), and lamprey (see Section 5.40), using legal fishing methods other than hook-and-line fishing, and saltwater clams, crabs, ghost shrimp, and blue mud shrimp (see Ocean Regulations Booklet Sections 29.20 to 29.87). Crabs may only be taken using hoop nets or by hand, and Dungeness crab may only be taken within the North Coast District and Sonoma and Mendocino counties.

Daily bag and possession limits, unless otherwise provided, mean the total number of trout. Unless otherwise provided, no more than one daily bag limit may be possessed. Coho (silver) ~~salmon~~Salmon may not be taken in any of the waters of the State, ~~except in Lake Oroville and Oroville-Thermalito Complex (Diversion Pool, Forebay, and Afterbay) and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam.~~ Incidentally hooked Coho (silver) ~~salmon~~Salmon, ~~except those in Lake Oroville and Oroville-Thermalito Complex (Diversion Pool, Forebay, and Afterbay) and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam,~~ must be immediately released unharmed to the waters where they are hooked. In waters where the bag limit for trout is zero, fish for which the bag limit is zero must be released unharmed, and should not be removed from the water.

These waters may also be subject to restrictions on fishing methods and gear (sections 2.00 through 2.45), fishing hours (section 3.00), and the use of bait (sections 4.00 through 4.30).

. . . [No changes to subsections (a) through (g)]

Note: Authority cited: Sections 200, 205, 265 and 275, Fish and Game Code. Reference: Sections 440, 200, and 205, Fish and Game Code.

Proposed Regulatory Language – Option 1 (Any Size Chinook Salmon Fishery)

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

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

. . . [No changes to subsections (a) through (b)(4)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(5) American River (Sacramento Co.).		
(A) From Nimbus Dam to the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site.	Closed to all fishing all year.	
(B) From the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site to the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Oct. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2[0-4] Chinook Salmon. 4[0-12] Chinook Salmon in possession.
(C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**.

downstream to the Jibboom Street bridge.		4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession. <u>2[0-4]</u> Chinook Salmon. <u>4[0-12]</u> Chinook Salmon in possession.
(D) From the Jibboom Street bridge to the mouth.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. <u>2[0-4]</u> Chinook Salmon. <u>4[0-12]</u> Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**.

		4 hatchery trout or hatchery steelhead** in possession.
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. . . [No changes to subsections (b)(6) through (b)(67)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(68) Feather River below Fish Barrier Dam (Butte, Sutter and Yuba cos.).		
(A) From Fish Barrier Dam to Table Mountain bicycle bridge in Oroville.	Closed to all fishing all year.	
(B) From Table Mountain bicycle bridge to Highway 70 bridge.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(C) From Highway 70 bridge to the unimproved boat ramp above the Thermalito Afterbay Outfall.	All year.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**.

		4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Oct. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2[0-4] Chinook Salmon. 4[0-12] Chinook Salmon in possession.
	Nov. 1 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(E) From 200 yards above Live Oak boat ramp to the mouth. For purposes of this regulation, the lower boundary is defined as a straight line drawn from the peninsula point on the west bank to the Verona Marine boat ramp.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

		<p>2[0-4] Chinook Salmon.</p> <p>4[0-12] Chinook Salmon in possession.</p>
	Dec. 17 to Dec. 31.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>

. . . [No changes to subsections (b)(68.1) through (b)(122)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(124) Mokelumne River (San Joaquin Co.).		
(A) From Camanche Dam to Elliott Road.	Jan. 1 through Mar. 31.	1 hatchery trout or 4 hatchery steelhead**.
	Fourth Saturday in May through July 15.	1 hatchery trout or 4 hatchery steelhead**.
	July 16 through Oct. 15.	<p>1 hatchery trout or hatchery steelhead**.</p> <p>2[0-4] Chinook Salmon.</p> <p>4[0-12] Chinook Salmon in possession.</p>

(B) From Elliott Road to the Woodbridge Irrigation District Dam including Lodi Lake.	Jan. 1 through July 15.	1 hatchery trout or 4 hatchery steelhead**.
	July 16 through Dec. 31.	1 hatchery trout or hatchery steelhead**. 2[0-4] Chinook Salmon. 4[0-12] Chinook Salmon in possession.
(C) Between the Woodbridge Irrigation District Dam and the Lower Sacramento Road bridge.	Closed to all fishing all year.	
(D) From the Lower Sacramento Road bridge to the mouth. For purposes of this regulation, this river segment is defined as Mokelumne River and its tributary sloughs downstream of the Lower Sacramento Road bridge and east of Highway 160 and north of Highway 12.	Jan. 1 through July 15.	1 hatchery trout or hatchery steelhead**.
	July 16 through Dec. 16.	1 hatchery trout or 4 hatchery steelhead**. 2[0-4] Chinook Salmon. 4[0-12] Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	1 hatchery trout or 4 hatchery steelhead**.

. . . [No changes to subsections (b)(125) through (b)(156)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
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(156.5) Sacramento River and tributaries below Keswick Dam (Butte, Colusa, Contra Costa, Glenn, Sacramento, Shasta, Solano, Sutter, Tehama and Yolo cos.).	Also see Sierra District General Regulations (See Section 7.00(b)).	
(A) Sacramento River from Keswick Dam to 650 feet below Keswick Dam.	Closed to all fishing all year.	
(B) Sacramento River from 650 feet below Keswick Dam to the Deschutes Road bridge.		
1. Sacramento River from 650 feet below Keswick Dam to the Highway 44 bridge.	Jan. 1 to Mar. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Closed to all fishing from Apr. 1 through July 31.	
	Aug. 1 through Dec. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
2. Sacramento River from the Highway 44 bridge to the Deschutes Road bridge.	All year. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(C) Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam.	Jan. 1 through July 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Aug. 1 through Dec. 4631.	2 hatchery trout or hatchery steelhead**.

		4 hatchery trout or hatchery steelhead** in possession. 2[0-4] Chinook Salmon. 4[0-12] Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(D) Sacramento River from the Red Bluff Diversion Dam to the Hwy 113 bridge near Knights Landing. Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa and Tisdale Weirs.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2[0-4] Chinook Salmon. 4[0-12] Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(E) Sacramento River from the Hwy 113 bridge near Knights Landing to the Carquinez Bridge	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**.

(includes Suisun Bay, Grizzly Bay and all tributary sloughs west of Highway 160). Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the Fremont and Sacramento Weirs.		4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2[0-4] Chinook Salmon. 4[0-12] Chinook Salmon in possession.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

. . . [No changes subsections 7.50(b)(157) through (b)(212)]

* Wild Chinook Salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

**Hatchery trout or steelhead in anadromous waters are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 205, 265, 270, 315, 316.5, 399 and 2084, Fish and Game Code.
Reference: Sections 200, 205, 265, 270, 316.5 and 2084, Fish and Game Code.

Proposed Regulatory Language – Option 2 (Limited Adult, Grilse Chinook Salmon Fishery)

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

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

. . . [No changes to subsections (a) through (b)(4)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(5) American River (Sacramento Co.).		
(A) From Nimbus Dam to the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site.	Closed to all fishing all year.	
(B) From the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site to the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Oct. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon – no more than [0-4] salmon</u>

		<p><u>over 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u></p>
(C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park downstream to the Jibboom Street bridge.	Jan. 1 through July 15.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>
	July 16 through Dec. 31.	<p>2 hatchery trout or hatchery steelhead**</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p><u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u></p>

(D) From the Jibboom Street bridge to the mouth.	Jan. 1 through July 15.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>
	July 16 through Dec. 16.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p><u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u></p>
	Dec. 17 through Dec. 31.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>

. . . [No changes to subsections (b)(6) through (b)(67)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(68) Feather River below Fish Barrier Dam (Butte, Sutter and Yuba cos.).		
(A) From Fish Barrier Dam to Table Mountain bicycle bridge in Oroville.	Closed to all fishing all year.	
(B) From Table Mountain bicycle bridge to Highway 70 bridge.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(C) From Highway 70 bridge to the unimproved boat ramp above the Thermalito Afterbay Outfall.	All year.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Oct. 31.	2 hatchery trout or hatchery steelhead**.

		<p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p><u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u></p>
	Nov. 1 through Dec. 31.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>
(E) From 200 yards above Live Oak boat ramp to the mouth. For purposes of this regulation, the lower boundary is defined as a straight line drawn from the peninsula point on the west bank to the Verona Marine boat ramp.	Jan. 1 through July 15.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>
	July 16 through Dec. 16.	<p>2 hatchery trout or hatchery steelhead**.</p>

		<p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p><u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u></p>
	Dec. 17 to Dec. 31.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>

. . . [No changes to subsections (b)(68.1) through (b)(122)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(124) Mokelumne River (San Joaquin Co.).		
(A) From Camanche Dam to Elliott Road.	Jan. 1 through Mar. 31.	1 hatchery trout or 4 hatchery steelhead**.

	Fourth Saturday in May through July 15.	1 hatchery trout or 4 hatchery steelhead**.
	July 16 through Oct. 15.	1 hatchery trout or hatchery steelhead**. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u>
(B) From Elliott Road to the Woodbridge Irrigation District Dam including Lodi Lake.	Jan. 1 through July 15.	1 hatchery trout or 4 hatchery steelhead**.
	July 16 through Dec. 31.	1 hatchery trout or hatchery steelhead**. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in</u>

		<u>possession of which no more than [0-4] salmon may be over 27 inches total length.</u>
(C) Between the Woodbridge Irrigation District Dam and the Lower Sacramento Road bridge.	Closed to all fishing all year.	
(D) From the Lower Sacramento Road bridge to the mouth. For purposes of this regulation, this river segment is defined as Mokelumne River and its tributary sloughs downstream of the Lower Sacramento Road bridge and east of Highway 160 and north of Highway 12.	Jan. 1 through July 15.	1 hatchery trout or hatchery steelhead**.
	July 16 through Dec. 16.	1 hatchery trout or 4 hatchery steelhead**. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u>
	Dec. 17 through Dec. 31.	1 hatchery trout or 4 hatchery steelhead**.

