

STAFF SUMMARY FOR FEBRUARY 8-9, 2023

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

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

Summary of Previous/Future Actions

- | | |
|--|----------------------|
| • Wildlife Resources Committee vetting | Sep 15, 2022 |
| • Today's notice hearing | Feb 8-9, 2023 |
| • Discussion hearing | Apr 19-20, 2023 |
| • Adoption hearing | May 17, 2023 |

Background

The Commission generally adopts Central Valley sport fishing regulations on an annual basis to align state regulations with federal fishery management recommendations by the Pacific Fishery Management Council (PFMC). PFMC will adopt its recommendations in April 2023 for the upcoming season.

The Department provides for the Commission's consideration four regulatory options for Sacramento River fall-run Chinook salmon (SRFC) in the American, Feather, Mokelumne, and Sacramento rivers to encompass possible PFMC 2023 recommendations for SRFC stocks. The Commission may adopt one or more options for each body of water, independently or in combination, to meet PFMC SRFC management objectives and maximize recreational salmon fishing opportunities in the Central Valley.

- Option 1 – Allows take of any size Chinook salmon up to the daily bag limit [0-4] and possession limit [0-12].
- Option 2 – Allows take of a limited number of adult Chinook salmon, with grilse Chinook salmon making up the remainder of the daily bag limit [0-4] and possession limit [0-12].
- Option 3 – Allows take of only grilse Chinook salmon up to the daily bag limit [0-4] and possession limit [0-12]. Take of adult Chinook salmon would not be allowed.
- Option 4 – Closed to take and possession of Chinook salmon in all anadromous areas of and tributaries to the American, Feather, Mokelumne, and/or Sacramento rivers. Prohibits all methods of targeting salmon including catch and release fishing. Unless otherwise noted, this option will allow take of other species.

The broad scope of the options in the initial statement of reasons (ISOR; Exhibit 2) for regulatory action intentionally allows flexibility in developing the final Central Valley salmon limits. Flexibility is necessary to allow the Commission to timely adopt regulations given the timing of the PFMC process. The Department will recommend specific regulation changes to the Commission at its April 2023 meeting for potential adoption at the Commission's May 2023 meeting.

STAFF SUMMARY FOR FEBRUARY 8-9, 2023

Significant Public Comments (N/A)**Recommendation**

Commission staff: Authorize publication of a notice as recommended by the Department.

Committee: Authorize publication of a notice as recommended by the Department.

Department: Authorize publication of a notice as proposed in the draft ISOR and, following adoption of any changes, request that the Office of Administrative Law make the regulations effective on or before July 16, 2023.

Exhibits

1. [Department memo, received January 27, 2023](#)
2. [Draft ISOR](#)
3. [Draft economic and fiscal impact statement \(STD 399\)](#)
4. [Department presentation](#)

Motion

Moved by _____ and seconded by _____ that the Commission authorizes publication of a notice of its intent to amend subsection 7.40(b)(4) et al., related to Central Valley sport fishing regulations.

Memorandum

Date: January 25, 2023

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

Signed original on file,
Received January 27, 2023

From: Charlton H. Bonham
Director

Subject: **Submittal of Initial Statement of Reasons to Amend Central Valley Sport Fishing Regulations for the February 8-9, 2023, Fish and Game Commission Meeting Agenda Item**

The Department of Fish and Wildlife (Department) requests that the Fish and Game Commission (Commission) authorize publishing notice of its intent to amend subsections (b)(4), (b)(43), (b)(66), and (b)(80) of Section 7.40, Title 14, California Code of Regulations, for sport fishing regulations in the Central Valley.

The Department is presenting four regulatory options for the 2023 Central Valley sport fishing regulations for the Commission's consideration. The four options encompass possible Pacific Fishery Management Council (PFMC) 2023 recommendations for Sacramento River fall-run Chinook Salmon (SRFC) stocks. These potential options are as follows:

Option 1 – Allows take of any size Chinook Salmon up to the daily bag and possession limits, which are to be determined.

Option 2 – Allows take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag and possession limits.

Option 3 – Allows a grilse-only Chinook Salmon fishery.

Option 4 – Closed to take and possession of Chinook Salmon.

The purpose for providing options is to increase flexibility for development of the final Central Valley sport fishing regulations. Specific bag and possession limits for SRFC will be presented to the Commission after the PFMC adopts its final recommendations at its April 2023 meeting. The Commission may adopt these options for each river section independently, or in combination to meet PFMC SRFC management objectives and maximize recreational salmon fishing opportunities.

In addition, the following are proposed are new for 2023:

- a potential change to the fishing boundary for the upper Sacramento River - subsections 7.40(b)(80)(C) and (D)(from Red Bluff Diversion Dam to Woodson

Bridge to allow adults escaping the fishery to stage unmolested below their natal tributaries.

- On the Upper Sacramento between Deschutes Road Bridge and Woodson Bridge, split the current fishing season of August 1 through December 31 into two separate seasons from August 1 through October 31 and November 1 through December 31. This split season will allow for better management options for SRFC and Sacramento River late-fall-run Chinook Salmon.

The draft negative declaration for compliance with the California Environmental Quality Act will be provided to the Commission prior to the April 2023 discussion hearing. The Department asks that the Commission request that the Office of Administrative Law make the regulations effective on or before July 16, 2023.

If you have any questions regarding this item, please contact Jay Rowan, Chief, Fisheries Branch, by telephone at (916) 212-3164. The public notice for this rulemaking should identify Senior Environmental Scientist Karen Mitchell as the Department's point of contact. She can be reached at (916) 205-0250.

cc: Chad Dibble, Deputy Director
Wildlife and Fisheries Division
California Department of Fish and Wildlife

Tina Bartlett, Regional Manager
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January 25, 2023
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State of California
Fish and Game Commission
Initial Statement of Reasons for Regulatory Action
Amend Subsections (b)(4), (b)(43), (b)(66),
and (b)(80) of Section 7.40
Title 14, California Code of Regulations
Re: Central Valley Sport Fishing Regulations

I. Date of Initial Statement of Reasons: January 18, 2023

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: February 8, 2023

Location: Sacramento

(b) Discussion Hearing

Date: April 19, 2023

Location: Fresno/Bakersfield Area

(c) Adoption Hearing

Date: May 17, 2023

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).

Current regulations in subsections (b)(4), (b)(43), (b)(66), and (b)(80) of Section 7.40 prescribe the 2022 seasons and daily bag and possession limits for Sacramento River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; SRFC) sport fishing in the American, Feather, Mokelumne, and Sacramento rivers, respectively. Collectively, these four rivers constitute the “Central Valley fishery” for SRFC for purposes of this document (Figure 1). Each year, the Department of Fish and Wildlife (Department) recommends new Chinook Salmon daily bag and possession limits for consideration by the Fish and Game Commission (Commission) to align with up-to-date management goals, as set forth below.

