

Amended Proposed 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.

(a) General Provisions:

(1) Every body of water listed in subsection (b) is closed to the take of hatchery trout, hatchery steelhead, and salmon and to fishing for these species, unless otherwise noted.

(2) Every body of water listed in subsection (b) is closed to all fishing except during the open season as shown. Unless otherwise provided, waters shown as open to hatchery trout, hatchery steelhead, and salmon fishing in subsection (b) are open to fishing for other species. Gear restrictions listed in this section apply to the take of all species of fish ~~covered in subsection (b)~~ unless otherwise noted.

(3) Unless otherwise provided, waters closed to hatchery trout, hatchery steelhead, or salmon fishing are closed to fishing for all other species, except that these closures do not apply to fishing for amphibians (see Section 5.05), freshwater clams (see Section 5.20), crayfish (see Section 5.35), and lamprey (see Section 5.40), using legal fishing methods other than hook-and-line fishing, and saltwater clams, crabs, ghost shrimp, and blue mud shrimp (see Ocean Regulations Booklet sections 29.20 to 29.87). Crabs may only be taken using hoop nets or by hand, and Dungeness crab within the North Coast District and Sonoma and Mendocino ~~Counties~~ counties.

~~(4) As used in this section and unless otherwise noted, daily bag and possession limits mean the total number of trout in combination including, but not limited to, Rainbow, Brown, Golden, and Cutthroat Trout.~~

~~(5)~~ (4) Unless otherwise provided, it is unlawful to possess more than one daily bag limit.

~~(6)~~ (5) The waters in subsection (b) may also be subject to restrictions on fishing methods and gear (Sections 2.00 through 2.45), fishing hours (Section 3.00), and the use of bait (Sections 4.00 through 4.30).

(b)

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag Limit and Bag Limit</i>
<i>...[No changes subsections (1)-(5)]</i>		
(6) Aptos Creek (Santa Cruz Co.) from mouth to bridge on Aptos Creek Road. Also see Low-Flow Restrictions, Section subsection <u>8.00(c)(4)</u> .	Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
<i>...[No changes subsections (7)-(21)]</i>		
(22) Butano Creek (San Mateo Co.). From mouth to county bridge on Pescadero-Bean Hollow Road. Also see Section subsection <u>8.00(c)(2)</u> Low-Flow Restrictions.	Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
<i>...[No changes subsections (23)-(24)]</i>		
(25) Carmel River and tributaries above Los Padres Dam (Monterey Co.).	Last Sat. in Apr. through Nov. 15. No Rainbow Trout less than 10 inches or greater than 16 inches total length may be kept. Only artificial lures with barbless hooks may be used.	5 Brown trout Trout, <u>0 Rainbow Trout</u> ; no more than 2 of which may be Rainbow Trout.
<i>...[No changes subsections (26)-(30)]</i>		
(31) Corralitos Creek (Santa Cruz Co.) from mouth to Browns Valley Road. Also see Section subsection <u>8.00(c)(5)</u> Low-Flow Restrictions.	Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
<i>...[No changes subsections (32)-(33)]</i>		

<p>(34) Coyote Creek (Santa Clara Co.). Also see Section subsection 8.00(c)(1) Low-Flow Restrictions.</p>	<p>Last Sat. in Apr. through Nov. 15. Only artificial lures and barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession.</p>
<p>...[No changes subsections (35)-(39)]</p>		
<p>(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.</p>	<p>Section 8.00 Subsection 8.00(a) Low-Flow Restrictions also apply.</p>	
<p>(A) Main stem.</p>		
<p>1. From mouth to Fulmor Road, at its paved junction with the south bank of the Eel River. <u>Also see Section subsection 8.00(a)(1)(A), Low-Flow Restrictions.</u></p>	<p>All year. Only artificial lures with barbless hooks may be used from Apr. 1 through the Fri. preceding the fourth Sat. in May. Only barbless hooks may be used from fourth Sat. in May through Mar. 31</p>	<p>Catch and release of Chinook Salmon. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p>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) subsection 8.00(a)(1)(B), Low-Flow Restrictions.</p>	<p>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.</p>	<p>Catch and release of Chinook Salmon. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p>3. From South Fork Eel River to Cape Horn Dam.</p>	<p>Jan. 1 through Mar. 31 and fourth Sat. in May through Sep. 30. Only artificial lures with barbless hooks may be used.</p>	<p>Catch and release of Chinook Salmon. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>

	Apr. 1 through the fourth Fri. in May and Oct. 1 through Dec. 31.	Closed to all fishing.
--	---	------------------------