. . . [No changes to subsections (b)(125) through (b)(156)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(156.5) Sacramento River and tributaries below Keswick Dam (Butte, Colusa, Contra Costa, Glenn, Sacramento, Shasta, Solano, Sutter, Tehama and Yolo cos.).	Also see Sierra District General Regulations (See Section 7.00(b)).	
(A) Sacramento River from Keswick Dam to 650 feet below Keswick Dam.	Closed to all fishing all year.	
(B) Sacramento River from 650 feet below Keswick Dam to the Deschutes Road bridge.		
1. Sacramento River from 650 feet below Keswick Dam to the Highway 44 bridge.	Jan. 1 to Mar. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Closed to all fishing from Apr. 1 through July 31.	
	Aug. 1 through Dec. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
2. Sacramento River from the Highway 44 bridge to the Deschutes Road bridge.	All year. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(C) Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam.	Jan. 1 through July 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Aug. 1 through Dec. 4631.	2 hatchery trout or hatchery steelhead**.

		<p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p><u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u></p>
	Dec. 17 through Dec. 31.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>
(D) Sacramento River from the Red Bluff Diversion Dam to the Hwy 113 bridge near Knights Landing. Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa and Tisdale Weirs.	Jan. 1 through July 15.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>
	July 16 through Dec. 16.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p>

		<u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u>
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(E) Sacramento River from the Hwy 113 bridge near Knights Landing to the Carquinez Bridge (includes Suisun Bay, Grizzly Bay and all tributary sloughs west of Highway 160). Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the Fremont and Sacramento Weirs.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u>

		<u>[0-12] Chinook Salmon in possession of which no more than [0-4] salmon may be over 27 inches total length.</u>
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

. . . [No changes subsections 7.50(b)(157) through (b)(212)]

* Wild Chinook Salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

**Hatchery trout or steelhead in anadromous waters are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 205, 265, 270, 315, 316.5, 399 and 2084, Fish and Game Code.
Reference: Sections 200, 205, 265, 270, 316.5 and 2084, Fish and Game Code.

Proposed Regulatory Language – Option 3 (Grilse Chinook Salmon Fishery)

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

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

. . . [No changes to subsections (a) through (b)(4)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(5) American River (Sacramento Co.).		
(A) From Nimbus Dam to the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site.	Closed to all fishing all year.	
(B) From the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site to the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Oct. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in</u>

		<u>possession.</u> <u>Maximum size 27</u> <u>inches total length.</u>
(C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park downstream to the Jibboom Street bridge.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession.</u> <u>Maximum size 27 inches total length.</u>
(D) From the Jibboom Street bridge to the mouth.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**.

		<p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p><u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p>
	Dec. 17 through Dec. 31.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>

. . . [No changes to subsections (b)(6) through (b)(67)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(68) Feather River below Fish Barrier Dam (Butte, Sutter and Yuba cos.).		
(A) From Fish Barrier Dam to Table Mountain bicycle bridge in Oroville.	Closed to all fishing all year.	

(B) From Table Mountain bicycle bridge to Highway 70 bridge.	Jan. 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(C) From Highway 70 bridge to the unimproved boat ramp above the Thermalito Afterbay Outfall.	All year.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Oct. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession.</u>

		<u>Maximum size 27 inches total length.</u>
	Nov. 1 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(E) From 200 yards above Live Oak boat ramp to the mouth. For purposes of this regulation, the lower boundary is defined as a straight line drawn from the peninsula point on the west bank to the Verona Marine boat ramp.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession.</u> <u>Maximum size 27 inches total length.</u>

	Dec. 17 to Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
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. . . [No changes to subsections (b)(68.1) through (b)(122)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(124) Mokelumne River (San Joaquin Co.).		
(A) From Camanche Dam to Elliott Road.	Jan. 1 through Mar. 31.	1 hatchery trout or 4 hatchery steelhead**.
	Fourth Saturday in May through July 15.	1 hatchery trout or 4 hatchery steelhead**.
	July 16 through Oct. 15.	1 hatchery trout or hatchery steelhead**. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u>

(B) From Elliott Road to the Woodbridge Irrigation District Dam including Lodi Lake.	Jan. 1 through July 15.	1 hatchery trout or 4 hatchery steelhead**.
	July 16 through Dec. 31.	1 hatchery trout or hatchery steelhead**. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u>
(C) Between the Woodbridge Irrigation District Dam and the Lower Sacramento Road bridge.	Closed to all fishing all year.	
(D) From the Lower Sacramento Road bridge to the mouth. For purposes of this regulation, this river segment is defined as Mokelumne River and its tributary sloughs downstream of the Lower Sacramento Road bridge and east of Highway 160 and north of Highway 12.	Jan. 1 through July 15.	1 hatchery trout or hatchery steelhead**.
	July 16 through Dec. 16.	1 hatchery trout or 4 hatchery steelhead**. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in</u>

		<u>possession.</u> <u>Maximum size 27</u> <u>inches total length.</u>
	Dec. 17 through Dec. 31.	1 hatchery trout or 4 hatchery steelhead**.

. . . [No changes to subsections (b)(125) through (b)(156)]

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
(156.5) Sacramento River and tributaries below Keswick Dam (Butte, Colusa, Contra Costa, Glenn, Sacramento, Shasta, Solano, Sutter, Tehama and Yolo cos.).	Also see Sierra District General Regulations (See Section 7.00(b)).	
(A) Sacramento River from Keswick Dam to 650 feet below Keswick Dam.	Closed to all fishing all year.	
(B) Sacramento River from 650 feet below Keswick Dam to the Deschutes Road bridge.		
1. Sacramento River from 650 feet below Keswick Dam to the Highway 44 bridge.	Jan. 1 to Mar. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Closed to all fishing from Apr. 1 through July 31.	
	Aug. 1 through Dec. 31. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

2. Sacramento River from the Highway 44 bridge to the Deschutes Road bridge.	All year. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(C) Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam.	Jan. 1 through July 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Aug. 1 through Dec. 4 <u>31</u> .	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession.</u> <u>Maximum size 27 inches total length.</u>
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(D) Sacramento River from the Red Bluff Diversion Dam to the Hwy 113 bridge near Knights Landing. Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

Moulton, Colusa and Tisdale Weirs.		
	July 16 through Dec. 16.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p><u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession.</u></p> <p><u>Maximum size 27 inches total length.</u></p>
	Dec. 17 through Dec. 31.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>
(E) Sacramento River from the Hwy 113 bridge near Knights Landing to the Carquinez Bridge (includes Suisun Bay, Grizzly Bay and all tributary sloughs west of Highway 160). Note: It is unlawful to take fish 0-250 feet downstream from the overflow side of the Fremont and Sacramento Weirs.	Jan. 1 through July 15.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>
	July 16 through Dec. 16.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon.</p>

		<p>4 Chinook Salmon in possession.</p> <p><u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u></p> <p><u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p>
	Dec. 17 through Dec. 31.	<p>2 hatchery trout or hatchery steelhead**.</p> <p>4 hatchery trout or hatchery steelhead** in possession.</p>

. . . [No changes subsections 7.50(b)(157) through (b)(212)]

* Wild Chinook Salmon are those not showing a healed adipose fin clip and not showing a healed left ventral fin clip.

**Hatchery trout or steelhead in anadromous waters are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip (adipose fin is present).

Note: Authority cited: Sections 200, 205, 265, 270, 315, 316.5, 399 and 2084, Fish and Game Code.
Reference: Sections 200, 205, 265, 270, 316.5 and 2084, Fish and Game Code.

18. CENTRAL VALLEY SPORT FISHING**Today's Item**Information ☐Action ☒

Consider authorizing publication of notice of intent to amend Central Valley sport fishing regulations.

Summary of Previous/Future Actions

- | | |
|---------------------------------|------------------------------------|
| • Today's notice hearing | Dec 11-12, 2019; Sacramento |
| • Discussion hearing | Feb 5-6, 2020; Sacramento |
| • Discussion hearing | Apr 15-16, 2020; Sacramento |
| • Adoption hearing | May 14, 2020; Teleconference |

Background

FGC generally adopts Central Valley sport fishing regulations on an annual basis to align state regulations with federal fishery management goals set by the Pacific Fishery Management Council (PFMC).

DFW is proposing a range of size, bag, and possession limits for Sacramento River fall-run Chinook salmon in the American, Feather, Mokelumne, and Sacramento rivers to encompass possible PFMC 2020 recommendations for Central Valley salmon escapement goals. PFMC's escapement estimate will be released in mid-Apr 2020.

The scope of options in the initial statement of reasons (ISOR; Exhibit 2) is intentionally broad to allow for flexibility in developing the final Central Valley salmon limits. DFW will recommend specific regulation changes to FGC at its Apr 15-16, 2020 meeting for adoption at FGC's May 14, 2020 teleconference.

Three options for proposed changes to Section 7.50 are being presented for consideration:

- Option 1 allows take of any size Chinook salmon up to the daily bag and possession limits;
- Option 2 allows for take of a limited number of adult (3-5 year-old) Chinook salmon, with grilse (2 year-old) Chinook salmon making up the remainder of the daily bag and possession limits;
- Option 3 allows for take of only grilse Chinook salmon.

When considering a grilse fishery, it is important to determine a size limit that balances angling harvest opportunity for male grilse versus preserving the limited number of females available to spawn. For the purposes of the proposed regulations, DFW recommends a grilse salmon size limit of less than or equal to 27 inches total length, based upon an analysis of grilse data conducted by DFW as part of the 2019 Central Valley salmon sport fishing rulemaking (Exhibit 3).

All three proposed options will also increase fishing opportunities for Chinook salmon by extending the Chinook salmon sport fishing season on the Sacramento River from the Deschutes Road Bridge to the Red Bluff Diversion Dam from a closure date of Dec 16 to a

STAFF SUMMARY FOR DECEMBER 11-12, 2019

For background purposes only

closure date of Dec 31. This proposal originates from a request made by the sport fishing community to enhance late-season fishing opportunity on the Sacramento River. Upon review of this request, DFW supports extending the fishing season from Dec 16 to Dec 31 upstream of the Red Bluff Diversion Dam, as this will provide late-season fishing opportunity for late-fall-run Chinook salmon without negatively impacting federally- and state-listed winter-run Chinook salmon (see Exhibit 2 for further discussion).