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

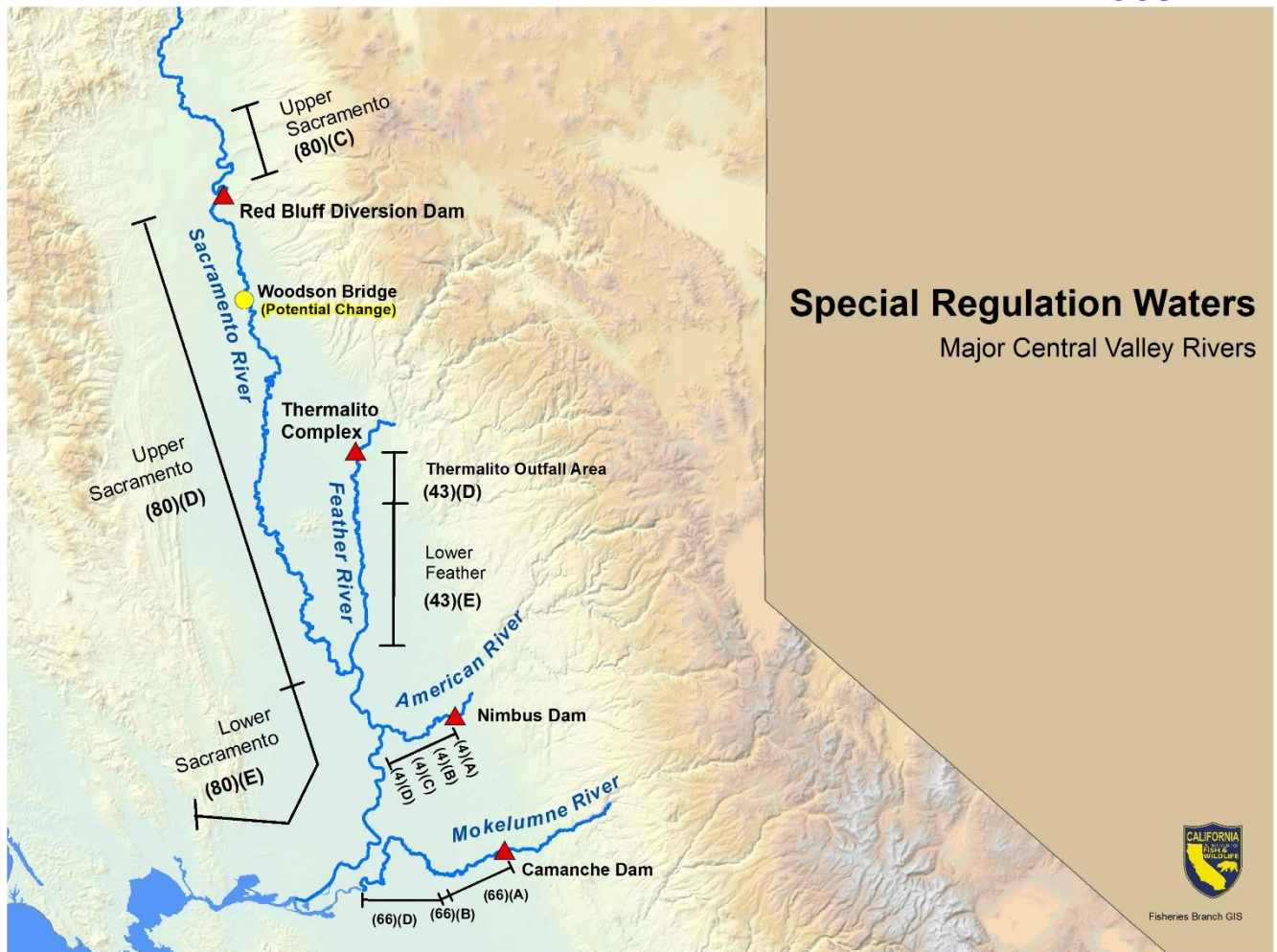


Figure 1. Map of the 2023 “Central Valley fishery” for Sacramento River fall-run Chinook Salmon, encompassing the following rivers and their respective subsections of Section 7.40: American (b)(4), Feather (b)(43), Mokelumne (b)(66), and Sacramento (b)(80).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2023 meeting and will adopt its final regulatory recommendations at its April 2023 meeting based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season. Based on the April 2023 recommendation by PFMC, the Department will recommend specific bag and possession limit regulations for the Central Valley fishery to the Commission at its April 19, 2023 meeting. The Commission will then consider adoption of the Central Valley sport fishing regulations at its May 17, 2023 meeting.

(b) Proposed Regulations

SACRAMENTO RIVER FISHING BOUNDARY REVISION

On the Sacramento River between the Deschutes Road Bridge and Hwy 113 Bridge (i.e., subsections 7.40(b)(80)(C) and (D)), the Department is proposing to move the geographic fishing boundary from Red Bluff Diversion Dam (river mile 244) to **Woodson Bridge** (river mile 220). All of the SRFC spawning tributaries and the vast majority of the mainstem SRFC spawning habitat is located upstream of Woodson Bridge. Moving the fishing boundary to Woodson Bridge is necessary to allow adults escaping the fishery to stage unmolested below

their natal tributaries, reducing overall harvest rates but still providing recreational opportunity within productive historic fishing grounds below Woodson Bridge.

SACRAMENTO RIVER LATE-FALL RUN FISHERY OPPORTUNITY

On the Sacramento River between Deschutes Road Bridge and Woodson Bridge, as proposed, (i.e., amended subsection 7.40(b)(80)(C), the Department is proposing to split the current fishing season of August 1 through December 31 into two separate seasons from August 1 through October 31 and November 1 through December 31. . This split season will allow for better management options for SRFC and Sacramento River late-fall-run Chinook Salmon (SRLFC) populations. Fall-run spawner escapement surveys conducted by the Department indicate that SRFC spawn in the Sacramento River, and its tributaries, above Woodson Bridge at least through November. Spawning by SRLFC follows shortly thereafter. This change is necessary to provide protection to SRFC that are holding, migrating, and spawning in the Sacramento River above Woodson Bridge in years of low SRFC stock abundance, while providing anglers access to SRLFC during November and December.

