STAFF SUMMARY FOR APRIL 14, 2021

13. KLAMATH RIVER BASIN SPORT FISHING

Today's Item **Information ☒** **Action ☐**

Discuss proposed changes to Klamath River Basin sport fishing regulations.

Summary of Previous/Future Actions

- WRC vetting — Sep 17, 2020; WRC, Webinar/Teleconference
- Notice hearing — Dec 9-10, 2020; Webinar/Teleconference
- **Today's discussion hearing** — **Apr 14, 2021; Webinar/Teleconference**
- Adoption hearing — May 11, 2021; Webinar/Teleconference

Background

FGC annually adopts Klamath River Basin sport fishing regulations for consistency with federal fishery management goals. In Dec 2020, FGC authorized publication of a notice of proposed changes to quotas and to bag and possession limits for Klamath River fall-run Chinook salmon (KRFC).

For notice purposes, DFW recommended a quota range of 0-67,600 adult KRFC for the in-river sport fishery, as this range encompasses the historical range of Klamath River Basin allocations and allows for adjustments by the Pacific Fishery Management Council (PFMC) and FGC during the 2021 regulatory cycle.

The range of proposed bag and possession limits for KRFC as stated in the initial statement of reasons (ISOR; Exhibit 2) are:

- Bag limit – [0-4] Chinook salmon, of which no more than [0-4] fish over 23 inches total length may be retained until the subquota is met, then 0 fish over 23 inches total length.
- Possession limit – [0-12] Chinook salmon, of which no more than [0-4] fish over 23 inches total length may be retained when take of salmon over 23 inches total length is allowed.

No changes are proposed to the season dates, fishing areas or size limit.

PFMC released its pre-season stock projection of 181,500 adult KRFC in Mar 2021 (Exhibit 8), and the 2021 basin allocation will be recommended by PFMC at its Apr 6-15, 2021 meeting. At today's discussion hearing, DFW will recommend a specific in-river sport harvest quota based on the PFMC allocation.

The Simplification of Statewide Inland Sport Fishing Regulations Rulemaking (Office of Administrative Law file 2020-1204-02s), became effective March 1, 2021 and made significant changes to the inland sport fishing regulations, including re-numbering streams and rivers that are the subject of this proposed rulemaking. The regulatory language for this rulemaking has been updated to reflect the final approved regulatory language of the sportfish simplification rulemaking (Exhibit 3).

The final regulation will include specific bag and possession limits for KRFC and is scheduled for adoption by FGC on May 11, after PFMC has reviewed the status of West Coast salmon stocks and the final fishery allocation recommendations have been adopted.

California Environmental Quality Act (CEQA)

A draft negative declaration has been prepared and submitted to the State Clearinghouse (exhibits 4 and 5), along with notice of completion and environmental document transmittal and summary, consistent with CEQA and Section 15205(e), Title 14, California Code of Regulations (Exhibit 6).

Significant Public Comments

A commenter requested that FGC limit gill netting on the Klamath River (Exhibit 7), a method of take currently not allowed under state law or regulation for sport fishing on rivers. Gill nets are only allowed under federal and tribal law for tribal members only. FGC has no authority over tribal fisheries.

Recommendation (N/A)

Exhibits

1. DFW memo transmitting ISOR, received Nov 30, 2020
2. Klamath River Basin ISOR, dated Dec 11, 2020
3. Updated proposed regulatory language, revised Mar 1, 2021
4. DFW memo transmitting draft negative declaration, received Mar 26, 2021
5. Draft negative declaration, dated Mar 2021
6. Notice of completion and document transmittal form and summary form
7. Email from Richard Fox, received Feb 5, 2021
8. PFMC Report: *Pre-Season Report I – Stock Abundance Analysis and Environmental Assessment Part 1 for 2021 Ocean Salmon Fishery Regulations,* dated Mar 2021(See agenda item 12, Exhibit 8)

Motion (N/A)

Received November 30, 2020.
Original signed copy on file.

State of California
Department of Fish and Wildlife

M e m o r a n d u m

Date: November 17, 2020

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

From: Charlton H. Bonham
Director

Subject: Initial Statement of Reasons to Amend Subsection (b)(50) of Section 7.40, Title 14, California Code of Regulations, Re: Klamath River Basin Sport Fishing Regulations 2021

Please find attached the Initial Statement of Reasons (ISOR) package for the 2021 Klamath River Basin sport fishing regulations. As in the past, the California Department of Fish and Wildlife (Department) is proposing a range of bag and possession limits for adult Klamath River fall-run Chinook Salmon (KRFC) until after federal review of west coast salmon stocks has been completed and fishery allocations have been proposed. The 2021 Klamath River Basin allocation of adult KRFC will be recommended by the Pacific Fishery Management Council in April 2021 and presented to the Fish and Game Commission (Commission) for adoption at its May 11, 2021 teleconference.

The Department asks that the Commission request that the Office of Administrative Law make the regulations effective on or before August 15, 2021.

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 Kevin.Shaffer@wildlife.ca.gov. The public notice should identify Senior Environmental Scientist, Wade Sinnen, as the Department's point of contact for this rulemaking. Mr. Sinnen can be reached at (707) 822-5119, or by email at Wade.Sinnen@wildlife.ca.gov.

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

Amend Subsection (b)(50) of Section 7.40
Title 14, California Code of Regulations
Re: Klamath River Basin Sport Fishing

I. Date of Initial Statement of Reasons: December 11, 2020

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: December 10, 2020 Location: Webinar/Teleconference

(b) Discussion Hearing

Date: April 14, 2021 Location: Webinar/Teleconference

(c) Adoption Hearing

Date: May 11, 2021 Location: Webinar/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). The baseline regulatory language is presented under Section 7.40, Title 14, CCR, in accordance with the regulatory re-numbering proposed for the subject streams and rivers for this rulemaking with Office of Administrative Law (OAL) file 2020-1204-02s (Simplification of Statewide Inland Sport Fishing Regulations).

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed for fall-run Chinook Salmon (*Oncorhynchus tshawytscha*) through a cooperative system of State, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport 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 California Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin (in-river) sport fisheries, which are consistent with federal fishery management goals.

Tribal entities within the Klamath River Basin maintain fishing rights for ceremonial, subsistence, and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by the tribes.

Klamath River Fall-Run Chinook Salmon

Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural spawning escapement goals are established by PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

The Klamath River Basin in-river sport salmon fishery is managed using adult quotas. For the purpose of implementing PFMC adult allocation and California Department of Fish and Wildlife (Department) salmon fishery harvest assessment, within the Klamath River Basin, the Department currently considers 23 inches total length as a provisional cutoff. Salmon greater than 23 inches total length are defined as adult salmon (ages 3-5), and salmon less than or equal to 23 inches total length are defined as grilse salmon (age-two).

PFMC Overfishing Review

KRFC stocks have been designated as “overfished” by PFMC. This designation is the result of not meeting conservation objectives for this stock. Management objectives and criteria for KRFC are defined in the PFMC Salmon Fishery Management Plan (FMP). The threshold for overfished status of KRFC is a three-year geometric mean less than or equal to 30,525 natural area adult spawners. This overfished-threshold was met for KRFC during the 2015-2017 period. The 30,525 KRFC natural area adult spawners is considered the minimum stock size threshold, per the FMP. The KRFC adult natural area spawning escapement for 2019 was 20,245 natural area adult spawners, which is below the one-year conservation threshold of 40,700 natural area adult spawners. The most recent three-year geometric mean of 30,834 is still less than the required 40,700 natural area adult spawners conservation threshold, therefore the KRFC are still considered as an “overfished” stock.

Accordingly, the FMP outlines a process for preparing a “rebuilding plan” that includes assessment of the factors that led to the decline of the stock, including fishing, environmental factors, model errors, etc. The rebuilding plan includes recommendations to address conservation of KRFC, with the goal of achieving rebuilt status. Rebuilt status requires meeting a three-year geometric mean of 40,700 adult natural area KRFC spawner escapement. The plan developed by representatives of NMFS, PFMC, U.S. Fish and Wildlife Service, the Department, and tribal entities, was submitted to PFMC in February 2019, adopted by PFMC in June 2019, and submitted to NMFS in August 2019. Forthcoming recommendations from the rebuilding plan may alter how KRFC are managed in the future, including changing the in-river allocation number, and/or allocating less than the normal target number.

Klamath River Spring-Run Chinook Salmon

The Klamath River Basin also supports Klamath River spring-run Chinook Salmon (KRSC). Naturally produced KRSC are both temporally and spatially separated from KRFC in most cases.