All three options will also include:

- As Coho salmon have not been stocked in Lake Oroville since 2013, and are no longer planted in the Feather River water impoundments, amend Section 7.00 to remove the exception for take and incidentally hooked Coho salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam.
- To protect federally- and state-listed fish that become trapped below concrete flood control weirs from angling opportunity, amend Section 2.35 and subsections 7.50(b)(156.5)(D) and (E) to include and differentiate flood control weirs in the Central Valley from other types of weirs, and clarify a fishing closure of 0-250 feet downstream from the overflow side of Moulton, Tisdale, Fremont, and Sacramento weirs.
- Make a minor correction to subsections 7.50(b)(124)(A), (B), and (D) to ensure consistency in the format in which the daily bag and possession limit for hatchery trout or hatchery steelhead is displayed in regulatory text.

Significant Public Comments

The Buena Vista Rancheria expressed support for Option 2 in the draft ISOR (Exhibit 6).

Recommendation

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

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

DFW: Authorize publication of a notice as proposed in the draft ISOR (Exhibit 2) and, following adoption of any changes, request that the Office of Administrative Law make the regulation effective on or before Jul 16, 2020 (Exhibit 1).

Exhibits

1. DFW memo transmitting ISOR, received Nov 22, 2019
2. Draft ISOR
3. ISOR, *Central Valley Salmon Sport Fishing*, dated Nov 20, 2018 (for background purposes only)
4. Draft economic and fiscal impact statement (Std. 399)
5. DFW presentation
6. Email from Richard Hawkins, representing Buena Vista Rancheria, received Nov 26, 2019

STAFF SUMMARY FOR DECEMBER 11-12, 2019

For background purposes only

Motion/Direction

Moved by _____ and seconded by _____ that the Commission authorizes publication of a notice of its intent to amend sections 2.35 and 7.00, and subsections 7.50(b)(5), et al., related to Central Valley sport fishing regulations.

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**[SAM Section 6601-6616](#)

STD. 399 (REV. 12/2013)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME Fish and Game Commission	CONTACT PERSON Margaret Duncan Margaret.Duncan	EMAIL ADDRESS @wildlife.ca.gov	TELEPHONE NUMBER (916) 653-4674
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Amend Section 2.35, 7.00, & subsections of 7.50(b) Title 14,CCR, Re: Central Valley Sport Fishing Regulations			NOTICE FILE NUMBER Z

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

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> a. Impacts business and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input checked="" type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance |
| <input checked="" type="checkbox"/> c. Impacts jobs or occupations | <input checked="" type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input type="checkbox"/> h. None of the above (Explain below): |

*If any box in Items 1 a through g is checked, complete this Economic Impact Statement.
If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.*

2. The Fish and Game Commission estimates that the economic impact of this regulation (which includes the fiscal impact) is:
(Agency/Department)

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

3. Enter the total number of businesses impacted: approx. 100 to 200Describe the types of businesses (Include nonprofits): Fishing guides, boat owners, bait, tackle, food, fuel, lodging, and campground vendorsEnter the number or percentage of total businesses impacted that are small businesses: 80%4. Enter the number of businesses that will be created: none eliminated: noneExplain: The anticipated impact on fishing activity is not expected to be sufficient to induce business loss/creation.5. Indicate the geographic extent of impacts: ☐ Statewide
☒ Local or regional (List areas): American, Feather, Mokelumne, & Sacramento rivers6. Enter the number of jobs created: none and eliminated: 0 - 27Describe the types of jobs or occupations impacted: Fishing guides, boat owners, and vendors for food, bait, tackle, fuel, lodging and campgrounds.7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? ☐ YES ☒ NOIf YES, explain briefly: _____

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

STD. 399 (REV. 12/2013)

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

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ 0
- a. Initial costs for a small business: \$ 0 Annual ongoing costs: \$ 0 Years: 1
- b. Initial costs for a typical business: \$ 0 Annual ongoing costs: \$ 0 Years: 1
- c. Initial costs for an individual: \$ 0 Annual ongoing costs: \$ 0 Years: 1
- d. Describe other economic costs that may occur: N/A, This action seeks to maintain Central Valley sport fishing opportunities with no new compliance costs.
2. If multiple industries are impacted, enter the share of total costs for each industry: N/A
3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. *Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ N/A
4. Will this regulation directly impact housing costs? ☐ YES ☒ NO
If YES, enter the annual dollar cost per housing unit: \$ _____
Number of units: _____
5. Are there comparable Federal regulations? ☐ YES ☒ NO
Explain the need for State regulation given the existence or absence of Federal regulations: Fish and Game Code (FGC) sections 200 and 205
Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ 0

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

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: This action should result in the continued sustainability of the sport fisheries that benefit sport anglers and the area businesses that support sport fishing activities.
2. Are the benefits the result of: ☐ specific statutory requirements, or ☒ goals developed by the agency based on broad statutory authority?
Explain: Statute provides the Fish & Game Commission authority to establish sport fishing regulations (FGC sections 200 and 205)
3. What are the total statewide benefits from this regulation over its lifetime? \$ 15.5 - 19.4 M annually
4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: Proposed action is anticipated to maintain historically average levels of fishing activity that is not expected to induce the expansion of businesses currently doing business within the State.

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

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: See Initial Statement of Reasons (ISOR) for more detail. Alternatives considered: Option 1) Any size Chinook Salmon; Option 2) Limited numbers of Adult Salmon and Grilse take; Option 3) Grilse take only. All options extend the salmon season by two weeks on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam.

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

STD. 399 (REV. 12/2013)

ECONOMIC IMPACT STATEMENT (CONTINUED)

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

Regulation:	Benefit: \$	<u>19.4 M</u>	Cost: \$	<u>0</u>
Alternative 1:	Benefit: \$	<u>17.5 M</u>	Cost: \$	<u>1.9 M</u>
Alternative 2:	Benefit: \$	<u>15.5 M</u>	Cost: \$	<u>3.9 M</u>

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

"Regulation" above refers to Option 1 in the ISOR;"Alternative 1" is Option 2; "Alternative 2" is Option 3. See ISOR, section VII for detail on cost/benefit analysis.

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?

☐ YES☒ NOExplain: Fisheries management regulations traditionally involve setting harvest limits, seasons, and gear restrictions.**E. MAJOR REGULATIONS** *Include calculations and assumptions in the rulemaking record.****California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.***1. Will the estimated costs of this regulation to California business enterprises **exceed \$10 million**? ☐ YES ☐ NO***If YES, complete E2. and E3******If NO, skip to E4***

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

Alternative 1: _____

Alternative 2: _____

(Attach additional pages for other alternatives)

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

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

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

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

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

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

5. Briefly describe the following:

The increase or decrease of investment in the State: _____

The incentive for innovation in products, materials or processes: _____

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

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

STD. 399 (REV. 12/2013)

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

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

\$ _____

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

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

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

\$ _____

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

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

Case of: _____ vs. _____

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

Date of Election: _____

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

Local entity(s) affected: _____

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

Authorized by Section: _____ of the _____ Code;

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

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

- ☐ 3. Annual Savings. (approximate)

\$ _____

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

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

- ☐ 6. Other. Explain _____

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

STD. 399 (REV. 12/2013)

FISCAL IMPACT STATEMENT (CONTINUED)**B. FISCAL EFFECT ON STATE GOVERNMENT** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

It is anticipated that State agencies will:☐ a. Absorb these additional costs within their existing budgets and resources.☐ b. Increase the currently authorized budget level for the _____ Fiscal Year☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ _____

☒ 3. No fiscal impact exists. This regulation does not affect any State agency or program.☐ 4. Other. Explain _____**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ _____

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

\$ _____

☒ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.☐ 4. Other. Explain _____

FISCAL OFFICER SIGNATURE

DATE



Original signature on file 11/13/19

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

AGENCY SECRETARY

DATE



Original signature on file 01/03/20

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

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER

DATE



STD. 399 Addendum

Amend Sections 2.35 and 7.00, and
Subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50
Title 14, California Code of Regulations
Re: Central Valley Sport Fishing Regulations

Economic Impact Statement

The proposed regulatory amendments of subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50 under consideration will set the 2020 sport fishing regulations for Sacramento River fall-run Chinook Salmon (SRFC) in the American, Feather, Mokelumne, and Sacramento rivers, respectively, for consistency with the Pacific Fishery Management Council (PFMC) in-river harvest projections. Collectively, these four rivers constitute the “Central Valley fishery” for SRFC for the purposes of this document. Three regulatory options are provided for the Fish and Game Commission’s (Commission) consideration.

- **Option 1** would allow anglers to take any size Chinook Salmon up to the daily bag limit [0-4] and possession limit [0-12] (most liberal option).
- **Option 2** would allow for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag limit [0-4] and possession limit [0-12].
- **Option 3** is the most conservative option and allows for take of only grilse Chinook Salmon up to the daily bag limit [0-4] and possession limit [0-12]. Take of adult Chinook Salmon would not be allowed.

All three options will also include the following additional proposed regulatory changes:

- Increase fishing opportunities on Chinook Salmon by extending the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam from a closure date of December 16 to a closure date of December 31.
- Remove the exception for take and incidentally hooked Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam.
- Differentiate flood control weirs in the Central Valley from other types of weirs and include a fishing closure of 0-250 feet downstream from the overflow side of Moulton, Tisdale, Fremont, and Sacramento weirs.

The Commission does not anticipate that any of the proposed options would induce substantial impacts on the creation of new business or the elimination of existing businesses, because the proposed changes to the regulations are unlikely to be substantial enough to stimulate the creation of new businesses or cause the elimination of existing businesses. The additional two weeks of fishing opportunity on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam, and opportunities to fish for grilse Chinook Salmon and other species are expected to help sustain the number of fishing trips and the level of economic stimulus within historical averages.

Section A

Question 6. Number of jobs created and eliminated.

The Commission does not anticipate that any of the proposed options would induce substantial impacts on the creation or elimination of jobs. For Option 1, no change in job creation or elimination is anticipated. Option 2 and Option 3 have the potential to result in fewer angler visits, and absent substitution toward other sportfish and/or activities in the affected areas, the reduction in angler spending could reduce the support for up to an estimated 27 jobs statewide (refer to Section C, question 3 below). These job impacts are statewide, and may be moderated by the additional two weeks of fishing opportunity on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam, and by opportunities to fish for grilse Chinook Salmon and other species.

Section B

Question 1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime?