CHINOOK SALMON BAG AND POSSESSION LIMITS

The Department recognizes the uncertainty of SRFC in-river harvest projections. Therefore, for the 2023 Central Valley fishery, the Department is presenting four regulatory options for the Commission's consideration to tailor 2023 Central Valley fishery management to target 2023 in-river fisheries harvest projections. The Commission may adopt these options for each river section independently, or in combination to meet PFMC SRFC management objectives and maximize recreational salmon fishing opportunities in the Central Valley.

- Option 1 is the most liberal of the options, and allows take of any size Chinook Salmon up to the daily bag and possession limits.
- Option 2 allows for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon (two-year old salmon) making up the remainder of the daily bag and possession limits.
- Option 3 is a more conservative option, and allows for a grilse-only Chinook Salmon fishery.
- Option 4 is the most conservative option, and prohibits the take and possession of Chinook Salmon in all anadromous areas of and tributaries to the American, Feather, Mokelumne, and Sacramento rivers.

Key to Proposed Regulatory Changes:

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

The following options are provided for Commission consideration:

Option 1 – Any Size Chinook Salmon Fishery

This option would allow anglers to take up to [0-4] Chinook Salmon of any size per day and have [0-12] Chinook Salmon in possession. This option is the Department's preferred option if

the 2023 SRFC stock abundance forecast is sufficiently high to avoid the need to constrain in-river SRFC harvest.

American River, subsection 7.40(b)(4):

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

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

Possession limit - [0-12] Chinook Salmon.

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

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

Possession limit - [0-12] Chinook Salmon.

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

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

Possession limit - [0-12] Chinook Salmon.

Feather River, subsection 7.40(b)(43):

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

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

Possession limit - [0-12] Chinook Salmon.

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

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

Possession limit – [0-12] Chinook Salmon.

Mokelumne River, subsection 7.40(b)(66):

- (A) From Camanche Dam to Elliott Road.

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

Possession limit – [0-12] Chinook Salmon.

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

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

Possession limit – [0-12] Chinook Salmon.

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

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

Possession limit – [0-12] Chinook Salmon.

Sacramento River below Keswick Dam, subsection 7.40(b)(80):

(C) From Deschutes Road bridge to Woodson Bridge.

August 1 through October 31, and November 1 through December 31, with a bag limit of [0-4] Chinook Salmon.

Possession limit – [0-12] Chinook Salmon.

(D) From Woodson Bridge to the Highway 113 bridge.

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

Possession limit – [0-12] Chinook Salmon.

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

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

Possession limit – [0-12] Chinook Salmon.

Option 2 – Limited Adult and Grilse Salmon Fishery

This option would allow the take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon (two-year old salmon) making up the remainder of the daily bag and possession limits. This option would allow anglers to take up to [0-4] Chinook Salmon per day, with no more than [0-4] of those salmon over 27 inches total length, and have [0-12] Chinook Salmon in possession, of which no more than [0-12] salmon may be over 27 inches total length. Should a reduction in the adult component of the stock be indicated by PFMC harvest projections, the Department is recommending specifying angling opportunities on the smaller, and possibly more numerous grilse salmon to increase angling harvest opportunities. Grilse returns from the previous season are included in pre-season stock abundance forecasts, but are not included in the current season adult returns used for evaluating conservation targets for SRFC. Due to their smaller size, grilse are typically outcompeted by larger adults, and contribute significantly less to the spawning population, and so they would be available for harvest with minimal impact to juvenile recruitment for the current season. Take of adult salmon would be limited under regulation, and the subsequent juvenile production would help rebuild the depressed stock size at a time when there is the need to restrict harvest of adult salmon.

The Department recommends a grilse salmon size limit of less than or equal to 27 inches total length based on an analysis of grilse data conducted by Department staff in 2018 (refer to Section III(g) below). A 27-inch total length grilse salmon cutoff is the best balance between angling harvest opportunity of possibly abundant smaller, two-year old male salmon and preserving the limited number of females available to spawn.

American River, subsection 7.40(b)(4):

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

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

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

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

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

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

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

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

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

Feather River, subsection 7.40(b)(43):

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

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

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

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

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

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

Mokelumne River, subsection 7.40(b)(66)

- (A) From Camanche Dam to Elliott Road.

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

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

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

From July 16 through December 31 with a bag limit of [0-4] Chinook Salmon of which no

more than [0-4] fish over 27 inches total length may be retained.

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

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

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

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

Sacramento River below Keswick Dam, subsection 7.40(b)(80):

- (C) From Deschutes Road bridge to Woodson Bridge.

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

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

- (D) From Woodson Bridge to the Highway 113 bridge.

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

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

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

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

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

Option 3 – Grilse-only Salmon Fishery

This option would allow for a grilse-only salmon fishery. This option would allow anglers to take [0-4] Chinook Salmon with a maximum size of 27 inches total length and have [0-12] Chinook Salmon in possession, with a maximum size of 27 inches total length. Should a reduction in the adult component of the stock be indicated by PFMC harvest projections, the Department is recommending specifying angling opportunities on the smaller, and possibly more numerous grilse salmon to increase angling harvest opportunities. Grilse returns from the previous season are included in pre-season stock abundance forecasts, but are not included in the current season adult returns used for evaluating conservation targets for SRFC. Due to their smaller size, grilse are typically outcompeted by larger adults, and contribute significantly less to the spawning population, and so they would be available for harvest with minimal impact to juvenile recruitment for the current season. Take of adult salmon would be prohibited under

regulation, and the subsequent juvenile production would help rebuild the depressed stock size at a time when there is the need to restrict harvest of adult salmon.

The Department recommends a grilse salmon size limit of less than or equal to 27 inches total length based on an analysis of grilse data conducted by Department staff in 2018 (refer to Section III(g) below). A 27-inch total length grilse salmon cutoff is the best balance between angling harvest opportunity of possibly abundant smaller, two-year old male salmon and preserving the limited number of female salmon available to spawn.

American River, subsection 7.40(b)(4):

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

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

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

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

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

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

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

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

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

Feather River, subsection 7.40(b)(43):

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

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

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

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

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

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

Mokelumne River, subsection 7.40(b)(66):

- (A) From Camanche Dam to Elliott Road.

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

27 inches total length.

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

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

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

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

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

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

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

Sacramento River below Keswick Dam, subsection 7.40(b)(80):

- (C) From Deschutes Road bridge to Woodson Bridge.

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

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

- (D) From Woodson Bridge to the Highway 113 bridge.