Presently, KRSC stocks are not managed or allocated by PFMC. This in-river sport fishery is managed by general basin seasons, daily bag limit, and possession limit regulations. KRSC harvest is monitored on the Klamath River below the Highway 96 bridge at Weitchpec to the mouth of the Klamath River by creel survey. The upper Trinity River, upstream of Junction City, is monitored using tag returns from anglers. When needed, KRSC regulations are amended in a separate rulemaking.

KRFC Allocation Management

The PFMC 2020 allocation for the Klamath River Basin sport harvest was 1,296 adult KRFC. Preseason stock projections of 2021 adult KRFC abundance will not be available from PFMC until March 2021. The 2021 basin allocation will be recommended by PFMC in April 2021 and presented to the Commission for adoption as a quota for the in-river sport harvest at its May 2021 teleconference meeting.

The Commission may modify the KRFC in-river sport harvest quota, which is normally a minimum of 15 percent of the non-tribal PFMC harvest allocation. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the FMP.

The annual KRFC in-river sport harvest quota is specified in subsection 7.40(b)(50)(D)1. The quota is split between four geographic areas with a subquota for each area, expressed as a percentage of the total in-river quota, specified in subsection 7.40(b)(50)(D)2. For angler convenience, the subquotas, expressed as the number of fish, are listed for the affected river segments in subsection 7.40(b)(50)(E). The in-river sport subquota percentages are shown in Figure 1, and are as follows:

1. Main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec -- 17 percent of the in-river sport quota;
2. Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth -- 50 percent of the in-river sport quota;
3. Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the in-river sport quota; and
4. Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the in-river sport fishery quota.

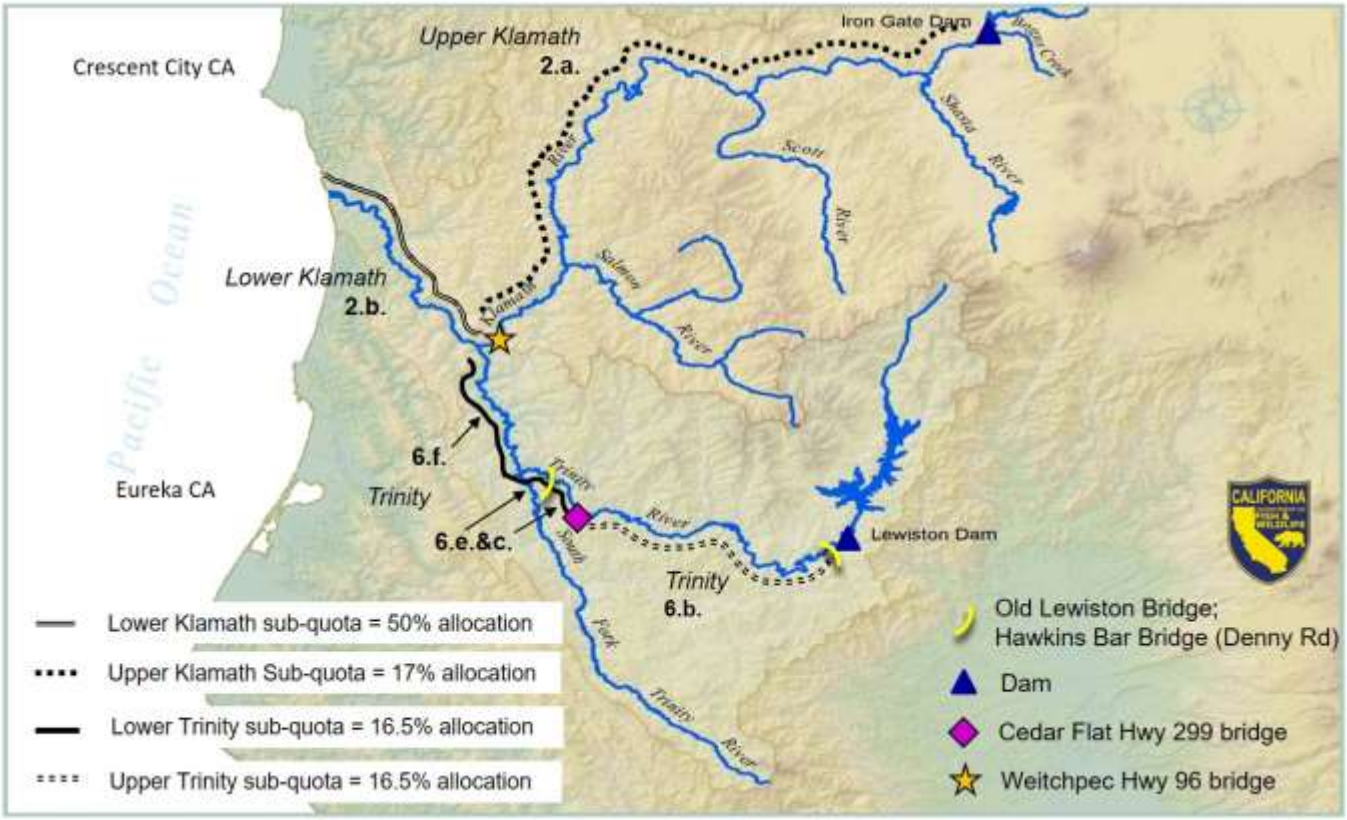

Figure 1. Map of the Klamath River Basin, showing the subquotas by reach of Trinity and Klamath rivers, and the associated subsections of 7.40(b)(50)(E).

The spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the total Klamath River Basin quota has been taken downstream of the Highway 101 bridge.

These geographic areas are based upon the historical distribution of angler effort to ensure equitable harvest of adult KRFC in the Klamath River and Trinity River. The subquota system requires the Department to monitor or assess angler harvest of adult KRFC in each geographic area. All areas are monitored on a real time basis, except for the following:

Klamath River upstream of Weitchpec and the Trinity River – Due to funding and personnel reductions, the Department does not currently conduct real time harvest monitoring in the Klamath River upstream of Weitchpec and in the Trinity River The Department has developed Harvest Predictor Models (HPM), which incorporate historic creel survey data from the Klamath River downstream of Iron Gate Dam to the confluence with the Pacific Ocean, and the Trinity River downstream of Lewiston Dam to the confluence with the Klamath River. Each HPM is driven by the positive relationship between KRFC harvested in the respective lower and upper subquota areas of the Klamath River and the Trinity River. The HPMs will be used by the Department to implement fishing closures to ensure that anglers do not exceed established subquota targets. Using this method, the upper Klamath River subquota area generally closes between 28-30 days after the lower Klamath River subquota is reached. Similarly, the upper Trinity River subquota area generally closes 28-30 days after the lower Trinity River subquota has been met. The Department also takes into consideration several other factors when implementing closure dates for subquota areas, including angler effort,

KRFC run timing, weir counts, and ongoing recreational creel surveys performed by the Hoopa Valley Tribe in the lower Trinity River below Willow Creek.

Sport Fishery Management

The KRFC in-river sport harvest quota is divided into geographic areas, and harvest is monitored under real time subquota management. The KRSC in-river sport harvest is managed by general season, daily bag limit, and possession limit regulations.

The Department presently differentiates the two stocks by the following sport fish season in each sub-area:

Klamath River

January 1 through August 14 – General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth.

August 15 to December 31 – KRFC quota management.

Trinity River

January 1 through August 31 – General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Trinity River downstream of the Old Lewiston Bridge to the confluence with the South Fork Trinity River.

September 1 through December 31 – KRFC quota management.

The daily bag and possession limits apply to both stocks within the same sub-area and time period. Current regulations in subsections 7.40(b)(50)(E)2.a. and b. specify bag limits for KRFC stocks in the Klamath River. Current regulations in subsections 7.40(b)(50)(E)6.b., e., and f. specify bag limits for KRFC stocks in the Trinity River. Current regulations in subsection 7.40(b)(50)(C)2.b. specify KRFC possession limits.

Proposed Changes

Key to Proposed Regulatory Changes:

Because the PFMC recommendations are not known at this time, ranges are shown in [brackets] in the proposed regulatory text below of bag and possession limits which encompass historical quotas. All are proposed for the 2021 KRFC fishery in the Klamath and Trinity rivers.

The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law, or established in the FMP.