\$0. The regulations under consideration seek to maintain SRFC fishing opportunities with no new compliance costs. The proposed bag and possession limits, river areas and season lengths do not prescribe any particular equipment or methods.

Section C

Question 1. Briefly summarize the benefits of the regulation.

It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the State for the benefit of all the citizens of the State and to promote the development of local fisheries and distant water fisheries based in California in harmony with international law, respecting fishing and the conservation of the living resources of the ocean and other waters under the jurisdiction and influence of the State. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence, and the maintenance of a sufficient

resource to support a reasonable sport use. Adoption of scientifically-based SRFC bag and possession limits provides for the maintenance of sufficient populations of Chinook Salmon to ensure their continued existence.

The benefits of the proposed regulations are consistency with federal fishery management goals, sustainable management of the SRFC fishery, general health and welfare of California residents, and promotion of businesses that rely on sport fishing in the Central Valley.

Section C

Question 3. What are the total statewide benefits from this regulation over its lifetime?

\$15.5 - 19.4 M in total impact annually. This is the average historical range of total economic impact of the fishery with multipliers for indirect and induced impacts applied to the direct impact. This action is expected to sustain fishery activity within the range of historically typical seasons. The potential difference between an average season and the options under consideration range from \$1.9 - \$3.9 M as shown in Table 1.

A normal season for the Central Valley fishery experiences an average of 179,550 sport salmon angler days in which anglers spend an average of \$83 -114 per day contributing a total of \$13.8 M (2019\$) in direct expenditures to California businesses. This expenditure is received by area businesses that spend a share on inputs and payroll. As employees receive income, their household spending again circulates in the local economy and statewide. These multiplier effects result in an estimated total economic impact of \$19.4 M (2019\$), and up to 136 jobs.

The regional and statewide economic impacts factor into the effort to balance the maintenance of the recreational fishery with resource preservation, while complying with PFMC recommendations. The potential economic impacts that may result from each in-river harvest projection as specified in Option 1, Option 2, and Option 3 are evaluated in terms of each scenario's probable impact on the number of angler days, and thus area spending.

Table 1. Central Valley Fishery Economic Impacts (2019\$)

Regulation	Angler Days	Angler Expenditures	Total Econ Impact	Jobs
Option 1	179,550	\$ 13,801,889	\$ 19,407,577	136
Option 2	161,595	\$ 12,421,700	\$ 17,466,819	122
Option 3	143,640	\$ 11,041,511	\$ 15,526,062	109
Difference	Angler Day Loss	Expenditure Loss	Total Impact Loss	Job Loss
Option 1	0	\$ -	\$ -	0
Option 2	17,955	\$ 1,380,189	\$ 1,940,758	14
Option 3	35,910	\$ 2,760,378	\$ 3,881,515	27

Sources: California Department of Fish and Wildlife, Fisheries Branch economic analysis; U.S. Fish and Wildlife Service, 2016 National Survey of Fishing, Hunting, and Wildlife-

Associated Recreation; dollar figures adjusted for inflation with Implicit Price Deflator for Personal Consumption Expenditures, Bureau of Economic Analysis.

Historical correlations between catch limits and fishery participation levels suggest that Option 1 could enable a historically typical number of angler days for the 2020 Chinook Salmon season on the American, Feather, Mokelumne, and Sacramento rivers. Option 2 may result in declines in angler days of 17,955 below a typical year. Option 3 may result in larger declines, or an estimated 35,910 fewer angler days.

For all options, the proposed extension of the season end date for a portion of the Sacramento River would extend the period of angler regional economic contributions. Additionally, anglers may pursue other in-river sport fish aside from Chinook salmon, such as steelhead (*Oncorhynchus mykiss*), striped bass (*Morone saxatilis*), largemouth bass (*Micropterus salmoides*), sturgeon (*Acipenser transmontanus*) and catfish (*Ictalurus spp.*), that may mitigate any adverse impacts from any reductions in salmon fishing. In sum, the options presented to the Commission were conceived with the goal of enabling levels of recreational SRFC fishing in the range of historical averages, and thus should not be a source of significant adverse economic impacts.

Section C

Question 4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation.

The Commission does not anticipate that any of the proposed options would induce substantial impacts on the expansion of businesses currently doing business within the state. The proposed regulations are not anticipated to increase demand for services or products from the existing businesses that serve inland sport anglers. The number of fishing trips and angler economic contributions are expected to remain within the range of historical averages.

Section D

Question 1. Alternatives to the Regulation

The “Regulation” is specified in the Initial Statement of Reasons (ISOR) as **Option 1**, which would allow anglers to take any size Chinook salmon up to the daily bag limit [0-4] and possession limit [0-12] (most liberal option).

Alternative 1 is specified in the ISOR as **Option 2**, which would allow for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag limit [0-4] and possession limit [0-12].

Alternative 2 is specified in the ISOR as **Option 3**, which is the most conservative option and allows for take of only grilse Chinook Salmon up to the daily bag limit [0-4] and possession limit [0-12]. Take of adult Chinook Salmon would not be allowed.

All three options will also include the following additional proposed regulatory changes:

- Increase fishing opportunities on Chinook Salmon by extending the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam from a closure date of December 16 to a closure date of December 31.
- Remove the exception for take and incidentally hooked Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam.
- Differentiate flood control weirs in the Central Valley from other types of weirs and include a fishing closure of 0-250 feet downstream from the overflow side of Moulton, Tisdale, Fremont, and Sacramento weirs.

Memorandum

Date: May 4, 2020

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

From: Charlton H. Bonham
Director

Subject: **Submittal of Pre-Adoption Statement of Reasons to Amend Sections 2.35 and 7.00, and Subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50, Title 14, CCR, RE: Central Valley Sport Fishing Regulations**

Please find attached the Pre-Adoption Statement of Reasons (PSOR) for the 2020 Central Valley sport fishing regulations. The PSOR includes the Department's recommendation for bag and possession limits on the Sacramento, lower American, Feather, and Mokelumne rivers, and responses to comments from the public on the proposed regulation changes. No changes were made to the original proposed regulations. Specific bag and possession limits for fall-run Chinook Salmon in the Central Valley will be adopted during the Commission teleconference on May 14, 2020.

If you have any questions or need additional information, please contact Roger Bloom, Acting Chief, Fisheries Branch by e-mail at Roger.Bloom@wildlife.ca.gov.

Attachment

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Melissa Miller-Henson, Executive Director
Fish and Game Commission
May 4, 2020
Page 2

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State of California
Fish and Game Commission
Pre-Adoption Statement of Reasons for Regulatory Action

Amend Sections 2.35 and 7.00, and Subsections (b)(5), (b)(68), (b)(124),
and (b)(156.5) of Section 7.50

Title 14, California Code of Regulations
Re: Central Valley Sport Fishing Regulations

- I. Date of Initial Statement of Reasons: November 18, 2019
- II. Date of Pre-Adoption Statement of Reasons: April 28, 2020
- III. 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) Discussion Hearing

Date: April 16, 2020

Location: **Teleconference**

(d) Adoption Hearing

Date: May 14, 2020

Location: Teleconference

IV. Description of Modification of Originally Proposed Language of Initial Statement of Reasons (ISOR)

No changes have been made to the originally proposed regulatory language; however, the Department of Fish and Wildlife (Department) is recommending Option 1 from the ISOR which allows for take and possession of any size Chinook Salmon up to the daily bag and possession limits. The Department is recommending a daily bag limit of two fish, and a possession limit of four fish for the lower American, Sacramento, and Mokelumne rivers, and a daily bag limit of three fish and possession limit of six fish for the Feather River.

The Department is recommending adoption of the other proposed changes as described in the ISOR.

V. Reasons for Modification of Originally Proposed Language of ISOR:

The Pacific Fishery Management Council (PFMC) has reviewed west-coast salmon stocks and has projected the in-river recreational harvest impact to be approximately 41,000 adult Sacramento River fall-run Chinook Salmon for the 2020 season. Regulatory options 1-3 in the ISOR encompassed varying ranges of sport fishing bag and possession limits based on PFMC's projection. To target PFMC's projection, the Department is recommending Option 1 in the ISOR, which allows for take of any size Chinook Salmon up to the daily bag possession limits. The

Department is not recommending Option 2 (limited adult, and grilse fishery – jacks or jills) or Option 3 (grilse-only fishery).

The Department is recommending a daily bag limit of two fish, and a possession limit of four fish of any size for the lower American, Sacramento, and Mokelumne rivers. This will result in no change to the current bag and possession limits on these waters. The reason for this relatively conservative approach for these waters is that the Department remains concerned about rebuilding of the fall-run Chinook Salmon stock in the upper Sacramento River basin and on the American River.

In contrast, the Department is recommending an increased daily bag limit of three fish and an increased possession limit of six fish for the Feather River (subsection 7.50(b)(68)). As in other recent years, the Department anticipates high returns of adult hatchery fish to the Feather River. It is the Department's judgement that the Feather River can support a higher harvest rate than in 2019 and still contribute proportionately to PFMC's minimum escapement goal for the Sacramento River basin of approximately 142,000 hatchery and natural-area adult spawners. The Department is comfortable with recommending a higher level of utilization on the Feather River given that basin-wide escapement is estimated at between 233,000 and 243,000 adults.

VI. Summary of Primary Considerations Raised in Opposition and in Support

Comment by James Stone, President of the NorCal Guides and Sportsmen's Association, received at the April 16, 2020 Commission meeting: Mr. Stone supports the extension of the salmon fishing season on the Sacramento River from the Red Bluff Diversion Dam to the Deschutes Road Bridge to December 31.

Response: Comment noted.

Comment by Aoibheann Cline, Congressional Sportsmen's Foundation, received at the April 16, 2020 Commission meeting: Ms. Cline requests additional recreational fishing opportunity on the Sacramento and Klamath rivers if science supports additional allocation for unharvested ocean quota that will not have a long term negative impact on the population.

Response: Restrictions in ocean salmon fishing due to low abundance in the Klamath River fall-run Chinook stock is likely to result in an atypically greater proportion of Sacramento River fall-run Chinook Salmon returning to the Sacramento Basin in 2020. The PFMC estimates escapement at between 233,000 and 242,000 in the Sacramento Basin, which is well above the minimum spawner escapement goal of approximately 142,000 adults. With this favorable forecast, the Department is recommending that additional recreational fishing opportunity be provided on the Feather River with an increase to the daily bag and possession limit to 3 and 6, respectively. Additionally, the Department is recommending a 2-week enhancement to late-season fishing opportunity on the Sacramento River from the Red Bluff Diversion Dam to the Deschutes Road Bridge.

