

Emergency Regulatory Text

Section 7.40, Title 14, CCR, is amended as follows:

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

. . . [No changes to subsection 7.40(a)]

. . . [No changes to subsections 7.40(b)(1) through (39)]

Body of Water	Open Season and Special Restrictions	Daily Bag and Possession Limit
(40) Eel River (Humboldt, Lake, Mendocino and Trinity Cos.) All waters of the Eel River Drainage except those listed below are closed to all fishing.	Section 8.00 Low-Flow Restrictions also apply.	
(A) Main Stem.		
1. From mouth to Fulmor Road, at its paved junction with the south bank of the Eel River. <u>Also see Section 8.00(a)(1)(A), Low-Flow Restrictions.</u>	All year. Only artificial lures with barbless hooks may be used from Apr. 1 though the Fri. preceding the fourth Sat. in May. Only barbless hooks may be used from the fourth Sat. in May through Mar. 31.	Catch and release of Chinook Salmon. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead*** in possession.
2. From Fulmor Road, at its paved junction with the south bank of the Eel River, to South Fork Eel River. Also see Section 8.00(a)(1) Low-Flow Restrictions. <u>Also see Section 8.00(a)(1)(B), Low-Flow Restrictions.</u>	All year. Only artificial lures with barbless hooks may be used from Apr. 1 through Sep. 30. Only barbless hooks may be used from Oct. 1 through Mar. 31.	Catch and release of Chinook Salmon. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead*** in possession.
3. From South Fork Eel River to Cape Horn Dam.	Jan. 1 through Mar. 31 and fourth Sat. in May through Sep. 30. Only artificial lures with barbless hooks may be used.	Catch and release of Chinook Salmon. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead*** in possession.
	Apr. 1 through the fourth Fri. in May and Oct. 1 through Dec. 31.	Closed to all fishing.

. . . [No changes to subsections 7.40(b)(40)(B) through (D)]

. . . *[No changes to subsections 7.40(b)(41) through (123)]*

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.

Emergency Regulatory Language

Section 8.00, Title 14, CCR, is amended as follows:

§ 8.00. Low-Flow Restrictions.

(a) Eel River, Mad River, Mattole River, Redwood Creek, Smith River and Van Duzen River. Stream closures: Special Low Flow Conditions. From ~~September 1 for the Mad River only and October 1 for all other streams through January 31~~ September 1 through April 30, any of the stream reaches listed in subsection (1) through (7) below shall be closed to all angling on Tuesday and Wednesday when the department determines that the flow on the previous Monday at any of the designated gauging stations is less than the minimum flows set forth in subsections (1) through (7); any of the stream reaches listed in subsections (1) through (7) below shall be closed to all angling on Thursday and Friday when the department determines that the flow on the previous Wednesday at any of the designated gauging stations is less than the minimum flows set forth in subsections (1) ~~though~~ through (7); any of the stream reaches listed in subsections (1) through (7) below shall be closed to all angling from Saturday through Monday when the department determines that the flow on the previous Friday at any of the designated gauging stations is less than the minimum flows set forth in subsections (1) through (7). Notwithstanding this provision, the department may close or keep a stream reach closed to fishing when the minimum flow is exceeded on the scheduled flow determination day if the department is reasonably assured that the stream flow is likely to decrease below the minimum flow as specified in subsections (a)(1)–(7) of Section 8.00 before or on the next flow-determination date. In addition, the department may reopen a stream at any time during a closed period if the minimum flow as specified in subsections (a)(1)–(7) of Section 8.00 is exceeded and the department is reasonably assured that it will remain above the minimum flow until the next scheduled Monday, Wednesday, or Friday flow determination. The department shall make information available to the public by a telephone recorded message updated, as necessary, no later than 1:00 p.m. each Monday, Wednesday, and Friday as to whether any stream will be open or closed to fishing. It shall be the responsibility of the angler to use the telephone number designated in the sport fishing regulations booklet to obtain information on the status of any stream.

(1) Eel River

(A) From the mouth to Fulmor Road, at its paved junction with the south bank of the Eel River. ~~Closed to hook-and-line fishing;~~ closed to angling. Except that downstream of Cock Robin Island Bridge angling from shore for non-salmonids, shall be permitted. ~~other legal~~ Legal fishing methods other than angling are allowed during this timeframe.

Minimum Flow: 350 cfs at the gauging station near Scotia.

(B) The main stem Eel River from the paved junction of Fulmor Road with the Eel River to the South Fork Eel River.

Minimum Flow: 350 cfs at the gauging station near Scotia.

...[No changes to subsections 8.00 (a)(2) through (7)]

(b) Mendocino, Sonoma, and Marin County coastal streams: Stream Closures: Special Low Flow Conditions. From ~~October 1 through March 31~~ September 1 through April 30 as follows:

Any of the stream reaches listed in subsections (1) through (4) below shall be closed to all angling on Tuesday and Wednesday when the department determines that the flow on the previous Monday at the applicable designated gauging stations is less than the minimum flows set forth in subsections (1) through (4).

Any of the stream reaches listed in subsections (1) through (4) below shall be closed to all angling on Thursday and Friday when the department determines that the flow on the previous Wednesday at the applicable designated gauging stations is less than the minimum flows set forth in subsections (1) ~~though~~ through (4).

Any of the stream reaches listed in subsections (1) through (4) below shall be closed to all angling from Saturday through Monday when the department determines that the flow on the previous Friday at the applicable designated gauging stations is less than the minimum flows set forth in subsections (1) through (4).

Notwithstanding this provision, the department may close or keep a stream reach closed to fishing when the minimum flow is exceeded on the scheduled flow determination day if the department is reasonably assured that the stream flow is likely to decrease below the minimum flow as specified in the corresponding subsections (b)(1) through (4) before or on the next flow-determination date.

In addition, the department may reopen a stream at any time during a closed period if the minimum flow as specified in the corresponding subsections (b)(1) through (4) is exceeded and the department is reasonably assured that it will remain above the minimum flow until the next scheduled Monday, Wednesday, or Friday flow determination.

The department shall make information available to the public by a telephone recorded message updated, as necessary, no later than 1:00 p.m. each Monday, Wednesday, and Friday as to whether any stream will be open or closed to fishing. It shall be the responsibility of the angler to use the telephone number designated in the sport fishing regulations booklet to obtain information on the status of any stream.

THE NUMBER TO CALL FOR INFORMATION IS (707) 822-3164 for Mendocino County and (707) 944-5533 for Sonoma, Marin, and Napa counties.

...[No changes to subsections 8.00(b)(1) through (4)]

...[No changes to subsection 8.00(c)]

NOTE: Authority cited: Sections 200, 205, 265 and 270, Fish and Game Code. Reference: Sections 200, 205 and 265, Fish and Game Code