KRFC ADULT STOCKS (SPORT FISHERY QUOTA MANAGEMENT):

Quota: For public notice requirements, the Department recommends the Commission consider a quota range of 0–67,600 adult KRFC in the Klamath River Basin for the in-river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows PFMC and Commission to make adjustments during the 2021 regulatory cycle.

Subquotas: The proposed subquotas for KRFC stocks are as follows:

- Main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec -- 17 percent of the total quota equates to [0-11,492];
- Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth -- 50 percent of the total quota equates to [0-33,800];
- Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the total quota equates to [0-11,154]; and
- Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the total quota equates to [0-11,154].

Seasons: No changes are proposed for the Klamath River and Trinity River KRFC seasons:

- Klamath River - August 15 to December 31
- Trinity River - September 1 to December 31

Bag and Possession Limits: As in previous years, no retention of adult KRFC is proposed once the subquota has been met.

The range of proposed bag and possession limits for KRFC stocks are as follows:

- Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over 23 inches total length may be retained until the subquota is met, then 0 fish over 23 inches total length.
- Possession limit - [0-12] Chinook Salmon of which no more than [0–4] fish over 23 inches total length may be retained when the take of salmon over 23 inches total length is allowed.

KRSC SPORT FISHERY:

No regulatory changes are proposed in this rulemaking for the general KRSC opening and closing season dates, and bag, possession, and size limits.

OTHER CHANGES

The Department is proposing additional changes for clarity and consistency, as follows:

1. Throughout the regulatory text in subsection 7.40(b)(50), update the year from 2020 to 2021 for the upcoming season.
2. In the first paragraph of subsection 7.40(b)(50), delete “Fishing in these waters is governed by the non-anadromous waters of the District General Regulations (see Section 7.00, subsection (a)” for consistency with amendments made to Section 7.00 in OAL file 2020-1204-02s (Simplification of Statewide Inland Sport Fishing Regulations).

(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 Klamath River Basin salmon seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence.

The benefits of the proposed regulations are consistency with federal fishery management goals, sustainable management of Klamath River Basin fish resources, health and welfare of California residents, and promotion of businesses that rely on salmon sport fishing in the Klamath River Basin.

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

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

In-River Sport Fishing Economics Technical Report, National Oceanographic and Atmospheric Administration, National Marine Fisheries Service, September 2011.

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

The Department discussed the proposed amendments to the annual Klamath River Basin regulations at the Commission's Wildlife Resources Committee meeting on September 17, 2020. At this meeting, the Committee recommended to move this rulemaking package to the full Commission for notice in December 2020 for the usual quota adjustment.

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

KRFC Adult Stocks

The use of more liberal regulations for KRFC bag limits, possession limits, and minimum adult salmon size (Alternative 1 in the STD 399; Economic and Fiscal Impact Statement) would be less desirable than those proposed, because they could create risk of an intense fishery, reaching or exceeding the quota in a very short time. Reaching the quota in a very short time could be damaging to the local economy and exceeding the allowable harvest could damage the KRFC stocks.

KRSC Stocks

No changes are proposed for KRSC stocks in this rulemaking; however, should changes be necessary, they would be considered in a separate rulemaking.

Other Changes for Clarity

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

(b) No Change Alternative

KRFC Adult Stocks

The No Change Alternative (Alternative 2 in the STD 399; Economic and Fiscal Impact Statement) would leave the current 2020 daily bag and possession limit regulations in place and would not allow flexibility to develop bag and possession limits based on 2021 PFMC allocations. The proposed regulatory change for 2021 is necessary to continue appropriate harvest rates and an equitable distribution of the harvestable surplus.

Other Changes for Clarity

The No Change Alternative for including amendments for clarity would leave the existing 2020 regulations in place. Additionally, the No Change Alternative would mean that the year for 2020 would not be updated for the 2021 season, which could cause confusion for anglers on the validity of the regulations.

V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

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 regulations are projected to range from minor to no impact on the net revenues to local businesses servicing sport fishermen. If the 2021 KRFC quota is reduced, visitor spending may correspondingly be reduced, and in the absence of alternative visitor activities, the drop in spending could induce some business contraction. If the 2021 KRFC quota remains similar to the KRFC quotas allocated in previous years, then local economic impacts are expected to be unchanged. Neither scenario is expected to directly affect the ability of California businesses to compete with businesses in other states.

(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

An estimated 30-50 businesses that serve sport fishing activities are expected to be directly and/or indirectly affected depending on the final KRFC quota. The impacts range from no impact (Projection 1 under the Economic Impact Assessment (EIA), below) to small adverse impacts (Projection 3, EIA, below).

Depending on the final KRFC quota, the Commission anticipates the potential for some impact on the creation or elimination of jobs in California. The potential adverse employment impacts range from no impact to the loss of 23 jobs. Under all alternatives, due to the limited time period of this regulation's impact, the Commission anticipates no impact on the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California.

For all of the proposed scenarios, the possibility of growth of businesses to serve alternative recreational activities exists. Adverse impacts to jobs and/or businesses would be less if fishing of other species and grilse KRFC is permitted, than the impacts to jobs and/or businesses under a complete closure to all fishing. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed regulatory action is to increase sustainability in fishable salmon stocks and, consequently, promote the long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a salmon sport fishery encourages a healthy outdoor activity and the consumption of a nutritious food.

The Commission anticipates benefits to the environment by the sustainable management of California's salmonid resources.

The Commission does not anticipate any benefits to worker safety because the proposed action does not affect working conditions.

(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

The proposed regulatory amendments of subsection 7.40(b)(50) under consideration will set the 2021 Klamath River Basin salmon sport fishing regulations to conform to the PFMC KRFC allocation. The Klamath River Basin is anticipated to be open for salmon sport fishing at levels similar to the levels in the 2019 sport fishing season; however, the possibility of marine fishery area closures still exists. The baseline year used is 2019 because it is the most recent full year of salmon fishing creel survey data and represents a year not impacted by health or other emergency closures. Ocean closures may in turn result in PFMC recommendations for Klamath River Basin salmon sport fishery closures for the take of adult KRFC. Adverse or positive impacts to jobs and businesses will depend on the 2021 KRFC allocation ultimately adopted by PFMC, and the specific regulations adopted by the Commission.

The proposed quota of 0 to 67,600 adult KRFC in 2021 represents a range from 0 percent or no salmon fishing on adult KRFC to greater than 100 percent of the 2019 Klamath River Basin KRFC quota. Under all scenarios, sportfishing may be allowed for other sportfish species and most likely for grilse KRFC, regardless of PFMC allocation. Thus, any adverse impacts to businesses could be less severe than under a complete closure of fishing.

Grilse salmon are salmon that spend two years in the ocean before returning to their natal streams to spawn. These fish are generally smaller in size and contribute less to the overall salmon population than adult salmon, which typically spend three to five years in the ocean before returning to freshwater to spawn. In years when the adult quota is met, angling is still allowed for grilse KRFC under the current regulations.

The preservation of Klamath River salmon stocks is vital for the ongoing success of Klamath River Basin businesses that provide goods and services related to sport fishing. Scientifically-based KRFC allocations are necessary for the continued preservation of the resource, and therefore the prevention of adverse economic impacts.

A 2011 NMFS report (*In-River Sport Fishing Economics Technical Report*), reports that non-resident (outside the immediate locale) salmon or steelhead angler average expenditures are estimated to be $113.69 (2020$) per angler day (for lodging, food, gasoline, fishing gear, boat fuel, and guide fees). The projections do not distinguish between spring and fall runs, however, the report states that the in-river harvest is almost exclusively fall-run. The NMFS report also excluded the Trinity River, the largest tributary to the Klamath. Since the Trinity River is allocated 33 percent of the KRFC total quota, this share is used to expand salmon and steelhead angler effort, and thus impacts on associated businesses that support anglers.

In a normal year, the total non-resident angler contribution to the entire Klamath River Basin (including the Trinity River) is estimated to be about $4,792,080 (2020$) in direct expenditures, resulting in about $5,795,476 (2020$) in total economic output that supports an estimated 70

jobs throughout the State. This is a conservative estimate of total economic impact as it counts only non-resident angler expenditures. The total impact of non-resident angler direct expenditures on labor income, total economic output, and jobs are shown in Table 1.