Updated Informative Digest/Policy Statement Overview

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

Current regulations in subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50 prescribe the 2019 seasons and daily bag and possession limits for Sacramento River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; SRFC) sport fishing in the American, Feather, Mokelumne, and Sacramento rivers, respectively. Collectively, these four rivers constitute the “Central Valley fishery” for SRFC for purposes of this document. Each year, the Department of Fish and Wildlife (Department) recommends new Chinook Salmon bag and possession limits for consideration by the Fish and Game Commission (Commission) to align the fishing limits with up-to-date management goals, as set forth below.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2020 meeting and will adopt its final regulatory recommendations at its April 2020 meeting based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season. Based on the April 2020 recommendation by PFMC, the Department will recommend specific bag and possession limit regulations to the Commission at its April 16, 2020 meeting. The Commission will then consider adoption of the Central Valley sport fishing regulations at its May 14, 2020 teleconference.

Proposed Regulations

CHINOOK SALMON BAG AND POSSESSION LIMITS

The Department recognizes the uncertainty of SRFC in-river harvest projections. Therefore, for the 2020 Central Valley fishery, the Department is presenting three regulatory options for the Commission’s consideration to tailor 2020 Central Valley fishery management to target 2020 in-river fisheries harvest projections.

- Option 1 is the most liberal of the three options, and allows take of any size Chinook Salmon up to the daily bag and possession limits.
- Option 2 allows for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag and possession limits.
- Option 3 is the most conservative option, and allows for a grilse-only Chinook Salmon fishery.

All three options will also increase fishing opportunities on Chinook Salmon by extending the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam from a closure date of December 16 to a closure date of December 31.

A minor correction will also be made to subsections 7.50(b)(124)(A), (B), and (D), to ensure consistency in the format in which the daily bag and possession limit for hatchery trout or hatchery steelhead is displayed in the regulatory text.

All options would be applicable to the following river segments and time periods:

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park, July 16 through October 31
- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge, July 16 through December 31
- (D) From the Jibboom Street bridge to the mouth, July 16 through December 16

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp, July 16 through October 31
- (E) From 200 yards above the Live Oak boat ramp to the mouth, July 16 through December 16

Mokelumne River, subsection 7.50(b)(124):

- (A) From Comanche Dam to Elliott Road, July 16 through October 15
- (B) From Elliott Road to the Woodbridge Irrigation District Dam and including Lodi Lake, July 16 through December 31
- (D) From the Lower Sacramento Road bridge to the mouth, July 16 through December 16

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

- (C) From Deschutes Road bridge to the Red Bluff Diversion Dam, August 1 through December 31
- (D) From the Red Bluff Diversion Dam to the Highway 113 bridge, July 16 through December 16.
- (E) From the Highway 113 bridge to the Carquinez Bridge, July 16 through December 16.

The following options are provided for Commission consideration:

Option 1 – Any Size Chinook Salmon Fishery

This option is the Department's preferred option if the **2020** SRFC stock abundance forecast is sufficiently high to avoid the need to constrain inland SRFC harvest.

Bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

Option 2 – Limited Adult and Grilse Salmon Fishery

Bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Option 3 – Grilse Salmon Fishery Only

Bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

EXTEND CHINOOK SALMON SPORT FISHING SEASON ON THE SACRAMENTO RIVER

Sport fishing interests have requested the Chinook Salmon sport fishing season on the Sacramento River be extended from the current December 16 closure date to December 31 to enhance late-season fishing opportunity on the river. At issue is regulating the closure date to minimize contact in the fishery with federally and state-listed as endangered winter-run Chinook Salmon.

The Department supports extending the fishing season from December 16 to December 31 upstream of the Red Bluff Diversion Dam (River Mile (RM) 243), which will provide late season fishing for late-fall-run Chinook Salmon without negatively impacting winter-run Chinook Salmon.

Proposal: Amend subsection 7.50(b)(156.5)(C), Sacramento River

Extend the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam to December 31.

REMOVE EXCEPTION FOR TAKE OF COHO SALMON IN THE FEATHER RIVER

Section 7.00 includes an exception for the take of Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam. Section 7.00 also includes an exception for incidentally hooked Coho Salmon in the same area. Coho Salmon have not been stocked in Lake Oroville since 2013. Coho Salmon are no longer planted in the Feather River water impoundments. Therefore, the exceptions for take and incidentally hooked Coho Salmon stated in Section 7.00 should be removed.

Proposal: Amend Section 7.00, Re: Take of Coho Salmon in the Feather River

Remove exception for take and incidentally hooked Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam.

PROHIBIT FISHING AT CONCRETE FLOOD CONTROL WEIRS

Annually, during the rainy season, fish often get trapped below the concrete flood control weirs on the Sacramento River. Fish trapped in these areas are often state or federally-listed as endangered or threatened species and, therefore, should not be exposed to angling opportunity. Subsections 7.50(b)(156.5)(D) and (E) include a “Note” which states that it is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa, Tisdale, Fremont, and Sacramento weirs. However, there is no regulation in place that makes angling near flood control weirs unlawful. Section 2.35 prohibits angling near fishways and egg-taking stations, dams, weirs or racks with fishways or egg-taking stations, and the upstream side of fish screens; but does not apply to areas, except for Fremont Weir, described in the notes in subsections 7.50(b)(156.5)(D) and (E).

Proposal 1: Amend Section 2.35, Regarding Take of Fish at Weirs

Amend Section 2.35 to include and differentiate flood control weirs in the Central Valley from other types of weirs and include a fishing closure of 0-250 feet downstream from the overflow side of Moulton, Tisdale, Fremont, and Sacramento weirs.

Proposal 2: Amend subsections 7.50(b)(156.5)(D) and (E), Sacramento River

Remove Note which states it is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa, Tisdale, Fremont, and Sacramento weirs. These fishing closures will now be stipulated in Title 14, Section 2.35, with the exception of the Colusa Weir.

Benefits of the Proposed Regulations

The Commission anticipates benefits to the environment in the sustainable management of Central Valley Chinook Salmon resources. Other benefits of the proposed regulations are consistency with federal fishery management goals, health and welfare of California residents, and promotion of businesses that rely on Central Valley Chinook Salmon sport fishing.

Consistency and Compatibility with Existing Regulations

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate recreational fishing in waters of the state (Fish and Game Code sections 200, 205, 315 and 316.5). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to Chinook Salmon recreational fishing seasons, bag, and possession limits for Central Valley sport fishing.

Update:

No changes have been made to the originally proposed regulatory language; however, the Department is recommending Option 1 from the ISOR which allows for take and possession of any size Chinook salmon up to the daily bag and possession limits. The Department is recommending a daily bag limit of two fish, and a possession limit of four fish for the lower American, Sacramento, and Mokelumne rivers, and a daily bag limit of three fish and possession limit of six fish for the Feather River.

The Department is recommending adoption of the other proposed changes as described in the ISOR.

STATE OF CALIFORNIA
NATURAL RESOURCES AGENCY
FISH AND GAME COMMISSION
NEGATIVE DECLARATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS

Prepared by:

California Department of Fish and Wildlife
Fisheries Branch

This Report Has Been Prepared Pursuant to the
California Environmental Quality Act of 1970
State of California
Natural Resources Agency
Fish and Game Commission

**INITIAL STUDY AND NEGATIVE DECLARATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS**

The Project

The Fish and Game Commission (Commission) proposes to amend the Central Valley sport fishing regulations as set forth in Title 14 of the California Code of Regulations. The current 2019 sport fishing regulations, Section 7.50, Title 14, California Code of Regulations, allow for salmon fishing in the American, Feather, Mokelumne, and Sacramento rivers. Each year the Department of Fish and Wildlife (Department) evaluates the potential need to amend the existing Chinook Salmon bag and possession limits and seasons to align with management goals. Any proposed changes to the salmon fishing regulations are presented to the Commission for consideration.

The Findings

The initial study and the Commission's review of the project showed that the project will not have any significant or potentially significant effects on the environment and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. The project will not have a significant effect on aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.

Basis of the Findings

Based on the initial study, implementing the proposed project will not have any significant or potentially significant effects on the environment. Therefore, a negative declaration is filed pursuant to the California Environmental Quality Act, Public Resource Code Section 21080, subdivision (c).

This proposed negative declaration consists of the following:

- Introduction – Project Description and Background Information on the Proposed Amendments to Central Valley Sport Fishing Regulations
- Initial Study Environmental Checklist Form
- Explanation of the Response to the Initial Study Environmental Checklist Form

**PROJECT DESCRIPTION AND BACKGROUND INFORMATION
FOR
PROPOSED AMENDMENTS
TO
CENTRAL VALLEY SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS**

Introduction

Annually, the Department recommends Central Valley sport fishing regulations to the Commission. The Commission then makes the final determination on what amendments to the regulations should be implemented and is the lead agency for the purposes of CEQA. Under Fish and Game Code Section 200, the Commission has the authority to regulate the taking or possession of fish for the purpose of sport fishing.

Project goals and objectives

The goal of this project is to amend the Central Valley sport fishing regulations in furtherance of the state's policy on conservation, maintenance, and utilization of California's aquatic resources stated in Fish and Game Code Section 1700. This section includes the following objectives:

1. Maintain sufficient populations of all aquatic species to ensure their continued existence.
2. Maintain sufficient resources to support a reasonable sport use.
3. Management of fisheries using best available science and public input.

Background

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2020 meeting and develop the final PFMC regulatory recommendations for adoption by NMFS at its April 2020 meeting. Based on the regulations adopted by NMFS, the Department will recommend specific bag and possession limits to the Commission in April. The Commission will adopt the proposed regulations during a scheduled teleconference call on May 14, 2020.

Project Location

Central Valley sport fishing addressed by this environmental document occurs in the waters of the American, Feather, Mokelumne, and Sacramento rivers in northern and Central California in the counties of Siskiyou, Shasta, Tehama, Colusa, Butte, Yuba, Sutter, Placer, El Dorado, Sacramento, Yolo, Solano, Contra Costa, and San Joaquin.

