

## Proposed Regulatory Language

CCR, title 14, section 29.05, Title 14, CCR, is amended as follows:

### § 29.05. General

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

(e). It shall be unlawful to use or possess any hydraulic pump or other device capable of liquifying sand within 100 yards of any place where marine invertebrates may be present, except in a permanent residence.

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

CCR, title 14, section 29.20, Title 14, CCR, is amended as follows:

### § 29.20. Clams General

(a) Except as provided in this article, there are no closed seasons, bag limits or size limits on saltwater clams.

(b) Fishing hours: one-half hour before sunrise to one-half hour after sunset.

(c) Gear restrictions. It shall be unlawful to use anything other than the following hand-operated devices to take clams: spades, shovels, hoes, forks, rakes, devices that use suction to remove clams commonly known as slurp guns or clam guns, or rigid pipes used to prevent the collapse of holes when digging for clams. It shall be unlawful to use any other device to take clams, including any hydraulic pump or other devices capable of liquifying sand. ~~It shall be unlawful to possess a hydraulic pump, or other device, capable of liquifying sand to aid in the harvest of clams anywhere clams may be taken.~~ It shall be unlawful to possess any such unauthorized device, except in a ~~their~~ permanent residence, concurrently with any clam. No instrument capable of being used to dig clams may be possessed between one-half hour after sunset and one-half hour before sunrise, on any beach of this state, except tools and implements used in the work of cleaning, repairing or maintaining such beach when possessed by a person authorized by appropriate authority to perform such work.

~~(d) Clams ashore: Clams which have a size limit when being taken must be brought ashore above the high water mark in such a condition that the size can be determined. Such clams not in the shell may not be transported or possessed, except when being prepared for immediate consumption. Clams which have a size limit and are not retained shall be immediately reburied in the area from which dug. When digging and transporting to shore, each person is required to keep a separate container for their clams and not commingle with clams taken by another person~~

(d) Clams that have a size limit shall be immediately measured. Any undersize clams, or other clams that are not retained, shall be immediately reburied in the area from which they were taken. All clams shall be kept in a whole and measurable condition until being prepared for immediate consumption. When taking or possessing clams each person is required to keep a separate container for their clams. It shall be unlawful to commingle one person's clams with clams taken by another person.

Note: Authority cited: Sections 200, 205, ~~219~~, 265, and 275, ~~and 399~~, Fish and Game Code. Reference: Sections 200, 205, 255, 265, 270, and 275, Fish and Game Code.

CCR, title 14, section 29.80, Title 14, CCR, is amended as follows:

### **§ 29.80. Gear Restrictions for Recreational Take of Saltwater Crustaceans**

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

(h) Gear restrictions. It shall be unlawful to use anything other than the following hand-operated devices to take sand crabs or shrimp: spades, shovels, hoes, forks, rakes, devices that use suction commonly known as slurp guns or clam guns, or rigid pipes used to prevent the collapse of holes when digging for sand crabs or shrimp. It shall be unlawful to use any other devices to take crabs or shrimp, including any hydraulic pump or other devices capable of liquifying sand.

. . . [No changes to subsections (i) through (j)]

Note: Authority cited: Sections 200, 205, 265, ~~270~~, ~~275~~, ~~399~~, 7075 and 7078, Fish and Game Code. Reference: Sections 200, 205, 265, 270, 275, 7050, 7055 and 7056, Fish and Game Code.