Table 1. Klamath Anglers Total Economic Output 2019* (2020$)

Klamath Sportfishing	Salmon	Steelhead	Total Impact
Expenditures	$3,573,799	$1,218,281	$4,792,080
Labor Income	$1,999,779	$681,710	$2,681,489
Total Economic Impact	$4,322,104	$1,473,372	$5,795,476
Total Jobs Impact	45	25	70

Note: *2019 is the most recent full year of Klamath fishing creel survey data and represents a year not impacted by health emergency closures. Sources: CDFW Fisheries Branch Creel surveys, *In-River Sport Fishing Economics Technical Report*, National Oceanographic and Atmospheric Administration, National Marine Fisheries Service, September 2011.

Local resident average expenditures per angler day are estimated to be 60 percent less (markedly reduced lodging, gasoline, and food expenditures), which yields an estimate of $68.21 per angler-day. Any decreases to expenditures by resident anglers associated with changes in fishing opportunities may be offset by increased expenditures on other locally purchased goods and services – with no net change in local economic activity. Thus, the economic impact analysis focuses on non-resident angler expenditures which represent new money whose injection serves to stimulate the local economy.

Northern Region creel surveys reveal that local resident (Eureka/Crescent City) anglers comprise about 30 percent of Klamath River Basin anglers, with a majority (70%) of anglers coming from outside the immediate locale, as shown in Figure 2.

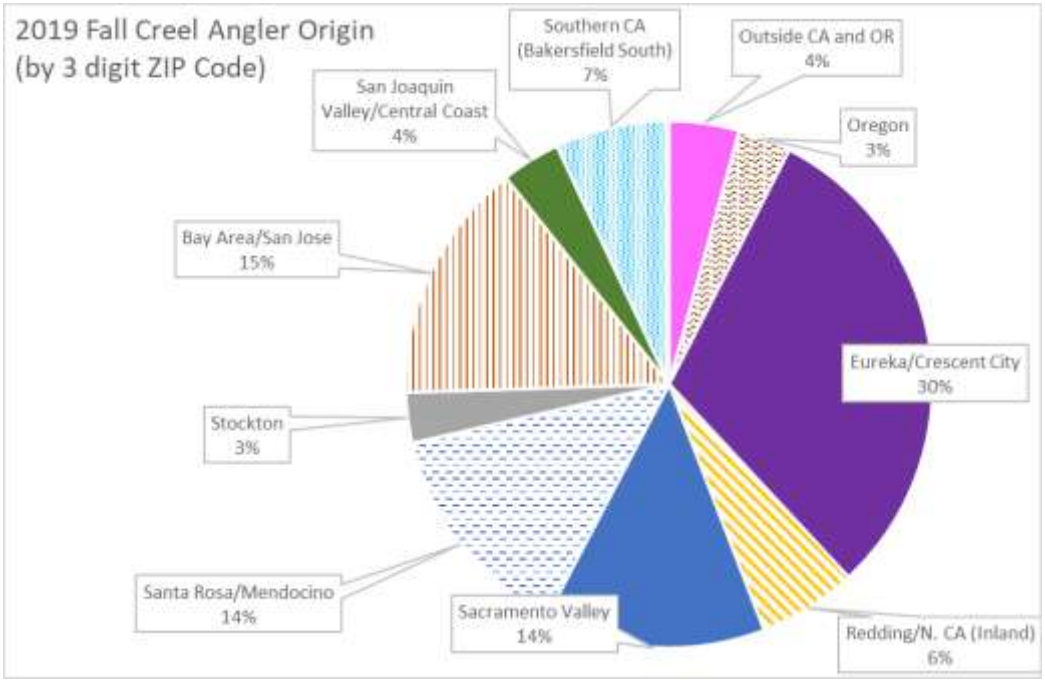

Figure 2. Klamath Basin Anglers Area of Origin: 2019.
Source: CDFW Fisheries Branch creel surveys 2019.

Economic Impact Projections

To demonstrate the potential economic impacts that may result from a quota anywhere within the range of 0 - 67,600 KRFC, three adult salmon catch projections are as follows: 100 percent of the 2019 adult KRFC catch limit; 50 percent of the 2019 adult KRFC catch limit; and 0 percent of the 2019 adult KRFC catch limit.

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

Projection 1: 100 percent of the 2019 adult KRFC catch limit: The Commission does not anticipate any adverse impacts on the creation or elimination of jobs, as the quotas would not decrease effort nor curtail the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2: 50 percent of the 2019 adult KRFC catch limit: The Commission anticipates some impact on the creation or elimination of jobs, which may be partially offset by the potential for continued sport fishing allowed for other sportfish and grilse KRFC. A 50 percent salmon catch reduction will likely reduce visitor spending by slightly less than 50 percent, given price elasticities of demand for salmon fishing activity of less than one. As the “price” of fishing per unit catch increases, the demand for fishing trips declines by a lesser extent, particularly in the short-run. While difficult to predict, job losses associated with a 50 percent reduction in the adult KRFC catch limit are expected to be less than half of the 45 estimated total jobs supported by salmon angler visits (i.e. fewer than 23 jobs).

Projection 3: 0 percent of the 2019 adult KRFC catch limit: In the event of fisheries closures for adult KRFC in some or all Klamath River Basin areas, the Commission anticipates less than 50 percent reduction in fishery-related jobs. As mentioned above, sport fishing for other species and grilse KRFC may still be allowed, thus mitigating potential job losses.

A closure on the take of all KRFC was instituted in 2017, and only grilse could be legally harvested during the fall season. The 2017 closure resulted in a nearly 50 percent drop in angler days. However, job creation or elimination tends to lag in response to short-term changes in consumer demand. Thus, the potential impacts of a 2021 closure on the take of adult KRFC are estimated to result in the loss of less than 23 jobs due to adjustment lags, and the continued sport fishing allowed for other species and potentially for grilse KRFC.

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

Projection 1: 100 percent of the 2019 adult KRFC catch limit: The Commission does not anticipate any impacts on the creation of new business or the elimination of existing businesses, as the quotas would not decrease effort nor curtail the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2: 50 percent of the 2019 adult KRFC catch limit: The Commission anticipates a decline in visits to the fishery areas of less than 50 percent due to the continued sport fishing allowed for other species and grilse KRFC. This may result in some decline in business activity, but the Commission does not anticipate any impacts on the creation of new businesses or the elimination of existing businesses directly related to fishing activities.

However, with less effort being expended on salmon fishing, the possibility of alternative sportfishing activities and the growth of businesses to serve those activities exists.

Projection 3: 0 percent of the 2019 adult KRFC catch limit: In the event of salmon fisheries closures for adult KRFC in some or all Klamath River Basin areas, the Commission anticipates a decline in regional spending and thus reduced revenues to the approximately 30 to 50 businesses that directly and indirectly serve sport fishing activities with unknown impacts on the creation of new business or the elimination of existing businesses. However, adverse impacts may be mitigated by the continued opportunity to harvest other sportfish and the potential for take of grilse KRFC. Additionally, the long-term intent of the proposed regulatory action is to increase sustainability in fishable salmon stocks and, consequently, promote the long-term viability of these same small businesses.

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

Projection 1: 100 percent of the 2019 adult KRFC catch limit: The Commission does not anticipate any impacts on the expansion of businesses in California as the quotas would not increase effort nor increase the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2: 50 percent of the 2019 adult KRFC catch limit: The Commission does not anticipate any impacts on the expansion of businesses currently doing business within the State. Decreases in expenditures by resident anglers associated with reduced fishing opportunities may be offset by increased expenditures on other locally purchased goods and services – with no net change in local economic activity. For non-resident anglers, however, decreases in local expenditures associated with decreases in local fishing opportunities may result in increases in other expenditures outside the Klamath River Basin area.

Projection 3: 0 percent of the 2019 adult KRFC catch limit: In the event of salmon fisheries closures for adult KRFC in some or all Klamath River Basin areas, the Commission does not anticipate any expansion of businesses in California. Decreases in expenditures by anglers associated with reduced fishing opportunities may be partially offset by increased expenditures on other locally purchased goods and services as anglers pursue other sport fish, potentially including grilse KRFC, or the substitution of salmon fishing with other recreational activities.

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

Under all projections, the Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a Klamath River Basin salmon sport fishery and other sport fisheries encourages a healthy outdoor activity and the consumption of a 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 the future stewards of California’s natural resources.

(e) Benefits of the Regulation to Worker Safety

Under all projections, the Commission does not anticipate benefits to worker safety because the proposed regulations will not impact working conditions.

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

Under all projections, the Commission anticipates benefits to the environment in the sustainable management of Klamath River Basin salmonid resources. 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 Klamath River Basin salmon seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence.