Schedule

If adopted by the Commission and approved by the Office of Administrative Law, the proposed regulatory amendments described below will go into effect around July 1, 2020.

Project Description

Current regulations in subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50 prescribe the 2019 seasons and daily bag and possession limits for Sacramento River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; SRFC) sport fishing in the American, Feather, Mokelumne, and Sacramento rivers, respectively. Collectively, these four rivers constitute the “Central Valley fishery” for SRFC for purposes of this document (Figure 1). Each year, the Department of Fish and Wildlife (Department) recommends new Chinook Salmon bag and possession limits for consideration by the Fish and Game Commission (Commission) to align the fishing limits with up-to-date management goals, as set forth below.

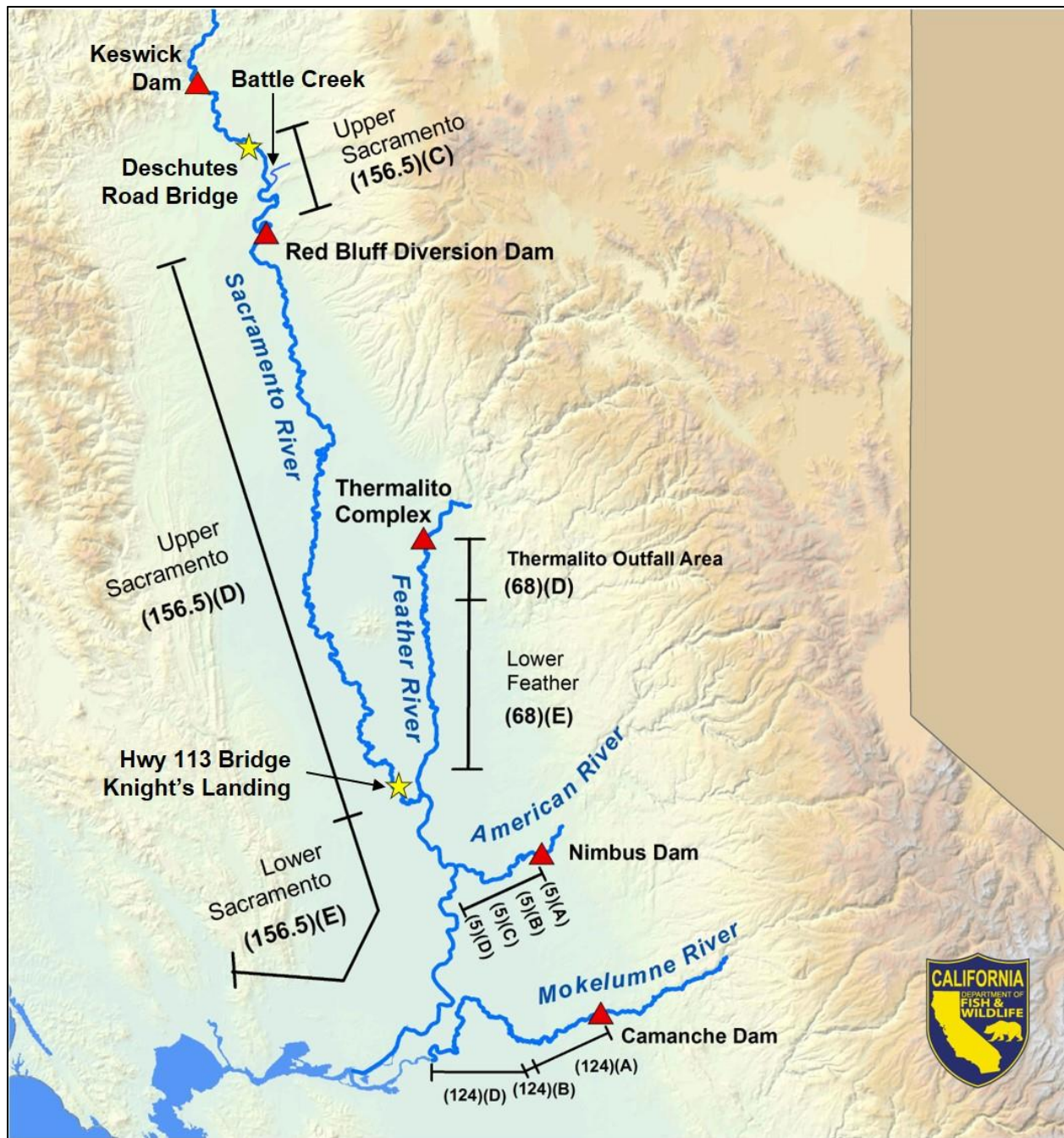


Figure 1. Map of the “Central Valley fishery” for Sacramento River fall-run Chinook Salmon, encompassing the following rivers and their respective subsections of Section 7.50: American (b)(5), Feather (b)(68), Mokelumne (b)(124), and Sacramento (b)(156.5).

Proposed Regulations

CHINOOK SALMON BAG AND POSSESSION LIMITS

The Department recognizes the uncertainty of SRFC in-river harvest projections. Therefore, for the 2020 Central Valley fishery, the Department is presenting three regulatory options for the Commission's consideration to tailor 2020 Central Valley fishery management to target 2020 in-river fisheries harvest projections.

1. Option 1 is the most liberal of the three options and allows take of any size Chinook Salmon up to the daily bag and possession limits.
2. Option 2 allows for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag and possession limits.
3. Option 3 is the most conservative option, and allows for a grilse-only Chinook Salmon fishery

All three options will also increase fishing opportunities on Chinook Salmon by extending the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam from a closure date of December 16 to a closure date of December 31. The rationale for this proposal is discussed in greater detail below.

A minor correction will also be made to subsections 7.50(b)(124)(A), (B), and (D), to ensure consistency in the format in which the daily bag and possession limit for hatchery trout or hatchery steelhead is displayed in the regulatory text.

Key to Proposed Regulatory Changes:

Because the PFMC recommendations are not known at this time, a range shown in [brackets] in the text below of bag and possession limits is indicated where it is desirable to continue Chinook Salmon fishing in the American, Feather, Mokelumne, and Sacramento rivers. **Bold** text indicates changes to the in-river season or boundary.

The following options are provided for Commission consideration:

Option 1 – Any Size Chinook Salmon Fishery

This option would allow anglers to take up to [0-4] Chinook Salmon of any size per day. This option is the Department's preferred option if the 2020 SRFC stock abundance forecast is sufficiently high to avoid the need to constrain in-river SRFC harvest.

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through October 31 with a bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

- (D) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.

July 16 through October 31 with a daily bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

- (E) From 200 yards above the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

Mokelumne River, subsection 7.50(b)(124):

- (A) From Camanche Dam to Elliott Road.

July 16 through October 15 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

- (B) From Elliott Road to the Woodbridge Irrigation District Dam and including Lodi Lake.

From July 16 through December 31 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

- (D) From the Lower Sacramento Road bridge to the mouth.

From July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

(C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through **December 31** with a bag limit of [0-4] Chinook Salmon

Possession limit – [0-12] Chinook Salmon.

(D) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

(E) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

Option 2 – Limited Adult and Grilse Salmon Fishery

This option would allow the take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag and possession limits. Should a reduction in the adult component of the stock be imposed by PFMC harvest projections, the Department is recommending specifying angling opportunities on the smaller, and possibly more numerous grilse salmon to increase angling harvest opportunities. Grilse returns from the previous season are included in pre-season stock abundance forecasts, but are not included in the current season adult returns used for evaluating conservation targets for SRFC. Due to their smaller size and immaturity, grilse are typically outcompeted by larger adults, and do not significantly contribute to the spawning population, and so they would be available for harvest without impacting the juvenile recruitment for the current season. Take of adult salmon would be limited under regulation, and the subsequent juvenile production would help rebuild the depressed stock size at a time when there is the need to restrict harvest of adult salmon.

As in 2019, the Department is recommending a grilse salmon size limit of less than or equal to 27 inches total length. For the 2019 Central Valley fishery, the Department evaluated a grilse salmon size limit range of less than or equal to 26 to 28 inches total length (TL) to help determine a size cutoff that balances angling harvest opportunity for jacks versus preserving the limited number of females available to spawn. For this, the Department analyzed the percentages of adult SRFC that would be prohibited from harvest at a 26, 27, and 28-inch TL cutoff for grilse salmon. Based on that analysis, the Department determined that a 27-inch TL grilse salmon cutoff is the best balance between restricting take of the available adult female salmon and increasing harvest of possibly abundant smaller, two-year old male salmon.

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through October 31 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

- (D) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.

July 16 through October 31 with a daily bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

- (E) From 200 yards above the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Mokelumne River, subsection 7.50(b)(124)

(A) From Camanche Dam to Elliott Road.

July 16 through October 15 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

(B) From Elliott Road to the Woodbridge Irrigation District Dam and including Lodi Lake.

From July 16 through December 31 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

(D) From the Lower Sacramento Road bridge to the mouth.

From July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

(C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through **December 31** with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

(D) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

(E) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon of which

no more than [0-4] fish over 27 inches total length may be retained.

Possession limit – [0-12] Chinook Salmon of which no more than [0-4] fish may be over 27 inches total length.

Option 3 – Grilse-only Salmon Fishery

This option would allow for a grilse-only salmon fishery. Should a reduction in the adult component of the stock be imposed by PFMC harvest projections, the Department is recommending specifying angling opportunities on the smaller, and possibly more numerous grilse salmon to increase angling harvest opportunities. Grilse returns from the previous season are included in pre-season stock abundance forecasts, but are not included in the current season adult returns used for evaluating conservation targets for SRFC. Due to their smaller size and immaturity, grilse are typically outcompeted by larger adults, and do not significantly contribute to the spawning population, and so they would be available for harvest without impacting the juvenile recruitment for the current season. Take of adult salmon would be prohibited under regulation, and the subsequent juvenile production would help rebuild the depressed stock size at a time when there is the need to restrict harvest of adult salmon.