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

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

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

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

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

Option 4 – No Salmon Fishing in all Central Valley Rivers, Streams, and Tributaries

This option would close salmon fishing in the American, Feather, Mokelumne, and/or Sacramento rivers, and all associated tributaries, or specific areas/bodies of water, as specified by river reach(es) in subsection 7.40(b) to provide protection to SRFC should a reduction in the stock be indicated by PFMC abundance projections. In any year, should the PFMC recommend a complete or near complete closure to ocean recreational salmon fishing, this option will give the Department flexibility to respond to and support any federal action in the ocean. This option prohibits all methods of targeting salmon including catch and release fishing. Unless otherwise noted, this option would still allow take of other species in specific areas/bodies of water, as specified by river reach(es) in subsection 7.40(b) (See Section VII below).

American River, subsection 7.40(b)(4):

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

July 16 through October 31. No take or possession of Chinook Salmon.

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

July 16 through December 31. No take or possession of Chinook Salmon.

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

July 16 through December 16. No take or possession of Chinook Salmon.

Feather River, subsection 7.40(b)(43):

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

July 16 through October 31. No take or possession of Chinook Salmon.

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

July 16 through December 16. No take or possession of Chinook Salmon.

Mokelumne River, subsection 7.40(b)(66):

- (A) From Camanche Dam to Elliott Road.

July 16 through October 15. No take or possession of Chinook Salmon.

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

From July 16 through December 31. No take or possession of Chinook Salmon.

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

From July 16 through December 16. No take or possession of Chinook Salmon.

Sacramento River below Keswick Dam, subsection 7.40(b)(80):

- (C) From Deschutes Road bridge to Woodson Bridge.

August 1 through October 31, and November 1 through December 31. No take or possession of Chinook Salmon.

- (D) From Woodson Bridge to the Highway 113 bridge.

July 16 through December 16. No take or possession of Chinook Salmon.

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

July 16 through December 16. No take or possession of Chinook Salmon

(c) Necessity of the Proposed Regulation Changes

The proposed regulations are necessary to adjust Chinook Salmon bag and possession limits, size limits, and open seasons for the American, Feather, Mokelumne, and Sacramento rivers for consistency with PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season.

(d) Goals and Benefits of the Regulation

As stated in Fish and Game Code Section 1700, Conservation of Aquatic 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 SRFC bag and possession limits provides for the maintenance of sufficient populations of Chinook Salmon to ensure their continued existence.

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

(e) 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.

(f) Specific Technology or Equipment Required by Regulatory Change

None.

(g) Identification of Reports or Documents Supporting Regulation Change

Fish and Game Commission, 2018. *Initial Statement of Reasons for Regulatory Action. Amendments to Section 7.50, Title 14, California Code of Regulations, Re: Central Valley Salmon Sport Fishing*. November 2018. Available from:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=164433&inline>

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

The Department presented the proposed amendments to the SRFC bag and possession limits at the Commission's Wildlife Resources Committee meeting on September 15, 2022.

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

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

(b) No Change Alternative

SRFC Adult Stocks

The no change alternative would leave existing 2022 regulations in place. The no change alternative would not allow for appropriate harvest rates, while the proposed regulations will allow the state to harmonize its bag and possession limits with NMFS' regulations.

Other Changes for Clarity

Additionally, the No Change Alternative would cause the language within subsections (b)(43), and (b)(80) of 7.40 to be continue to be inconsistent with the rest of Section 7.40.

V. Mitigation Measures Required by Regulatory Action

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

VI. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the resource, while providing inland sport fishing opportunities and thus, the prevention of adverse economic impacts.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

The Commission does not anticipate significant adverse economic impacts but acknowledges the potential for short-term negative impacts on the creation or elimination of jobs within the state. The Commission anticipates no adverse impacts on the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The

management of an ongoing Chinook Salmon sport fishery with annual variations in the bag and possession limits and/or the implementation of a size limit is not anticipated to significantly impact the volume of business activity.

The loss of up to 22 jobs with Option 2, 43 jobs for Option 3, and 108 jobs for Option 4 is not expected to eliminate businesses because projected reduction in fishing days is expected to be partially offset by opportunities to fish for grilse Chinook Salmon and other species for Option 2 and 3 and continued opportunities for other non-salmonid species for Option 4.

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

The Commission does not anticipate any benefits to worker safety.

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

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

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

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

(h) Effect on Housing Costs: None.

VII. Economic Impact Assessment

This action is expected to sustain fishery activity within the range of historically typical seasons. Lower PFMC harvest forecasts can result in a smaller bag and possession limit, (more conservative), whereas larger PFMC harvest forecasts can result in a higher bag and possession limit (more liberal), both of which can skew the average fishing activity over seasons. The potential difference in total economic impact between a typical season and the options under consideration range from \$0 to -\$13.2 M as shown in Table 1 below. However, the anticipated total economic impacts may vary a bit more or less than the estimates of any one single option, as the proposed options may be adopted as a combination of bag and possession limits by body of water so as to minimize adverse impacts to fishing opportunity and economic activity.

A five-year average over the 2017-2021 seasons for the Central Valley fishery experiences about 174,192 sport salmon angler days in which anglers spend an average of \$108 per day contributing a total of \$18.8 M (2022\$) in direct expenditures to California businesses. This expenditure is received by area businesses that spend a share on inputs and payroll. As employees receive income, their household spending again circulates in the local economy

and statewide. These multiplier effects have historically resulted in an estimated total economic impact of \$26.4 M (2022\$), that supports up to 216 jobs throughout the state.

The regional and statewide economic impacts factor into the effort to balance the maintenance of the recreational fishery with resource preservation, while complying with PFMC allocations. The potential economic impacts that may result from each in-river harvest projection as specified in Option 1, Option 2, Option 3, and Option 4 are evaluated in terms of each scenario's probable impact on the number of Chinook Salmon and other species' angler days, and thus angler expenditures that circulate within the area and throughout the state.

Table 1. Central Valley Fishery Projected Economic Impacts 2023

Regulation	Angler Days	Angler Expenditures	Total Econ Impact	Jobs
Option 1	174,192 ¹	\$ 18,812,736	\$ 26,453,598	216
Option 2	156,773	\$ 16,931,462	\$ 23,808,238	194
Option 3	139,354	\$ 15,050,189	\$ 21,162,878	173
Option 4	87,096	\$ 9,406,368	\$ 13,226,799	108
Difference	Angler Day Loss	Expenditure Loss	Total Impact Loss	Job Loss
Option 1	0	\$ -	\$ -	0
Option 2	-17,419	- \$1,881,274	- \$ 2,645,360	(22)
Option 3	-34,838	- \$3,762,547	- \$ 5,290,720	(43)
Option 4	-87,096 ²	-\$9,406,368	-\$13,226,799	(108)

¹The base year for angler days is the five-year average of 2017–2021 derived from Department creel survey data. ²Projected angler days with a salmon closure assumes that 50% of effort will persist as anglers shift or continue to pursue opportunities for other fish species. Sources: California Department of Fish and Wildlife, Fisheries Branch economic analysis; U.S. Fish and Wildlife Service, 2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation; expenditure figures are in (2022\$), adjusted for inflation with Implicit Price Deflator for Personal Consumption Expenditures, Bureau of Economic Analysis.