(g) Other Benefits of the Regulation

Consistency with Federal Fishery Management Goals: California's salmon sport fishing regulations need to align with the new Federal regulations to achieve optimum yield in California. PFMC annually reviews the status of west coast salmon populations. As part of that process, it recommends west coast adult salmon fisheries regulations aimed at meeting biological and fishery allocation goals specified in law or established in the FMP. These recommendations coordinate west coast management of sport and commercial ocean salmon fisheries off the coasts of Washington, Oregon, and California, and California inland salmon sport fisheries. These recommendations are subsequently implemented as ocean fishing regulations by NMFS, and as salmon sport regulations for State marine and inland waters by the Commission.

Informative Digest/Policy Statement Overview

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

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed for fall-run Chinook Salmon (*Oncorhynchus tshawytscha*) through a cooperative system of State, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport 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 California Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin (in-river) sport fisheries, which are consistent with federal fishery management goals.

Tribal entities within the Klamath River Basin maintain fishing rights for ceremonial, subsistence, and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by the tribes.

Klamath River Fall-Run Chinook Salmon

Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural spawning escapement goals are established by PFMC. The Klamath River Basin in-river sport salmon fishery is managed using adult quotas.

The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

For the purpose of implementing PFMC adult allocation and California Department of Fish and Wildlife (Department) salmon fishery harvest assessment, within the Klamath River Basin the Department currently considers 23 inches total length as a provisional cutoff. Salmon greater than 23 inches total length are defined as adult salmon (ages 3-5) and salmon less than or equal to 23 inches total length are defined as grilse salmon (age-two).

PFMC Overfishing Review

KRFC stocks have been designated as “overfished” by PFMC. This designation is the result of not meeting conservation objectives for this stock. Management objectives and criteria for KRFC are defined in the PFMC Salmon Fishery Management Plan (FMP). The threshold for overfished status of KRFC is a three-year geometric mean less than or equal to 30,525 natural area adult spawners. This overfished-threshold was met for KRFC during the 2015-2017 period. The 30,525 KRFC natural area adult spawners is considered the minimum stock size threshold, per the FMP. The KRFC adult natural area spawning escapement for 2019 was 20,245 natural area adult spawners, which is below the one-year conservation threshold of 40,700 natural area adult spawners. The most-recent three-

year geometric mean is still less than the required 40,700 natural area adult spawners, therefore the KRFC are still considered as an “overfished” stock.

Accordingly, the FMP outlines a process for preparing a “rebuilding plan” that includes assessment of the factors that led to the decline of the stock, including fishing, environmental factors, model errors, etc. The rebuilding plan includes recommendations to address conservation of KRFC, with the goal of achieving rebuilt status. Rebuilt status requires meeting a three-year geometric mean of 40,700 adult natural area KRFC spawner escapement. The plan developed by representatives of NMFS, PFMC, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife (Department), and tribal entities, was submitted to PFMC in February 2019, adopted by PFMC in June 2019 and submitted to NMFS in August 2019. Forthcoming recommendations from the rebuilding plan may alter how KRFC are managed in the future, including changing the in-river allocation number, and/or allocating less than the normal target number.

KRFC Allocation Management

The PFMC 2020 allocation for the Klamath River Basin sport harvest was 1,296 adult KRFC. Preseason stock projections of 2021 adult KRFC abundance will not be available from PFMC until March 2021. The 2021 basin allocation will be recommended by PFMC in April 2021 and presented to the Commission for adoption as a quota for the in-river sport harvest at its May 2021 teleconference meeting.

The Commission may modify the KRFC in-river sport harvest quota, which is normally a minimum of 15 percent of the non-tribal PFMC harvest allocation. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the FMP.

The annual KRFC in-river sport harvest quota is specified in subsection 7.40(b)(50)(D)1. The quota is split between four geographic areas with a subquota for each area, expressed as a percentage of the total in-river quota, specified in subsection 7.40(b)(50)(D)2. For angler convenience, the subquotas, expressed as the number of fish, are listed for the affected river segments in subsection 7.40(b)(50)(E). The in-river sport subquota percentages are as follows:

1. for the main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec -- 17 percent of the in-river sport quota;
2. for the main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth -- 50 percent of the in-river sport quota;
3. for the main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the in-river sport quota; and
4. for the main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the in-river sport fishery quota.

Proposed Changes

Because the PFMC recommendations are not known at this time, ranges are shown in [brackets] in the proposed regulatory text below of bag and possession limits which encompass historical quotas. All are proposed for the 2021 KRFC fishery in the Klamath and Trinity rivers.

The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law, or established in the FMP.

KRFC SPORT FISHERY (QUOTA MANAGEMENT):

Quota: For public notice requirements, the Department recommends the Commission consider a quota range of 0–67,600 adult KRFC in the Klamath River Basin for the in-river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows PFMC and Commission to make adjustments during the 2021 regulatory cycle.

Subquotas: The proposed subquotas for KRFC stocks are as follows:

- Main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec -- 17 percent of the total quota equates to [0-11,492];
- Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth -- 50 percent of the total quota equates to [0-33,800];
- Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the total quota equates to [0-11,154]; and
- Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the total quota equates to [0-11,154].

Seasons: No changes are proposed for the Klamath River and Trinity River KRFC seasons:

- Klamath River - August 15 to December 31
- Trinity River - September 1 to December 31

Bag and Possession Limits: As in previous years, no retention of adult KRFC is proposed once the subquota has been met.

- Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over 23 inches total length may be retained until the subquota is met, then 0 fish over 23 inches total length.
- Possession limit - [0-12] Chinook Salmon of which no more than [0–4] fish over 23 inches total length may be retained when the take of salmon over 23 inches total length is allowed.

KRSC SPORT FISHERY:

The Klamath River Basin also supports Klamath River spring-run Chinook Salmon (KRSC). Presently, KRSC stocks are not managed or allocated by PFMC. No regulatory changes are proposed for the general KRSC opening and closing season dates, and bag, possession and size limits.

OTHER CHANGES FOR CLARITY

The Department is proposing additional changes for clarity and consistency, as follows:

1. Throughout the regulatory text in subsection 7.40(b)(50), update the year from 2020 to 2021.
2. In the first paragraph of subsection 7.40(b)(50), delete cross reference to Section 7.00, subsection (a) for consistency with amendments made to Section 7.00 in OAL file 2020-1204-02s (Simplification of Statewide Inland Sport Fishing Regulations).

Benefits of the Proposed Regulations

The Commission anticipates benefits to the environment in the sustainable management of Klamath River Basin salmonid resources.

Other benefits of the proposed regulations are conformance with federal fishery management goals, health and welfare of California residents and promotion of businesses that rely on salmon sport fishing in the Klamath River Basin.

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 authority to the Commission to promulgate sport fishing regulations (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. Commission staff has searched the California Code of Regulations and has found no other State regulations related to sport fishing in the Klamath River Basin.

Proposed Regulatory Language

Updated 3/1/21

Section 7.40, Title 14, CCR, is amended to read:

§ 7.40. Alphabetical List of Hatchery Trout, Hatchery Steelhead, and Salmon Waters with Special Fishing Regulations.

. . . [No changes to subsections (a) through (b)(49)] . . .

(50) Klamath River Basin Regulations.

Anadromous Waters of the Klamath River Basin Downstream of Iron Gate and Lewiston Dams. This subsection applies only to waters of the Klamath River Basin that are accessible to anadromous salmonids. This subsection does not apply to waters of the Klamath River Basin that are inaccessible to anadromous salmon and trout, portions of the Klamath River system upstream of Iron Gate Dam, portions of the Trinity River system upstream of Lewiston Dam, and the Shasta River and tributaries upstream of Dwinnel Dam. ~~Fishing in these waters is governed by the non-anadromous waters of the District General Regulations (see Section 7.00, subsection (a)).~~

(A) Restrictions and Requirements.

1. Only barbless hooks may be used. (For definitions regarding legal hook types, hook gaps and rigging see Chapter 2, Article 1, Section 2.10.)
2. During closures to the take of adult salmon, it shall be unlawful to remove any adult Chinook Salmon from the water by any means.
3. See Section 1.74 for sport fish report card requirements.

(B) General Area Closures.

1. No fishing is allowed within 750 feet of any ~~Department~~department fish-counting weir.
2. No fishing is allowed from the Ishi Pishi Road bridge upstream to and including Ishi Pishi Falls from Aug. 15 through Dec. 31. Exception: members of the Karuk Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.
3. No fishing is allowed from Sep. 15 through Dec. 31 in the Klamath River within 500 feet of the mouths of the Salmon, Shasta and Scott ~~Rivers~~rivers and Blue Creek.
4. No fishing is allowed from Jun. 15 through Sep. 14 in the Klamath River from 500 feet above the mouth of Blue Creek to 500 feet downstream of the mouth of Blue Creek.