As in 2019, the Department is recommending a grilse salmon size limit of less than or equal to 27 inches total length. For the 2019 Central Valley fishery, the Department evaluated a grilse salmon size limit range of less than or equal to 26 to 28 inches total length (TL) to help determine a size cutoff that balances angling harvest opportunity for jacks versus preserving the limited number of females available to spawn. For this, the Department analyzed the percentages of adult SRFC that would be prohibited from harvest at a 26, 27, and 28-inch TL cutoff for grilse salmon. Based on that analysis, the Department determined that a 27-inch TL grilse salmon cutoff is the best balance between restricting take of the available adult female salmon and increasing harvest of possibly abundant smaller, two-year old male salmon.

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park.

July 16 through October 31 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge.

July 16 through December 31 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (D) From the Jibboom Street bridge to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to the Live Oak boat ramp.

July 16 through October 31 with a daily bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (E) From 200 yards above the Live Oak boat ramp to the mouth.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

Mokelumne River, subsection 7.50(b)(124):

- (A) From Camanche Dam to Elliott Road.

July 16 through October 15 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (B) From Elliott Road to the Woodbridge Irrigation District Dam and including lake Lodi.

From July 16 through December 31 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (D) From the Lower Sacramento Road bridge to the mouth.

From July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

- (C) From Deschutes Road bridge to the Red Bluff Diversion Dam.

August 1 through **December 31** with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (D) From the Red Bluff Diversion Dam to the Highway 113 bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

- (E) From the Highway 113 bridge to the Carquinez Bridge.

July 16 through December 16 with a bag limit of [0-4] Chinook Salmon less than or equal to 27 inches total length.

Possession limit - [0-12] Chinook Salmon less than or equal to 27 inches total length.

EXTEND CHINOOK SALMON SPORT FISHING SEASON ON THE SACRAMENTO RIVER

Sport fishing interests have requested the Chinook Salmon sport fishing season on the Sacramento River be extended from the current December 16 closure date to December 31 to enhance late-season fishing opportunity on the river. The current sport fishing regulations for Chinook Salmon on the Sacramento River extend approximately 300 miles from the Deschutes Road bridge downstream to the Carquinez bridge. At issue is regulating the closure date to minimize contact in the fishery with federally and state-listed endangered winter-run Chinook Salmon.

In 2002, the Department provided evidence to support a shortened salmon fishing season in the lower Sacramento River system to protect winter-run Chinook Salmon, which resulted in the current December 16 season closure date. Since 2006, when the Central Valley Angler Survey program was reinstated, four winter-run Chinook Salmon

coded-wire tag (CWT) recoveries have been made in Sacramento River sport fishery monitoring (Table 1). Two of the four recoveries occurred after the current season closure date of December 16 and both occurred upstream of Knights Landing. The other two recoveries occurred in December prior to the current season closure date, and both were again at or above Knights Landing. While the number of recoveries is modest and scattered among years, expansions of the CWT recoveries may suggest a more appreciable impact to winter-run Chinook Salmon at the population level than what the raw numbers do alone.

Table 1. Coded-wire tag recoveries of winter-run Chinook Salmon in the Sacramento River sport fishery, 2006 – 2018, as seen in monitoring conducted by the Central Valley Angler Survey. RM = river mile, F = female, M = male

Collection Date	Collection Location	Brood Year	Age	Sex	Fork Length (mm)
12/20/2008	3 river miles above Knights Landing RM 93	2006	3	F	792
12/06/2009	At Knights Landing RM 90	2007	3	M	751
12/26/2009	1 river mile below Butte City RM 168	2007	3	M	770
12/12/2018	At confluence with Stony Creek RM 190	2015	4	F	935

Late-fall-run Chinook Salmon spawning begins in December, peaks in late January, and continues into March. Late-fall-run Chinook Salmon have two main areas in which they spawn in the upper Sacramento River: the main stem river from Red Bluff up to Keswick Dam supports a population, and Battle Creek supports a hatchery population at Coleman National Fish Hatchery.

Based on the CWT information presented in Table 1, the Department does not support extending the Chinook Salmon fishing season in the Sacramento River downstream of the Red Bluff Diversion Dam (RBDD). With contact being made with winter-run Chinook Salmon both before and after the current closure date in this area, adding 2 weeks of fishing is not warranted.

However, the Department does support extending the fishing season upstream of the RBDD (RM 243), because most late season fishing for late-fall-run Chinook Salmon would occur near the mouth of Battle Creek (RM 275). This would provide an approximately 80-mile buffer from where the most upstream winter-run Chinook Salmon was recovered (RM 190). This will provide additional fishing opportunity on late-fall-run Chinook Salmon, with anglers primarily targeting hatchery fish going into Battle Creek, while continuing to protect state and federally-listed endangered winter-run Chinook Salmon. The Department will continue to monitor for winter-run Chinook Salmon recoveries to assess this regulation change.

Proposal: Amend subsection 7.50(b)(156.5)(C), Sacramento River

Extend the Chinook Salmon sport fishing season on the Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam to December 31.

REMOVE EXCEPTION FOR TAKE OF COHO SALMON IN THE FEATHER RIVER

Section 7.00 includes an exception for the take of Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam. Section 7.00 also includes an exception for incidentally hooked Coho Salmon in the same area. Coho Salmon have not been stocked in Lake Oroville since 2013. Coho Salmon are no longer planted in the Feather River water impoundments. Therefore, the exceptions for take and incidentally hooked Coho Salmon stated in Section 7.00 should be removed.

Proposal: Amend Section 7.00, Re: Take of Coho Salmon in the Feather River

Remove exception for take and incidentally hooked Coho Salmon in Lake Oroville and Oroville-Thermalito Complex, and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam.

Section 7.00 also currently lists Fish and Game Code (FGC) Section 110 as a reference citation. FGC Section 110 was renumbered from FGC Section 206 in 2006, and the content of FGC Section 110 is no longer relevant to Section 7.00. For this reason, FGC Section 110 will be removed from the list of reference citations.

PROHIBIT FISHING AT CONCRETE FLOOD CONTROL WEIRS

Annually, during the rainy season, fish often get trapped below the concrete flood control weirs on the Sacramento River. Fish trapped in these areas are often state or federally-listed as endangered or threatened species and, therefore, should not be exposed to angling opportunity. Subsections 7.50(b)(156.5)(D) and (E) include a "Note" which states that it is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa, Tisdale, Fremont, and Sacramento weirs. However, there is no regulation in place that makes angling near flood control weirs unlawful. Consequently, Department law enforcement officers cannot issue citations to anglers who fish these areas. Section 2.35 prohibits angling near fishways and egg-taking stations, dams, weirs or racks with fishways or egg-taking stations, and the upstream side of fish screens; but does not apply to areas, excluding the Fremont Weir, described in the notes in subsections 7.50(b)(156.5)(D) and (E). Except for the Fremont Weir, there are no fishways at the weirs listed above. Even if a fishway exists, the closure only extends to 250 feet around the fishway and the flood weirs can be up to two miles across and several miles long, leaving uncertainty and difficulty in enforcing regulations. The 250 feet ruling is at or below the weir itself regardless of how far across it is.

Colusa Weir is an earthen weir and does not trap fish like the other concrete flood control weirs. It also does not have clearly delineated boundaries, which makes enforcement difficult. Therefore, the Colusa Weir is not included in the list of concrete flood control weirs proposed to be closed to fishing.

Proposal 1: Amend Section 2.35, Regarding Take of Fish at Weirs

Amend Section 2.35 to include and differentiate flood control weirs in the Central Valley from other types of weirs and include a fishing closure of 0-250 feet downstream from the overflow side of Moulton, Tisdale, Fremont, and Sacramento weirs. Fremont Weir is added to this requirement in order to provide protection for fish in this important migration corridor.

The reference within Section 2.35 to FGC Section 5502 will also be removed, as this statute was repealed in 2007 per Assembly Bill 1729, Fish and Wildlife. The related authority citation of FGC Section 219 will also be removed from Section 2.35. Lastly, the reference to Section 201 is removed, because the proposed regulation is not trying to implement, interpret, or make specific anything with reference to the Commission's power to regulate natural resources, commercial, or other activity.

Proposal 2: Amend subsections 7.50(b)(156.5)(D) and (E), Sacramento River

Remove Note which states it is unlawful to take fish 0-250 feet downstream from the overflow side of the Moulton, Colusa, Tisdale, Fremont, and Sacramento weirs. These fishing closures will now be stipulated in Title 14, Section 2.35, with the exception of the Colusa Weir.

ENVIRONMENTAL CHECKLIST FORM

1. Project Title:
Proposed Amendments to Central Valley Sport Fishing Regulations, Title 14, California Code of Regulations
2. Lead Agency Name and Address:
California Fish and Game Commission
1416 Ninth Street, Suite 1320
Sacramento, CA 95814
3. Contact Person and Phone Number:
Melissa Miller-Henson, (916) 653-7229
4. Project Location:
The American, Feather, Sacramento, and Mokelumne rivers.
5. Project Sponsor's Name and Address:
California Department of Fish and Wildlife
Fisheries Branch
1010 Riverside Parkway
West Sacramento, CA 95605
6. General Plan designation:
N/A (statewide)

7. Zoning:
N/A (statewide)
8. Description of Project:
Potentially amend the daily bag and possession limits and fishing seasons for the Central Valley salmon sport fishery to maintain consistency with the Department's mission to manage California's diverse fisheries resources for their ecological value, their use and for the public's enjoyment.
9. Surrounding land uses and setting:
N/A
10. Other Public Agencies Whose Approval Is Required:
None.
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.31?
No.

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 | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | |
| <input type="checkbox"/> Hazards and 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 | |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

This project will not have a "Potential Significant Impact" on any of the environmental factors listed above; therefore, no boxes are checked.

DETERMINATION:

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 May 7, 2020

Original signed copy on file

Melissa Miller-Henson, Executive Director

Date

	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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 the 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in any other emissions such as those leading to odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES. Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. ENERGY. Would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Result in potentially significant environmental impact due to wasteful inefficient, or unnecessary consumption of energy resources, during project construction or operations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage system or provide substantial additional sources of pollution runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. MINERAL RESOURCES. Would the project:				
a) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. NOISE. Would the project result in:				
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
general plan or noise ordinance, or applicable standards of other agencies?				
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. POPULATION AND HOUSING.				
Would the project:				
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. PUBLIC SERVICES.				
a) Would the project 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:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVIII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically 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:				
a) Listed or eligible for listing in the California Register of Historical Resources,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				
b) 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 section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonable foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XX WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XXI. MANDATORY FINDINGS OF SIGNIFICANCE.				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EXPLANATION OF RESPONSES TO INITIAL STUDY ENVIRONMENTAL CHECKLIST

I. AESTHETICS

- a) The project will not have an adverse effect on a scenic vista. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.
- b) The project will not damage scenic resources such as trees, rock outcroppings, and historic buildings. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.
- c) The project will not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.
- 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.