Historical correlations between catch limits and fishery participation levels suggest that Option 1 could enable a historically typical (5-year average) number of angler days for the 2023 Chinook Salmon season on the American, Feather, Mokelumne, and Sacramento rivers. Option 2 may result in declines in angler days of 17,419 below a typical year. Option 3 may result in larger declines, or an estimated 34,838 fewer angler days. Option 4 may result in an estimated 50 percent reduction or 87,096 fewer angler days throughout the Central Valley fishery.

A share (approximately 50% for Option 4) of anglers are assumed to continue to pursue other in-river sport fish aside from Chinook Salmon, such as steelhead (*Oncorhynchus mykiss*), Striped Bass (*Morone saxatilis*), Largemouth Bass (*Micropterus salmoides*), White Sturgeon (*Acipenser transmontanus*) and catfish (*Ictalurus spp.*), that may mitigate any adverse impacts from any reductions in salmon fishing. In sum, the options presented to the Commission were conceived with the goal of enabling levels of recreational SRFC fishing in the range of historical averages, and thus should not be a source of significant adverse economic impacts.

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

The Commission does not anticipate that any of the proposed options would induce substantial impacts on the creation or elimination of jobs. For Option 1, no change in job creation or

elimination is anticipated. Option 2, Option 3, and Option 4 have the potential to result in fewer angler visits, and absent substitution toward other sportfish and/or activities in the affected areas, the reduction in angler spending could reduce the support for 0-108 jobs statewide.

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

The Commission does not anticipate that any of the proposed options would induce substantial impacts on the creation of new business or the elimination of existing businesses, because the proposed economic impacts of the regulations are unlikely to be substantial enough to stimulate the creation of new businesses or cause the elimination of existing businesses.

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

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

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

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

(e) Benefits of the Regulation to Worker Safety

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

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

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

In accordance with this policy, adoption of scientifically-based inland Chinook Salmon bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence and thus continued economic stimulus.

(g) Other Benefits of the Regulation

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

Informative Digest/Policy Statement Overview

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

Current regulations in subsections (b)(4), (b)(43), (b)(66), and (b)(80) of Section 7.40 prescribe the 2022 seasons and daily bag and possession limits for Sacramento River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; SRFC) sport fishing in the American, Feather, Mokelumne, and Sacramento rivers, respectively. Collectively, these four rivers constitute the “Central Valley fishery” for SRFC for purposes of this document. Each year, the Department of Fish and Wildlife (Department) recommends new Chinook Salmon bag and possession limits for consideration by the Fish and Game Commission (Commission) to align the fishing limits with up-to-date management goals, as set forth below.

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

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2023 meeting and will adopt its final regulatory recommendations at its April 2023 meeting based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season. Based on the April 2023 recommendation by PFMC, the Department will recommend specific bag and possession limit regulations to the Commission at its April 19, 2023 meeting. The Commission will then consider adoption of the Central Valley sport fishing regulations at its May 17, 2023 meeting.

Proposed Regulations

Sacramento River Fishing Boundary Revision

On the Sacramento River between the Dechutes Road Bridge and Hwy 113 Bridge (i.e., subsections 7.40(b)(80)(C) and (D)), the Department is proposing to move the geographic fishing boundary from Red Bluff Diversion Dam (river mile 244) to Woodson Bridge (river mile 220). All of the SRFC spawning tributaries and the vast majority of the mainstem SRFC spawning habitat is located upstream of Woodson Bridge. Moving the fishing boundary to Woodson Bridge is necessary to allow adults escaping the fishery to stage unmolested below their natal tributaries, reducing overall harvest rates but still providing recreational opportunity within productive historic fishing grounds below Woodson Bridge.

Sacramento River Late-Fall Run Fishery Opportunity

On the Sacramento River between Dechutes Road Bridge and Woodson Bridge (i.e., subsection 7.40(b)(80)(C)), the Department is proposing to split the current fishing season of August 1 through December 31 into two separate seasons from August 1 through October 31 and November 1 through December 31. The majority of SRFC spawning occurs above Woodson Bridge from August through October. This split season will allow for better management options for SRFC and Sacramento River late-fall-run Chinook Salmon (SRLFC) populations. Fall-run spawner escapement surveys conducted by the Department indicate that SRFC spawn in the Sacramento River, and its tributaries, above

Woodson Bridge at least through November. Spawning by late-fall-run Chinook Salmon follows shortly thereafter.

Chinook Salmon Bag and Possession Limits

The Department recognizes the uncertainty of SRFC in-river harvest projections. Therefore, for the 2023 Central Valley fishery, the Department is presenting four regulatory options for the Commission's consideration to tailor 2023 Central Valley fishery management to target 2023 in-river fisheries harvest projections. The Commission may adopt these options for each river section independently, or in combination to meet PFMC SRFC management objectives and maximize recreational salmon fishing opportunities in the Central Valley

- Option 1 is the most liberal of the options, and allows take of any size Chinook Salmon up to the daily bag and possession limits.
- Option 2 allows for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon (two-year old salmon) making up the remainder of the daily bag and possession limits.
- Option 3 is the more conservative option, and allows for a grilse-only Chinook Salmon fishery.
- Option 4 is the most conservative option, and prohibits the take and possession of Chinook Salmon in all anadromous areas of and tributaries to the American, Feather, Mokelumne, and Sacramento rivers.

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

American River, subsection 7.40(b)(4):

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

Feather River, subsection 7.40(b)(43):

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

Mokelumne River, subsection 7.40(b)(66):

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

Sacramento River below Keswick Dam, subsection 7.40(b)(80):

- (C) From Deschutes Road bridge to Woodson Bridge, August 1 through October 31, and November 1 through December 31.
- (D) From Woodson Bridge to the Highway 113 bridge, July 16 through December 16.

(E) From the Highway 113 bridge to the Carquinez Bridge, July 16 through December 16.

The following options are provided for Commission consideration:

Option 1 – Any Size Chinook Salmon Fishery

This option is the Department's preferred option if the 2023 SRFC stock abundance forecast is sufficiently high to avoid the need to constrain in-river SRFC harvest.

Bag limit of [0-4] Chinook Salmon.

Possession limit - [0-12] Chinook Salmon.