(C) Klamath River Basin Possession Limits.

1. Trout Possession Limits.
   a. The Brown Trout possession limit is 20.
   b. The hatchery trout or hatchery steelhead possession limits are as follows:
      (i) Klamath River: 4 hatchery trout or hatchery steelhead.
      (ii) Trinity River: 4 hatchery trout or hatchery steelhead.
2. Chinook Salmon Possession Limits.

a. Klamath River downstream of the Highway 96 bridge at Weitchpec from Jan. 1 to Aug. 14 and the Trinity River downstream of the Old Lewiston Bridge to the confluence of the South Fork Trinity River from Jan. 1 to Aug. 31: 2 Chinook Salmon.
b. Klamath River from Aug. 15 to Dec. 31 and Trinity River from Sep. 1 to Dec. 31: ~~6~~[0-12] Chinook Salmon. No more than ~~3~~[0-4] Chinook Salmon over 23 inches total length may be retained when the take of salmon over 23 inches total length is allowed.

(D) Klamath River Basin Chinook Salmon Quotas.

Klamath River fall-run Chinook Salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest is closely monitored from Aug.15 through Dec. 31 each year. Quota areas are noted in subsection (b)(50)(E) with "Fall-run Quota" in the *Open Season and Special Regulations* column.

1. Quota for Entire Basin.

The ~~2020~~2021 Klamath River Basin quota is ~~1,296~~[0-67,600] Klamath River fall-run Chinook Salmon over 23 inches total length. The ~~Department~~department shall inform the ~~Commission~~commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. (Note: A ~~Department~~department status report on progress toward the quotas for the various river sections is updated weekly, and available by calling 1-800-564-6479.)

2. Subquota Percentages.

a. The subquota for the Klamath River upstream of the Highway 96 bridge at Weitchpec and the Trinity River is 50% of the total Klamath River Basin quota.

(i) The subquota for the Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec is 17% of the total Klamath River Basin quota.
(ii) The subquota for the Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat is 16.5% of the total Klamath River Basin quota.
(iii) The subquota for the Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River is 16.5% of the total Klamath River Basin quota.

b. The subquota for the lower Klamath River downstream of the Highway 96 bridge at Weitchpec is 50% of the total Klamath River Basin quota.

(i) The Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) will close when 15% of the total Klamath River Basin quota is taken downstream of the Highway 101 bridge.

(E) Klamath River Basin Open Seasons and Bag Limits.

All anadromous waters of the Klamath River Basin are closed to all fishing all year except those areas listed in the following table. Bag limits are for trout and Chinook Salmon in combination unless otherwise specified.

Body of Water	Open Season and Special Restrictions	Daily Bag Limit
1. Bogus Creek and tributaries.	Fourth Sat. in May through Aug. 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery ~~steelhead.**~~ steelhead**.
2. Klamath River main stem from 3,500 feet downstream of Iron Gate Dam to the mouth.		
a. Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec.	Jan. 1 to Aug. 14.	0 Chinook Salmon. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~220~~[0-11,492] Chinook Salmon Aug. 15 to Dec. 31, ~~2020~~2021.	~~2~~[0-4] Chinook Salmon - no more than ~~1~~[0-4] fish over 23 inches total length until subquota is met, then 0 fish over 23 inches total length. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota Exception: Chinook Salmon over 23 inches total length may be retained from 3,500 feet downstream of Iron Gate Dam to the Interstate Highway 5 bridge when the ~~Department~~department determines that the adult fall-run Chinook Salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish. Daily bag and possession limits specified for fall-run Chinook Salmon apply during this exception.	

Body of Water	Open Season and Special Restrictions	Daily Bag Limit
b. Klamath River downstream of the Highway 96 bridge at Weitchpec.	Jan. 1 to Aug. 14.	2 Chinook Salmon. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~648~~[0-33,800] Chinook Salmon Aug. 15 to Dec. 31, ~~2020~~2021.	~~2~~[0-4] Chinook Salmon - no more than ~~1~~[0-4] fish over 23 inches total length until subquota is met, then 0 fish over 23 inches total length. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth). This area will be closed to all fishing after 15% of the total Klamath River Basin quota has been taken. All legally caught Chinook Salmon must be retained. Once the adult (greater than 23 inches) component of the total daily bag limit has been retained, anglers must cease fishing in the spit area.	
3. Salmon River main stem, main stem of North Fork downstream of Sawyer's Bar bridge, and main stem of South Fork downstream of the confluence of the East Fork of the South Fork.	Nov. 1 through Feb. 28.	2 hatchery trout or hatchery steelhead**.

Body of Water	Open Season and Special Restrictions	Daily Bag Limit
4. Scott River main stem downstream of the Fort Jones-Greenview bridge to the confluence with the Klamath River.	Fourth Sat. in May through Feb. 28.	2 hatchery trout or hatchery steelhead**.
5. Shasta River main stem downstream of the Interstate Highway 5 bridge north of Yreka to the confluence with the Klamath River.	Fourth Sat. in May through Aug. 31 and Nov. 16 through Feb. 28.	2 hatchery trout or hatchery steelhead**.
6. Trinity River and tributaries.		
a. Trinity River main stem from 250 feet downstream of Lewiston Dam to the Old Lewiston Bridge.	Apr. 1 through Sep. 15. Only artificial flies with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.

Body of Water	Open Season and Special Restrictions	Daily Bag Limit
b. Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat.	Jan. 1 to Aug. 31.	2 Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~214~~[0-11,154] Chinook Salmon Sep. 1 to Dec. 31, ~~2020~~2021.	~~2~~[0-4] Chinook Salmon - no more than ~~1~~[0-4] fish over 23 inches total length until subquota is met, then 0 fish over 23 inches total length. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota Exception: Chinook Salmon over 23 inches total length may be retained downstream of the Old Lewiston Bridge to the mouth of Indian Creek when the ~~Department~~department determines that the adult fall-run Chinook Salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish. Daily bag and possession limits specified for fall-run Chinook Salmon apply during this exception.	
c. Trinity River main stem downstream of the Highway 299 West bridge at Cedar Flat to the Denny Road bridge at Hawkins Bar.	Jan. 1 through Aug. 31.	2 Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Sep. 1 through Dec. 31.	Closed to all fishing.

Body of Water	Open Season and Special Restrictions	Daily Bag Limit
d. New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity River.	Sep. 15 through Nov. 15. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.
e. Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the mouth of the South Fork Trinity River.	Jan. 1 to Aug. 31.	2 Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~214~~[0-11,154] Chinook Salmon Sep. 1 through Dec. 31, ~~2020~~2021. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	~~2~~[0-4] Chinook Salmon - no more than ~~1~~[0-4] fish over 23 inches total length until subquota is met, then 0 fish over 23 inches total length. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.

Body of Water	Open Season and Special Restrictions	Daily Bag Limit
f. Trinity River main stem downstream of the mouth of the South Fork Trinity River to the confluence with the Klamath River.	Jan. 1 to Aug. 31.	0 Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~214~~[0-11,154] Chinook Salmon Sep. 1 through Dec. 31, ~~2020~~2021. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	~~2~~[0-4] Chinook Salmon - no more than ~~1~~[0-4] fish over 23 inches total length until subquota is met, then 0 fish over 23 inches total length. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
g. Hayfork Creek main stem downstream of the Highway 3 bridge in Hayfork to the confluence with the South Fork Trinity River.	Nov. 1 through Mar. 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.
h. South Fork Trinity River downstream of the confluence with the East Fork of the South Fork Trinity River to the South Fork Trinity River bridge at Hyampom.	Nov. 1 through Mar. 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.
i. South Fork Trinity River downstream of the South Fork Trinity River bridge at Hyampom to the confluence with the Trinity River.	Nov. 1 through Mar. 31.	0 Chinook Salmon. 2 hatchery trout or hatchery steelhead**.

. . . [No changes to subsections (b)(51) through (b)(123)] . . .

* 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.