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. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- b) The project will not conflict with existing zoning for agricultural use or a Williamson Act contract. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- c) The project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timber zoned Timberland Production. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- d) There will be no loss of forest land and the project will not result in the conversion of forest land to non-forest use. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- 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 use. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

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 the project will not involve any construction, land alternation, or land use changes.
- 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. Such an impact will not occur because the project involves no ongoing sources of air pollution.
- c) The project will not expose sensitive receptors to substantial pollutant concentrations. Such an impact will not occur because the project will not increase pollutant concentrations.
- d) The project will not create objectionable odors affecting a substantial number of people.

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 (Department), National Marine Fisheries Service (NMFS) or U. S. Fish and Wildlife Service (USFWS).

Proposal 1 – Potential Increase in Fall-Run Chinook Salmon Bag and Possession Limits

The proposed project may result in an increase in the daily bag and possession limits for Sacramento River fall-run Chinook Salmon (SRFC) in the American, Feather, Mokelumne, and Sacramento rivers. Federally and state listed fish species including Central Valley steelhead, Central Valley spring-run Chinook Salmon, and Sacramento River winter-run Chinook Salmon co-occur in these waters. Existing regulations prohibit take of these species and current sport fishing regulations, including seasonal and area closures, minimize angler contact with these species. Therefore, the proposed project will have no significant impacts to these species.

Proposal 2 – Extend the Chinook Salmon Angling Season on the Sacramento River

The proposed project would extend the Sacramento River late-fall-run Chinook Salmon sport fishing season on the Sacramento River above the Red Bluff Diversion Dam (RBDD) from the current December 16 closure date to December 31. Late-fall-run Chinook Salmon spawning begins in December, peaks in late January, and continues into March. Sacramento River late-fall-run Chinook Salmon are composed of two main spawning populations. A natural-origin population spawns in the upper Sacramento River main-stem from Red Bluff up to Keswick Dam. Battle Creek supports a hatchery-origin population originating from Coleman National Fish

Hatchery. Most late season fishing for late-fall-run Chinook Salmon would occur near the mouth of Battle Creek (RM 275).

Sacramento winter-run Chinook Salmon were state listed as endangered in 1989 and federally listed as endangered in 1994. Adult winter-run Chinook Salmon enter the Sacramento River in November and continue migrating upstream to their spawning grounds through May or June. Although winter-run Chinook Salmon could potentially occur in the project area during the proposed extended angling season; it is highly unlikely. According to CDFW Coded Wire Tag (CWT) recovery data, four winter-run Chinook Salmon CWT recoveries have been made in Sacramento River sport fishery monitoring since 2006. All four recoveries occurred in December below RBDD (RM 243). The nearest recovery occurred on December 12, 2018 at approximately river mile 190, which is 80 miles downstream from where most angling would occur. Hence, winter-run Chinook Salmon are unlikely to occur in the project area when anglers are present. Therefore, winter-run Chinook Salmon will not incur significant impacts as a result of the proposed project because the proposed change is limited to late-fall-run Chinook Salmon and the overlap of the two ecotypes in run and spawn timing is minimal.

- b) The project will not have an 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 (Department) or the USFWS. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.
- c) The project will not 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. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- 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. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- e) The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Such an impact will not occur because the project will not result in any construction, land alteration, or land use 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. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

V. CULTURAL RESOURCES

- a) The project will not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. There is no ground disturbing work or work permanently modifying any existing structure or resource and thus no potential to affect historical resources.
- b) The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. There is no ground disturbing work and thus no potential to affect archaeological resources.
- c) The project will not disturb any human remains, including those interred outside of formal cemeteries. There is no ground disturbing work and thus no potential to affect human remains.

VI. ENERGY

- a) The project would not result in a potentially significant environmental impact due to wasteful inefficient, or unnecessary consumption of energy resources, during project construction or operations. Such an impact will not occur because the project will not use energy resources.
- b) The project will not affect nor obstruct any state or local plan for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

- a i) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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 will not create any structures for human habitation.
- a ii) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Such an impact will not occur because the project will not create any structures for human habitation.
- a iii) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Such an impact will not occur because the project will not create any structures for human habitation.
- a iv) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Such an impact will not occur because the project will not create any structures for human habitation.

- b) The project will not result in substantial soil erosion or the loss of topsoil. Such an impact will not occur because the project will not involve ground disturbing work.
- c) The project will not be located on a geologic unit or soil that is unstable, or that would become unstable and potentially result in on- or off- site landslides, lateral spreading, subsidence, liquefaction, or collapse. Such an impact will not occur because the project will not involve ground disturbing work.
- d) The project will not 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. Such an impact will not occur because the project will not involve ground disturbing work.
- e) The project will not create any sources of waste water requiring a septic system.

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. The project will not involve construction, land alternation, or land use changes.

The proposed project would extend the salmon fishing season between the Deschutes Road Bridge and the Red Bluff Diversion Dam from December 16 to December 31. The project will most likely result in additional angler trips to the upper Sacramento River during the extended fishing season. Vehicles that use fuel will be used to access the upper Sacramento River and their internal combustion engines will produce some greenhouse gas (GHG) emissions. However, the number of additional angler trips is anticipated to be low due to the short duration of the extended season. Therefore, the small amount of GHG emissions resulting from the project would be similar to what occurs today under existing conditions and, thus, would not have a significant impact on the environment.

- b) The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG. The project would result in the production of very low GHG emissions.

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. The project will not involve the transport, use, or disposal of hazardous materials.
- 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. The project will not involve the transport, use, or disposal of 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. The project will not involve the transport, use, or emission of any hazardous materials.
- d) The project will not be located on any site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- e) The project will not be located within an airport land use plan area.
- f) The project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The project will not involve any construction, land alteration, or land use changes.
- g) The project will not expose people or structures to a significant risk of loss, injury, or death involving wild land fires. The project will not involve any construction, land alteration, or land use changes.

X. HYDROLOGY 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. The project will not involve any construction, land alteration, water use, or water discharge.
- b) The project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The project will not involve any construction, land alteration, or groundwater use.
- c i) The project will not 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 result in substantial erosion or siltation on- or off-site because the project will not involve any construction or land alteration.
- c ii) The project will not 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 result in flooding on- or off-site because the project will not involve any construction or land alteration.
- c iii) The project will not create or contribute runoff water that would exceed the capacity of existing or planned storm-water drainage systems, or provide substantial additional sources of polluted runoff because the project will not involve any construction or land alteration.

- d) In flood hazard, tsunami, or seiche zones, the project would not risk release of pollutants due to project inundation because the project would not involve any construction or land alteration.
- e) The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The project will not involve any construction, land alteration, or groundwater use.

XI. LAND USE AND PLANNING

- a) The project will not physically divide an established community. The project will not involve any construction, land alteration, or land use changes.
- b) The project will not 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. The project will not involve any construction, land alteration, or land use changes.

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. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- 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 the project will not involve any construction, land alteration, or land use changes.

XIII. NOISE

- a) The project will not result in 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. The project will not involve construction or physical alteration of land, and its implementation will not generate noise levels in excess of agency standards.
- b) The project will not result in generation of excessive ground-borne vibration or ground-borne noise levels. The project will not involve construction or physical alteration of land.
- c) The project will not be located within the vicinity of a private airstrip or an airport use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

XIV. POPULATION AND HOUSING

- a) The project will not induce substantial unplanned 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 existing people or housing and will not necessitate the construction of replacement housing elsewhere.

XV. PUBLIC SERVICES

- a) The project will not have any significant environmental impacts associated with new or physically altered governmental facilities. The project will not involve any construction, land alteration, or land use changes.

XVI. RECREATION

- a) The project will not 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.

The proposed project would extend the salmon fishing season between the Deschutes Road Bridge and the Red Bluff Diversion Dam from December 16 to December 31. The project will most likely result in additional angler trips to the project area during this period, however, existing facilities such as boat ramps and parking lots utilized by anglers are designed for such use and no deterioration would occur or be accelerated. Additionally, no new facilities will be required for the proposed project or other facilities repurposed for the proposed project.

- b) The project does not require construction or expansion of recreational facilities.

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. The project involves no land use or transportation system modifications.
- b) The project will not conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b), which pertains to vehicle miles traveled. The amount and distance of vehicle miles traveled by recreational anglers should not change substantially under the proposed regulations.
- c) The project will not increase hazards due to a geometric design feature or incompatible uses with equipment. There will be no land use or transportation system modifications.
- d) The project will not result in inadequate emergency access. The project involves no land use or transportation system modifications.

XVIII. TRIBAL CULTURAL RESOURCES

- a) The project will not cause a substantial adverse change in the significance of a tribal cultural resource 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). There is no ground disturbing work and thus no potential to affect tribal cultural resources.
- b) The project will not cause a substantial adverse change in the significance of a tribal cultural resource that is 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 section 5024.1. There is no ground disturbing work and thus no potential to affect tribal cultural resources.

XIX. UTILITIES AND SERVICE SYSTEMS

- a) The project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities. There will be no construction or land alteration.
- b) The project requires no new water supplies.
- c) The project will not produce wastewater.
- d) The project will not generate solid waste. Thus, the project will be in compliance with State and local standards for solid waste.
- e) The project will not create solid waste. Thus, the project will be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

XX. WILDFIRE

- a) The project will not impair an adopted emergency response plan or emergency evacuation plan.
- b) The project will not exacerbate wildfire risks due to slope, prevailing winds, and other factors.
- c) The project will not require the installation or maintenance of any infrastructure.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- a) The project does not 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. The project is consistent with the Department's mission to manage California's diverse fisheries resources for their ecological value, their use and for the public's enjoyment.

- b) The project does not have adverse impacts that are individually limited, but cumulatively considerable. Cumulative adverse impacts will not occur because there are no potential adverse impacts due to project implementation.
- c) The project does not have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly. The project will not involve any construction, land alteration, or the creation of new infrastructure.