Option 2 – Limited Adult and Grilse Salmon Fishery

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

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

Option 3 – Grilse Salmon Fishery Only

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

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

Option 4– No Salmon Fishing in all Central Valley Rivers, Streams, and Tributaries

No take or possession of Chinook Salmon.

All Options

Under all options, non-substantive edits are proposed for consistency with other subsections of Section 7.40.

Benefits of the Proposed Regulations

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

Consistency and Compatibility with Existing Regulations

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

Proposed Regulatory Language – Options 1 through 4

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)(3)] . . . [options shown as noted in **bolded**, highlighted header in grey]

Body of Water	Open Season and Special Restrictions	Daily Bag and Possession Limit
(4) American River (Sacramento Co.).		
(A) From Nimbus Dam to the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site.	Closed to all fishing all year.	

Body of Water	Open Season and Special Restrictions	Daily Bag and Possession Limit
<p>(B) From the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site to the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park.</p>	<p>Jan. 1 through Jul. 15. Only barbless hooks may be used.</p> <p>Jul. 16 through Oct. 31. Only barbless hooks may be used.</p>	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon 4 Chinook Salmon in possession.</p> <p>Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u></p> <p>Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u></p> <p>Option 3: <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p> <p>Option 4: <u>Closed to the take and possession of Chinook Salmon.</u></p>

Body of Water	Open Season and Special Restrictions	Daily Bag and Possession Limit
(C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park downstream to the Jibboom Street bridge.	Jan. 1 through Jul. 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Jul. 16 through Dec. 31.	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon. 4 Chinook Salmon in possession.</p> <p>Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u></p> <p>Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u></p> <p>Option 3: <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p> <p>Option 4: <u>Closed to the take and possession of Chinook Salmon.</u></p>

Body of Water	Open Season and Special Restrictions	Daily Bag and Possession Limit
(D) From the Jibboom Street bridge to the mouth	Jan. 1 through Jul. 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Jul. 16 through Dec. 16.	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon. 4 Chinook Salmon in possession.</p> <p>Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u></p> <p>Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u></p> <p>Option 3: <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p> <p>Option 4: <u>Closed to the take and possession of Chinook Salmon.</u></p>
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

. . . [No changes to subsections (b)(5) through (b)(42)] . . .

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

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp.	Jan. 1 through Jul. 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Jul. 16 through Oct. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u> Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u> Option 3: <u>[0-4] Chinook Salmon.</u> <u>Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u> Option 4: <u>Closed to the take and possession of Chinook Salmon.</u>
	Nov. 1 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

(E) From 200 yards above Live Oak boat ramp to the mouth. For purposes of this subsection, the lower boundary is defined as a straight line drawn from the peninsula point on the west bank to the Verona Marine boat ramp.	Jan. 1 through Jul. 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Jul. 16 through Dec. 16.	<p>2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.</p> <p>2 Chinook Salmon. 4 Chinook Salmon in possession.</p> <p>Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u></p> <p>Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u></p> <p>Option 3: <u>[0-4] Chinook Salmon.</u> <u>Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p> <p>Option 4: <u>Closed to the take and possession of Chinook Salmon.</u></p>
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

. . . [No changes to subsections (b)(44) through (b)(65)] . . .

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(66) Mokelumne River (San Joaquin Co.).		
(A) From Camanche Dam to Elliot Road.	<p>Jan. 1 through Mar. 31.</p> <p>Fourth Sat. in May through Jul. 15.</p> <p>Jul. 16 through Oct. 15.</p>	<p>1 hatchery trout or hatchery steelhead**.</p> <p>1 hatchery trout or hatchery steelhead**.</p> <p>1 hatchery trout or hatchery steelhead**.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p>Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u></p> <p>Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u></p> <p>Option 3: <u>[0-4] Chinook Salmon.</u> <u>Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p> <p>Option 4: <u>Closed to the take and possession of Chinook Salmon.</u></p>

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(B) From Elliot Road to the Woodbridge Irrigation District Dam including Lodi Lake.	<p>Jan. 1 through Jul. 15.</p> <p>Jul. 16 through Dec. 31.</p>	<p>1 hatchery trout or hatchery steelhead**.</p> <p>1 hatchery trout or hatchery steelhead**.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p>Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u></p> <p>Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u></p> <p>Option 3: <u>[0-4] Chinook Salmon.</u> <u>Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p> <p>Option 4: <u>Closed to the take and possession of Chinook Salmon.</u></p>
(C) Between the Woodbridge Irrigation District Dam and the Lower Sacramento Road bridge.	Closed to all fishing all year.	

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(D) From the Lower Sacramento Road bridge to the mouth. For purposes of this subsection, this river segment is defined as Mokelumne River and its tributary sloughs downstream of the Lower Sacramento Road bridge and east of Highway 160 and north of Highway 12.	Jan. 1 through Jul. 15.	1 hatchery trout or hatchery steelhead**.
	Jul. 16 through Dec. 16.	<p>1 hatchery trout or hatchery steelhead**.</p> <p>2 Chinook Salmon.</p> <p>4 Chinook Salmon in possession.</p> <p>Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u></p> <p>Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u></p> <p>Option 3: <u>[0-4] Chinook Salmon.</u> <u>Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p> <p>Option 4: <u>Closed to the take and possession of Chinook Salmon.</u></p>
	Dec. 17 through Dec. 31.	1 hatchery trout or hatchery steelhead**.

. . . [No changes to subsections (b)(67) through (b)(79)] . . .

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

(C) Sacramento River from the Deschutes Road bridge to the Red Bluff Diversion Dam <u>Woodson Bridge.</u>	Jan. 1 through Jul. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Aug. 1 through Dec. 31 <u>October 31.</u>	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u> Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u> Option 3: <u>[0-4] Chinook Salmon.</u> <u>Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u> Option 4: <u>Closed to the take and possession of Chinook Salmon.</u>
	<u>November 1 through December 31.</u>	<u>2 hatchery trout or hatchery steelhead**.</u> <u>4 hatchery trout or hatchery steelhead** in possession.</u>

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
		<p>Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u></p> <p>Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u></p> <p>Option 3: <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u></p> <p>Option 4: <u>Closed to the take and possession of Chinook Salmon.</u></p>

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(D) Sacramento River from the Red Bluff Diversion Dam <u>Woodson Bridge</u> to the Highway 113 bridge near Knights Landing.	Jan. 1 through Jul. 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Jul. 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u> Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u> Option 3: <u>[0-4] Chinook Salmon. Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u> Option 4: <u>Closed to the take and possession of Chinook Salmon.</u>
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(E) Sacramento River from the Highway 113 bridge near Knights Landing to the Carquinez Bridge (includes Suisun Bay, Grizzly Bay and all tributary sloughs west of Highway 160).	Jan. 1 through Jul. 15.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.
	Jul. 16 through Dec. 16.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession. 2 Chinook Salmon. 4 Chinook Salmon in possession. Option 1: <u>[0-4] Chinook Salmon</u> <u>[0-12] Chinook Salmon in possession.</u> Option 2: <u>[0-4] Chinook Salmon – no more than [0-4] salmon over 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession of which no more than [0-12] salmon may be over 27 inches total length.</u> Option 3: <u>[0-4] Chinook Salmon.</u> <u>Maximum size 27 inches total length.</u> <u>[0-12] Chinook Salmon in possession. Maximum size 27 inches total length.</u> Option 4: Closed to the take and possession of Chinook Salmon.
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead**. 4 hatchery trout or hatchery steelhead** in possession.