State of California
Department of Fish and Wildlife

M e m o r a n d u m

Date: March 24, 2021

Received March 26, 2021
Signed copy on file

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

From: Charlton H. Bonham
Director

Subject: **Negative Declaration for Proposed Amendments to 2021-2022 Klamath River Basin Sport Fishing Regulations, Subsection (b)(50) of Section 7.40, Title 14, California Code of Regulations**

In compliance with the California Environmental Quality Act, the Department of Fish and Wildlife (Department) has prepared the enclosed *Initial Study/Negative Declaration for Proposed Amendments to 2021-2022 Klamath River Basin Sport Fishing Regulations, Title 14, California Code of Regulations* for 2021-22. The Fish and Game Commission (Commission) proposes to amend the Klamath River Basin sport fishing regulations as set forth in Title 14, subsection 7.40(b)(50) of the California Code of Regulations for Klamath River Fall-run Chinook Salmon based on federal fisheries management goals and to make additional changes for clarity. Based on the initial study, the Department does not think that the proposed amendments to the Klamath River Basin sport fishing regulations will have any significant or potentially significant effects on the environment. The Department recommends the Commission adopt the proposed negative declaration.

If you have any questions regarding the enclosed documents, please contact Karen Mitchell, Senior Environmental Scientist, at (916) 205-0250 or at Karen.Mitchell@wildlife.ca.gov.

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STATE OF CALIFORNIA

NATURAL RESOURCES AGENCY

FISH AND GAME COMMISSION

DRAFT INITIAL STUDY/NEGATIVE DECLARATION

FOR

PROPOSED AMENDMENTS
TO
2021-2022 KLAMATH RIVER BASIN SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS

Prepared by:

California Department of Fish and Wildlife
Fisheries Branch

MARCH 2021

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/NEGATIVE DECLARATION
FOR
PROPOSED AMENDMENTS
TO
KLAMATH RIVER BASIN SPORT FISHING REGULATIONS
TITLE 14, CALIFORNIA CODE OF REGULATIONS

The Project

The Fish and Game Commission (Commission) proposes to amend the Klamath River Basin sport fishing regulations as set forth in Title 14, subsection 7.40(b)(50) of the California Code of Regulations for Klamath River Fall-run Chinook Salmon (KRFC) based on federal fisheries management goals and to make additional changes for clarity (project). The current Klamath River Basin sport fishing regulations allow sport fishing for KRFC in the Klamath River and Trinity River systems, subject to specific limitations. Each year the Department of Fish and Wildlife (Department) evaluates the potential need to update the Klamath River Basin sport fishing regulations for KRFC to align with federal fisheries management goals and presents any proposed amendments 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 project will not have any significant or potentially significant effects on the environment. Therefore, the Commission is filing this negative declaration pursuant to the California Environmental Quality Act, Public Resources Code Section 21080, subdivision (c).

This proposed negative declaration consists of the following:

- Introduction – Project Description and Background Information on the Proposed Amendments to Klamath River Basin Sport Fishing Regulations for KRFC
- 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 KLAMATH RIVER BASIN SPORT FISHING REGULATIONS TITLE 14, CALIFORNIA CODE OF REGULATIONS

Introduction

Each year the Department evaluates the potential need to update the Klamath River Basin sport fishing regulations for KRFC to align with management goals and presents any proposed amendments to the Commission for consideration. This year, the Department is not proposing any new amendments aside from those adjustments for bag and possession limits based on Pacific Fishery Management Council (PFMC) recommendations for federal fishery management goals, and to make additional changes for clarity. The Commission makes the final determination on what, if any, amendments to the regulations will 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 Klamath River Basin 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 Klamath River Basin is managed for fall-run Chinook Salmon (*Oncorhynchus tshawytscha*) through a cooperative system of state, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries. The PFMC is responsible for adopting recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. After these recommendations are approved by the Secretary of Commerce, the National Marine Fisheries Service (NMFS) implements them as ocean salmon fishing regulations. The Commission adopts regulations every year for the ocean salmon sport (inside three miles) and the Klamath River Basin (in-river) sport fisheries that are based on the PFMC recommendations and NMFS ocean salmon fishing regulations for that year and align with KRFC biological and fishery allocation goals specified in law or established in the PFMC Salmon Fishery Management Plan (FMP).

Tribes within the Klamath River Basin maintain fishing rights for ceremonial, subsistence, and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by the tribes.

The Klamath River Basin in-river sport salmon fishery is managed using adult salmon quotas. A quota range of 0–67,600 adult KRFC in the Klamath River Basin is utilized for public notice purposes for the in-river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows PFMC and Commission to make adjustments during the 2021 regulatory cycle. The annual KRFC in-river harvest quota specified in subsection 7.40(b)(50)(D)1 is split between four geographic areas between the Klamath and Trinity Rivers with a subquota for each area, expressed as a percentage of the total in-river quota. These geographic areas are based upon the historical distribution of angler effort to ensure equitable harvest of adult KRFC in the Klamath River and Trinity River.

The PFMC adopted three 2021 ocean salmon fisheries regulatory alternatives for public review at its March 2021 meeting and is scheduled to adopt one of those alternatives as its final recommendations at its April 2021 meeting. The Klamath River Basin sport fishery allocation of adult KRFC in those alternatives ranges from 1,217 to 1,234—that allocation was 1,296 in 2020. The Department will propose Klamath River Basin KRFC bag and possession limits, and an adult KRFC quota and subquotas to the Commission at the April 14, 2021 Commission meeting. The Commission will adopt regulations for the 2021 KRFC sport fishery during a scheduled teleconference hearing on May 11, 2021. The Department's proposal will be based on the regulatory alternative that PFMC adopts and, in turn, the 2021 ocean salmon fishing regulations that NMFS adopts, and aligned with KRFC biological and fishery allocation goals specified in law or established in the FMP.

The proposed sport fishing regulations for the Klamath and Trinity rivers *may* increase or decrease the current salmon bag and possession limits; and

The proposed salmon sport fishing regulations for the Klamath and Trinity rivers *will* set a Klamath River Basin quota between 0 and 67,600 adult KRFC and subquotas based on that quota.

Project Location

The sport fishing addressed by this environmental document occurs in the waters of the Klamath River Basin, which consists of the Klamath River and Trinity River systems. The Klamath River Basin is located in the northern California counties of Del Norte, Humboldt, Siskiyou, and Trinity.

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 August 15, 2021.

Project Description

Current Regulations

At its May 14, 2020, teleconference, the Commission adopted Klamath River Basin bag and possession limits and an adult quota for KRFC in alignment with federal regulations. The Commission also adopted the Department's recommendation to change the size used to delineate adult KRFC fish from greater than 22 inches total length to greater than 23 inches total length. These regulatory amendments went into effect on August 15, 2020 after they were approved by the Office of Administrative Law. The following is a summary of those 2020 Klamath River Basin bag and possession limits and the KRFC adult quota:

1. A daily bag limit of 2 Chinook Salmon, of which no more than 1 Chinook Salmon over 23 inches total length may be retained when the take of salmon over 23 inches total length is allowed.

2. A possession limit of 6 Chinook Salmon, of which no more than 3 Chinook Salmon over 23 inches total length may be retained when the take of salmon over 23 inches total length is allowed.

3. A Klamath River Basin quota of 1,296 adult KRFC (greater than 23 inches total length).

The 2020 Klamath River Basin quota of 1,296 adult KRFC aligned with the 2020 federal regulations, which provided guidance on allocations between ocean sport and commercial fisheries, inland sport fisheries, and recognized tribal fisheries.

Sport fishing seasons for KRFC were not changed and remained as follows:

1. Klamath River - August 15 through December 31

2. Trinity River - September 1 through December 31

Proposed Regulations

Key to Proposed Regulatory Changes:

The proposed regulatory changes to the Klamath River Basin sport fishery allocation (quota) of adult KRFC are shown as ranges in [brackets] based on the historical range of that allocation. The proposed regulatory changes to the Klamath River Basin sport fishery bag and possession limits for KRFC are shown as ranges based on the historical range of those limits.

The Department proposes the following amendments to the Klamath River Basin regulations for KRFC for the 2021 season. The final regulations adopted by the Commission will be based on the 2021 PFMC recommendations for the management of sport and commercial ocean salmon fisheries and 2021 ocean salmon fishing

regulations that NMFS adopts and aligned with KRFC biological and fishery allocation goals specified in law or established in the FMP.

ADULT STOCKS (SPORT FISHERY QUOTA MANAGEMENT):

Quota: The Department recommends the Commission consider a quota range of 0 - 67,600 adult KRFC in the Klamath River Basin for the in-river sport fishery. This is based on the historical range of that quota.