(B) Van Duzen River.		
1. Main stem from its junction with the Eel River to the end of Golden Gate Drive near Bridgeville (approximately 4,000 feet upstream from the Little Golden Gate Bridge). Also see Section <u>subsection 8.00(a)(3)</u> Low-Flow Restrictions.	Fourth Sat. in May through Mar. 31. Only artificial lures with barbless hooks may be used from the fourth Sat. in May through Sep. 30.	Catch and release of Chinook Salmon. 2 hatchery trout or hatchery steelhead**.
	Only barbless hooks may be used from Oct. 1 through Mar. 31.	4 hatchery trout or hatchery steelhead** in possession.
(C) South Fork Eel River from mouth to Rattlesnake Creek. Also see Low-Flow Restrictions, Section <u>subsection 8.00(a)(2)</u>.		
	Apr. 1 to fourth Fri. in May.	Closed to all fishing.
	Fourth Sat. in May through Mar. 31.	Catch and release of Chinook Salmon.
	Only artificial lures with barbless hooks may be used from the fourth Sat. in May through Sep. 30.	2 hatchery trout or hatchery steelhead**.
	Only barbless hooks may be used from Oct. 1 through Mar. 31.	4 hatchery trout or hatchery steelhead** in possession.
	Apr. 1 to Fourth Fri. in May.	Closed to all fishing.
(D) Middle Fork Eel River.		
1. Middle Fork main stem from mouth to Bar Creek. Also see Section <u>subsection 8.00(a)(2)</u> Low-Flow Restrictions.	Jan. 1 through May 31 and Jul. 16 through Sep. 30.	2 hatchery trout or hatchery steelhead**.
	At all times, only artificial lures with barbless hooks may be used.	4 hatchery trout or hatchery steelhead** in possession.
	Jun. 1 through Jul. 15 and Oct. through Dec. 31.	Closed to all fishing.
...[No changes subsections (41)-(53)]		

<p>(54) Limekiln Creek and tributaries above Highway 1 (Monterey Co.). Also see Section subsection <u>8.00(c)(9)</u> Low-Flow Restrictions.</p>	<p>Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p><i>...[No changes subsections (55)-(56)]</i></p>		
<p>(57) Llagas Creek (Santa Clara Co.). Also see Section subsection <u>8.00(c)(5)</u> Low-Flow Restrictions.</p>		
<p><i>. . . [No changes to subsections (57)(A)-(B)]</i></p>		
<p><i>. . . [No changes subsections (58)-(59)]</i></p>		
<p>(60) Mad River and tributaries (Humboldt Co.).</p>		
<p><i>. . . [No change to subsection (60)(A)]</i></p>		
<p>(B) Mad River main stem, from 200 yards above its mouth upstream to the confluence with Cowan Creek, excluding tributaries. Also see Section subsection <u>8.00(a)(4)</u> Low-Flow Restrictions.</p>	<p>Fourth Sat. in May through Mar. 31. Only artificial lures with barbless hooks may be used from the fourth Sat. in May through Oct. 31. Only barbless hooks may be used from Nov. 1 through Mar. 31.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p><i>. . . [No change to subsections (60)(C)-(D)]</i></p>		
<p><i>. . . [No changes subsections (61)-(68)]</i></p>		

<p>(69) Navarro River (Mendocino Co.). Also see Section subsection 8.00(b)(4) Low-Flow Restrictions. Main stem below the Greenwood Road bridge.</p>	<p>Fourth Sat. in May through Mar. 31. Only artificial lures with barbless hooks may be used from the fourth Sat. in May through Oct. 31. Only barbless hooks may be used from Nov. 1 through Mar. 31.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p>(70) Noyo River (Mendocino Co.). Also see Section subsection 8.00(b)(4) Low-Flow Restrictions.</p>		
<p>. . . [No changes subsections (70)(A)-(C)]</p>		
<p>(71) Pajaro River (Monterey, Santa Clara, Santa Cruz and San Benito Cos.) from mouth to Uvas Creek. Also see Section subsection 8.00(c)(5) Low-Flow Restrictions.</p>	<p>Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p>(72) Upper Penitencia Creek (Santa Clara Co.), a tributary to Coyote Creek. Also see Section 8.00(c) Low-Flow Restrictions.</p>	<p>Closed to all fishing all year.</p>	
<p>(73) Pescadero Creek (San Mateo Co.) from mouth to the Stage Road bridge at Pescadero. Also see Section subsection 8.00(c)(2) Low-Flow Restrictions.</p>	<p>Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p>. . . [No changes subsections (74)-(79)]</p>		
<p>(80) Sacramento River and tributaries <u>mainstem</u> below Keswick Dam (Butte, Colusa, Contra Costa, Glenn, Sacramento, Shasta, Solano, Sutter, Tehama, and Yolo cos.).</p>		