. . . [No changes to subsections (b)(81) 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.

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

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME Fish and Game Commission	CONTACT PERSON David Thesell	EMAIL ADDRESS fgc@fgc.ca.gov	TELEPHONE NUMBER 916 902-9291
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Amend Subsections(b)(4),(b)(43),(b)(66),Section7.40(b)(80),Title14,CCR Re:Central Valley Sport Fishing Regs.			NOTICE FILE NUMBER Z

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

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

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

*If any box in Items 1 a through g is checked, complete this Economic Impact Statement.**If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.***Fish and Game Commission**2. The _____ estimates that the economic impact of this regulation (which includes the fiscal impact) is:
(Agency/Department)

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

3. Enter the total number of businesses impacted: 100-200Describe the types of businesses (Include nonprofits): Fishing boat owners, tackle stores, guides, food, fuel, lodging, campground vendorsEnter the number or percentage of total businesses impacted that are small businesses: 80%4. Enter the number of businesses that will be created: none eliminated: noneExplain: Anticipated changes in fishing activity are not expected to be large enough to induce business loss/creation.5. Indicate the geographic extent of impacts: ☐ Statewide
☒ Local or regional (List areas): American, Feather, Mokelumne, & Sacramento river6. Enter the number of jobs created: 0 and eliminated: 0-108Describe the types of jobs or occupations impacted: Fishing guide, retail salesclerks in sport fishing serving businesses, such as: tackle stores, food, fuel, lodging, and campground vendors.7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? ☐ YES ☒ NO

If YES, explain briefly: _____

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

STD. 399 (Rev. 10/2019)

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

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

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

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: This action is intended to support the continued sustainability of the salmon and other sport fisheries that benefit sport anglers, the health and welfare of California residents, the State's environment and businesses that support sport fishing activities.
2. Are the benefits the result of: ☐ specific statutory requirements, or ☒ goals developed by the agency based on broad statutory authority?
Explain: Statute provides Fish & Game Commission the authority to establish sport fishing regulations (FGC sec. 200, 205).
3. What are the total statewide benefits from this regulation over its lifetime? \$ \$13.2 - 26.4 M annually
4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: Proposed action is anticipated to maintain historically average levels of fishing activity that is not expected to be enough to induce the expansion of businesses currently doing business within the State.

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

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: Regulation: Option 1) Any size Chinook Salmon; Alt 1: Option 2) Limited numbers of Adult Salmon and Grilse take; Alt 2: Option 3) Grilse take only; Alt 3: Option 4) No Adult or Grilse Salmon take or possession or catch and release.

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

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT (CONTINUED)

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

Regulation: Benefit: \$ 26.4M Cost: \$ 0Alternative 1: Benefit: \$ 23.8M Cost: \$ 2.6MAlternative 2: Benefit: \$ 21.2M Cost: \$ 5.3M

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

Benefits & costs are only monetary or market values. "Regulation" is Option 1 in ISOR; "Alternative 1" is Option 2; "Alternative 2" is Option 3; another Alt 3 is Option 4 & shown in Addendum.

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

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

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

Alternative 1: _____

Alternative 2: _____

(Attach additional pages for other alternatives)

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

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

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

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

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

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

5. Briefly describe the following:

The increase or decrease of investment in the State: No impact on level of investment in the State.The incentive for innovation in products, materials or processes: No impact on level of innovation in the State.The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: Regulation benefits are consistency w/federal fishery management goals, management of the CV fishery, health of residents & rec. businesses.

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

STD. 399 (Rev. 10/2019)

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

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

\$ _____

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

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

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

\$ _____

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

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

Case of: _____ vs. _____

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

Date of Election: _____

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

Local entity(s) affected: _____

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

Authorized by Section: _____ of the _____ Code;

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

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

- ☐ 3. Annual Savings. (approximate)

\$ _____

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

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

- ☐ 6. Other. Explain _____

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

STD. 399 (Rev. 10/2019)