Subquotas: The proposed subquotas for KRFC stocks are as follows:

- Main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec -- 17 percent of the total quota equates to [0-11,492];
- Main stem Klamath River from downstream of the Highway 96 bridge at Weitchpec to the mouth -- 50 percent of the total quota equates to [0-33,800];
- Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the total quota equates to [0-11,154]; and
- Trinity River downstream from the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the total quota equates to [0-11,154].

Seasons: No changes are proposed for the Klamath River and Trinity River KRFC seasons:

- Klamath River - August 15 to December 31
- Trinity River - September 1 to December 31

Bag and Possession Limits: As in previous years, no retention of adult KRFC is proposed once the subquota has been met.

The range of proposed bag and possession limits for KRFC stocks are as follows:

- Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over 23 inches total length may be retained until the subquota is met, then 0 fish over 23 inches total length.
- Possession limit - [0-12] Chinook Salmon of which no more than [0–4] fish over 23 inches total length may be retained when the take of salmon over 23 inches total length is allowed.

OTHER CHANGES

Other Changes for Clarity

The Department is proposing additional changes for clarity and consistency, as follows:

1. Throughout the regulatory text in subsection 7.40(b)(50), update the year from 2020 to 2021 for the upcoming season.
2. In the first paragraph of subsection 7.40(b)(50), delete “Fishing in these waters is governed by the non-anadromous waters of the District General Regulations (see Section 7.00, subsection (a)” for consistency with amendments made in OAL file #2020-1204-02S (Simplification of Statewide Inland Sport Fishing Regulations), effective March 1, 2021.

ENVIRONMENTAL CHECKLIST FORM

1. Project Title:
   Proposed Amendments to Klamath River Basin 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 Klamath River and Trinity River systems.

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 adult quota for Klamath River Fall-run Chinook Salmon for the Klamath River Basin 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.

☐ Aesthetics	☐ Agriculture and Forestry	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards and Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/ Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ 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.

Melissa Miller-Henson, Executive Director **Date**

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista	☐	☐	☐	NI
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☐	NI
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.	☐	☐	☐	NI
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
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?	☐	☐	☐	NI
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
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))?	☐	☐	☐	NI
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	NI
d) Result in any other emissions such as those leading to odors affecting a substantial number of people?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	LTS	☐
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	NI
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?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	NI
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	NI
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	NI
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful inefficient, or unnecessary consumption of energy resources, during project construction or operations?	☐	☐	☐	NI
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	NI
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☐	NI
ii) Strong seismic ground shaking?	☐	☐	☐	NI
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	NI
iv) Landslides?	☐	☐	☐	NI
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	NI
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?	☐	☐	☐	NI
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	NI
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	NI
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?	☐	☐	☐	NI
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
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:				
i) result in substantial erosion or siltation on- or off-site?	☐	☐	☐	NI
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	NI
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	☐	☐	☐	NI
iv) impede or redirect flood flows.	☐	☐	☐	NI
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	NI
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	NI
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
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?	☐	☐	☐	NI
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 general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	NI
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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)?	☐	☐	☐	NI
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
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?	☐	☐	☐	NI
Police protection?	☐	☐	☐	NI
Schools?	☐	☐	☐	NI
Parks?	☐	☐	☐	NI
Other public facilities?	☐	☐	☐	NI
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?	☐	☐	LTS	☐
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?	☐	☐	☐	NI
XVII. TRANSPORTATION. Would the project:				
a) Conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	NI
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	☐	☐	☐	NI
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
d) Result in inadequate emergency access?	☐	☐	☐	NI
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, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	NI
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.	☐	☐	☐	NI
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?	☐	☐	☐	NI
b) Have sufficient water supplies available to serve the project and reasonable foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
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?	☐	☐	☐	NI
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?	☐	☐	☐	NI
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	NI
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	NI
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?	☐	☐	☐	NI
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.	☐	☐	☐	NI
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?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
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?	☐	☐	☐	NI
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)?	☐	☐	☐	NI
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	NI

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

The proposed sport fishing regulations for the Klamath and Trinity rivers *may*: increase or decrease the current salmon bag and possession limits. The proposed salmon sport fishing regulations for the Klamath and Trinity rivers *will* set a Klamath River Basin quota between 0 and 67,600 adult KRFC and subquotas based on that quota. Any changes to the Klamath River Basin sport fishing regulations will be based on the 2021 PFMC recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California and 2021 NMFS ocean salmon fishing regulations and aligned with KRFC biological and fishery allocation goals. The PFMC recommendation process includes the consolidation and consideration of the best scientific information available from California, Oregon, and Washington on the status of various salmon stocks.

Coho Salmon, which is federally- and state-listed, and Spring Chinook Salmon, which is state-listed as a candidate species, co-occur in the project area. Existing regulations prohibit take of Coho Salmon; Spring Chinook Salmon are currently protected by regulations which have a reduced bag limit and season length. Spring Chinook Salmon will not incur significant impacts as a result of the proposed project because the proposed change is limited to KRFC 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 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.

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.

c iv) The project will not impede or redirect flood flows 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 changes to the Klamath River Basin sport fishing regulations for KRFC will have minimal to no impact on recreational facilities. Based on the PFMC process for the 2021 salmon fishing season, the Commission may adopt a quota for adult KRFC that is lower or higher than that quota for the 2020 season. Also, the Commission is not considering changing the length of the season for KRFC in the Klamath River Basin sport fishing regulations.

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.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2021040037

Project Title: Proposed Amendments to Klamath River Basin Sport Fishing Regulations, Title 14, California Code of Regulations

Lead Agency: California Fish and Game Commission

Contact Person: Melissa Miller-Henson

Mailing Address: PO Box 944209, Sacramento, CA 94244-2090

Phone: (916) 653-7229

County: Sacramento

Project Location: Del Norte, Humboldt, Siskiyou and Trinity counties

Document Type: CEQA, Neg Dec

Local Action Type: N/A

Development Type: Other-Klamath River Basin Sport Fishing Regulations

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation: n/a

Project Description: California Fish and Game Commission adoption of amendments to sport fishing regulations for the Klamath and Trinity River systems.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

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

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

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

Starting Date: n//a

Ending Date: n/a

Lead Agency (Complete if applicable):

Consulting Firm: n/a

Applicant: n/a

Signature of Lead Agency Representative: Signed form on file **Date: 03/30/21**

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

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: 2021040037

Project Title: Proposed 2021-2022 Amendments to Klamath River Basin Sport Fishing Regulations, Title 14, CCR

Lead Agency: California Fish and Game Commission

Contact Name: Melissa Miller-Henson

Email: FGC@fgc.ca.gov

Phone Number: (916) 653-7229

Project Location: Del Norte, Humboldt, Siskiyou and Trinity counties

Project Description (Proposed actions, location, and/or consequences)

The Fish and Game Commission (Commission) proposes to amend the Klamath River Fall Chinook Salmon (KRFC) sport fishing regulations in the Klamath River Basin as set forth in Title 14 of the California Code of Regulations (CCR). The current sport fishing regulations, Section 7.40, Title 14, CCR, allow for salmon fishing in the Klamath and Trinity rivers. Each year the Department of Fish and Wildlife (Department) evaluates the potential need to amend the existing KRFC bag and possession limits to align with management goals. Any proposed changes to the salmon fishing regulations are presented to the Commission for consideration.

This project therefore proposes to potentially amend the daily bag and possession limits for the KRFC 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.

Identify the project’s significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

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.

Therefore, a negative declaration is filed pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21080, subdivision (c).

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

N/A

Provide a list of the responsible or trustee agencies for the project.

California Department of Fish and Wildlife

From: Richard Fox <[redacted]>
Sent: Friday, February 5, 2021 8:19 PM
To: FGC
Subject: Re: Notice of Proposed Changes in Regulations: Klamath River Basin Sport Fishing

You can start by limiting the amount of Gill netting going on for salmon in the Klamath river if you wantto truly take care of the overfished problem.

Sent from my iPhone

On Feb 5, 2021, at 4:30 PM, California Fish and Game Commission <fgc@fgc.ca.gov> wrote:

California
Fish and Game Commission
Celebrating 150 Years of Wildlife Heritage and Conservation!

Greetings fish and wildlife stakeholder,

A notice of proposed changes to the Klamath River Basin sport fishing regulations has been posted to the Commission's website. The notice and associated documents can be accessed at https://fgc.ca.gov/Regulations/2021-New-and-Proposed#kt.

Sincerely,

Sherrie Fonbuena
California Fish and Game Commission