. . .[No changes subsections (80)(A) - (E)]		
. . .[No changes subsections (81)-(88)]		
(89) San Gregorio Creek (San Mateo Co.) from the mouth to the Stage Road bridge at San Gregorio. Also see Section <u>subsection 8.00(c)(2)</u> Low-Flow Restrictions.	Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
. . .[No changes subsections (90)-(99)]		
(100) Scott Creek (Santa Cruz Co.) from mouth to confluence with Big Creek. Also see Section <u>subsection 8.00(c)(3)</u> Low-Flow Restrictions.	Dec. 1 through Mar. 7, but only Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used	0 trout
. . .[No changes subsections (101)-(104)]		
(105) Smith River (Del Norte Co.). Yearly limits apply for entire river.	Section 8.00-Subsection 8.00(a) <u>Low-Flow Restrictions</u> also apply.	
(A) Main stem from the mouth to confluence of Middle and South forks. Also see Section <u>subsection 8.00(a)(7)</u> Low-Flow Restrictions.	Fourth Sat. in May through Apr. 30. Only artificial lures with barbless hooks may be used from the fourth Sat. in May through Aug. 31. Only barbless hooks may be used from Sep. 1 through Apr. 30.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Cutthroat Trout, minimum size limit: 10 inches total length. 1 Chinook Salmon and no more than 5 wild Chinook Salmon* over 22 inches per year.

(B) Middle Fork Smith River.		
1. From mouth to Patrick Creek. Also see Section <u>subsection</u> 8.00(a)(7) Low-Flow Restrictions.	Fourth Sat. in May through Apr. 30. Only artificial lures with barbless hooks may be used from the fourth Sat. in May through Aug. 31. Only barbless hooks may be used from Sep. 1 through Apr. 30.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Cutthroat Trout, minimum size limit: 10 inches total length. 1 Chinook Salmon and no more than 5 wild Chinook Salmon* over 22 inches per year.
2. Above the mouth of Patrick Creek. Also see Section <u>subsection</u> 8.00(a)(7) Low-Flow Restrictions.	Fourth Sat. in May through Oct. 31. Only artificial lures with barbless hooks may be used.	2 Cutthroat Trout, minimum size limit: 10 inches total length. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
(C) South Fork Smith River.		
1. From the mouth upstream approximately 1,000 feet to the County Road (George Tryon) bridge and Craigs Creek to Jones Creek. Also see Section <u>subsection</u> 8.00(a)(7) Low-Flow Restrictions.	Fourth Sat. in May through Apr. 30. Only artificial lures with barbless hooks may be used from the fourth Sat. in May through Aug. 31. Only barbless hooks may be used from Sep. 1 through Apr. 30.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Cutthroat Trout, minimum size limit: 10 inches total length. 1 Chinook Salmon and no more than 5 wild Chinook Salmon* over 22 inches per year.

<p>2. From the George Tryon bridge upstream to the mouth of Craigs Creek. Also see Section <u>subsection</u> 8.00(a)(7) Low-Flow Restrictions.</p>	<p>Closed to fishing all year.</p>	
<p>3. Above the mouth of Jones Creek. Also see Section <u>subsection</u> 8.00(a)(7) Low-Flow Restrictions.</p>	<p>Fourth Sat. in May through Oct. 31. Only artificial lures with barbless hooks may be used.</p>	<p>2 Cutthroat Trout, minimum size limit: 10 inches total length. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p>(D) North Fork Smith River.</p>		
<p>1. From the mouth to Stony Creek. Also see Section <u>subsection</u> 8.00(a)(7) Low-Flow Restrictions.</p>	<p>Fourth Sat. in May through Mar. 31. Only artificial lures with barbless hooks may be used from the fourth Sat. in May through Aug. 31. Only barbless hooks may be used from Sep. 1 through Mar. 31.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Cutthroat Trout, minimum size limit: 10 inches total length. 1 Chinook salmon and no more than 5 wild Chinook salmon* over 22 inches per year.</p>
<p>2. Above the mouth of Stony Creek.</p>	<p>Fourth Sat. in May through Oct. 31. Only artificial lures with barbless hooks may be used.</p>	<p>2 Cutthroat Trout, minimum size limit: 10 inches total length. 2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p>
<p>. . . [No changes subsection (106)]</p>		

(107) Soquel Creek (Santa Cruz Co.) from mouth to confluence of East and West branch. Also see Section subsection 8.00(c)(4) Low-Flow Restrictions.	Dec. 1 through Mar. 7, but only on Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
... [No changes subsections (108)-(110)]		
(111) Ten Mile River (Mendocino Co.). Also see Section subsection 8.00(b)(4) Low-Flow Restrictions. Ten Mile River main stem below the confluence with the Ten Mile River North Fork, and the Ten Mile River North Fork below the confluence with Bald Hill Creek.	Fourth Sat. in May through Mar. 31. Only artificial lures With barbless hooks may be used from the fourth Sat. in May through Oct 31. Only barbless hooks may be used from Nov. 1 through May 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
...[No changes subsections (112)-(116)]		
(117) Uvas or Carnadero Creek (Santa Clara Co.). Also see Section subsection 8.00(c)(5) Low-Flow Restrictions.		
... [No change to subsection (118)]		
(119) Waddell Creek (Santa Cruz Co.) from mouth to Highway 1 bridge. Also see Section subsection 8.00(c)(3) Low-Flow Restrictions.	Dec. 1 through Mar. 7, but only Sat., Sun., Wed., legal holidays and opening and closing days. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
... [No changes to subsections (120)-(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.