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

\$ _____

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

\$ _____

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

\$ _____

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

\$ _____

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

FISCAL OFFICER SIGNATURE

DATE

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

AGENCY SECRETARY

DATE

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

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER

DATE





2023 Central Valley Sport Fishing Regulations



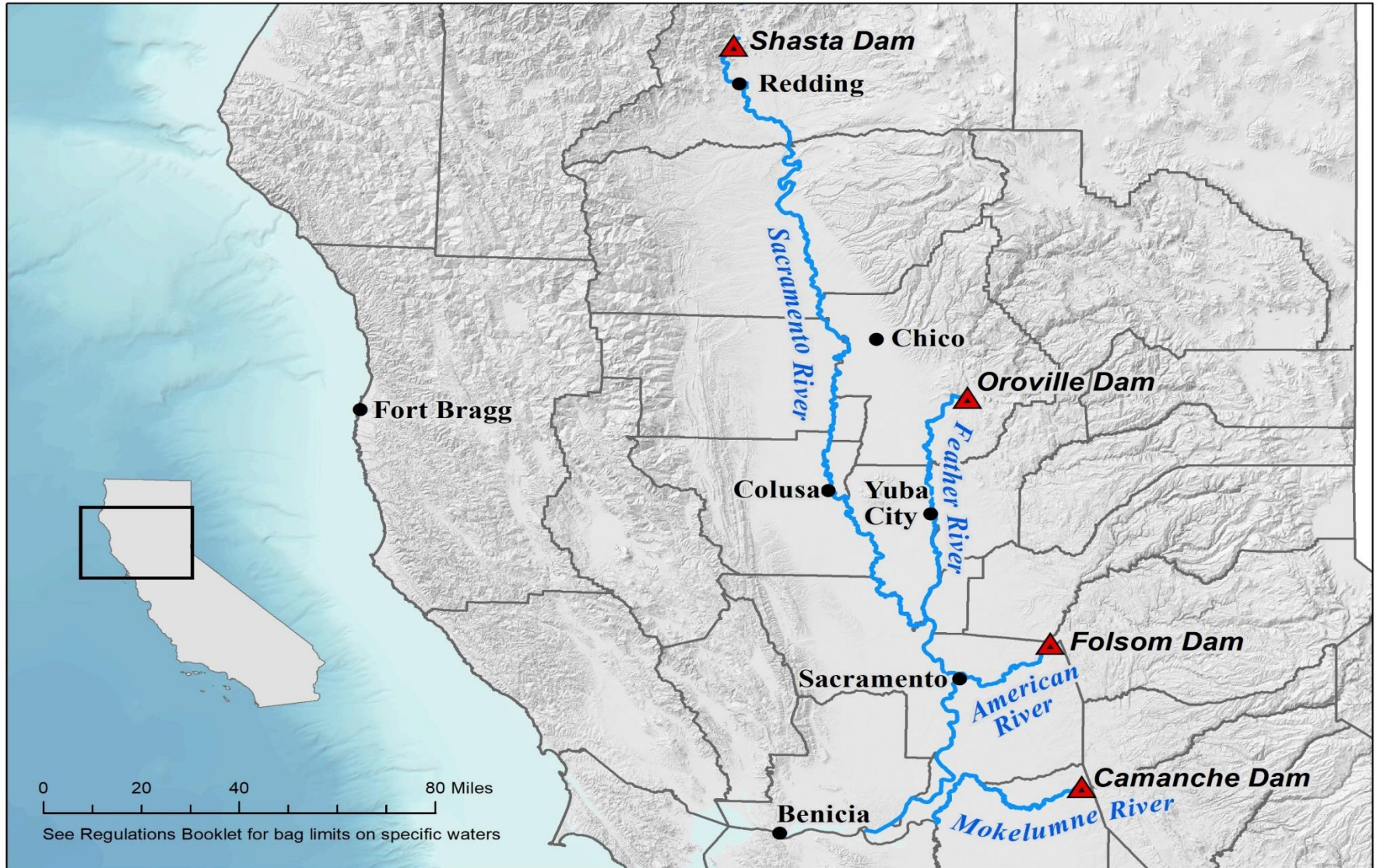
Presentation to the Fish and Game Commission
February 8, 2023
Jonathan Nelson, Program Manager
Fisheries Branch

Presentation Overview

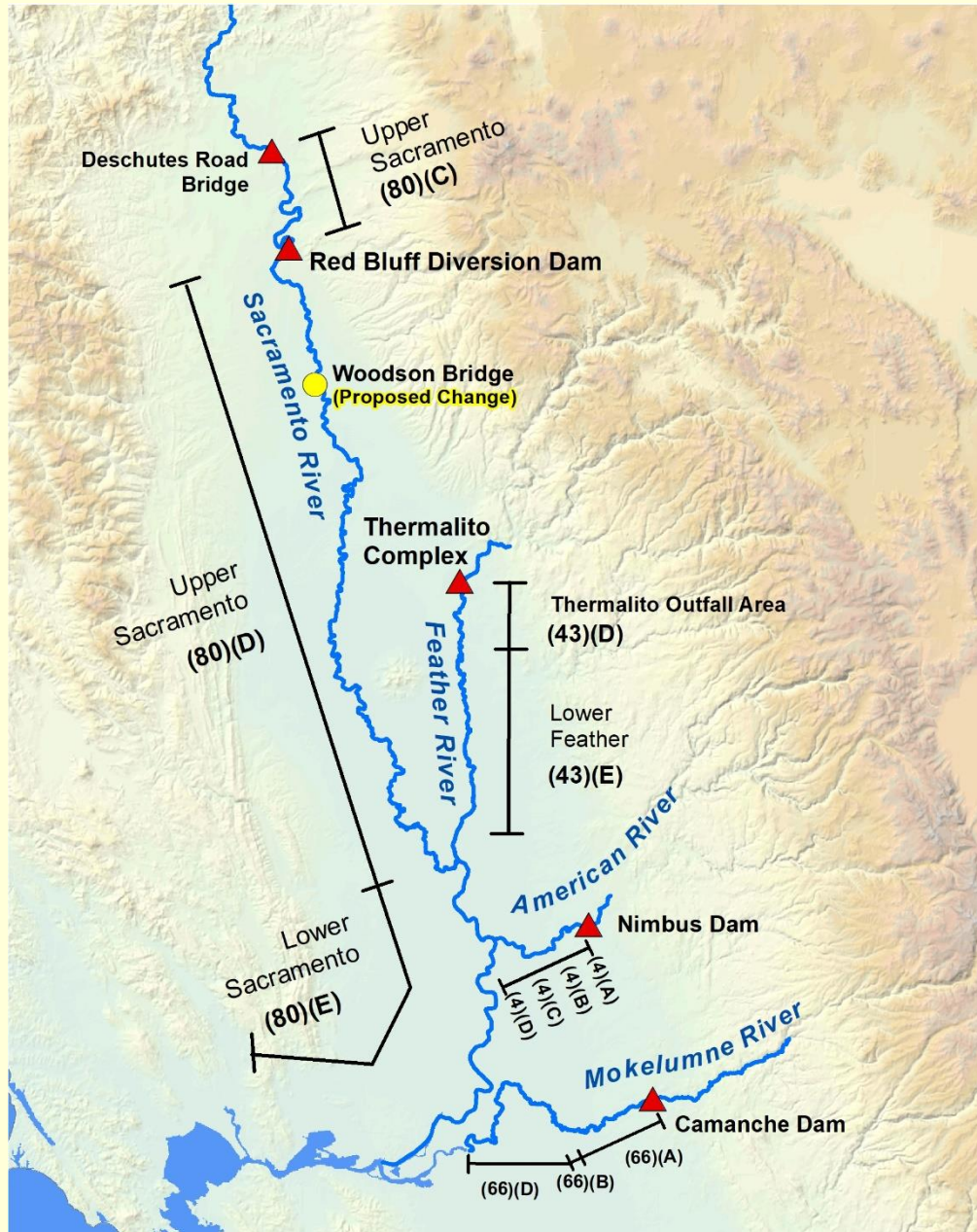
- Map of Central Valley Rivers Open to Chinook Salmon Angling
- Map of Special Regulation Waters – Major Central Valley Waters
- 2022 Central Valley Sport Fishing Regulations
- 2023 Regulatory Options
- New Regulatory Option – Option 4
- Utility of Regulatory Options
- Sacramento River Fishing Regulation Boundary Change
- Sacramento River Late-Fall-Run Chinook Salmon (SRLFC) Fishery Opportunity

Central Valley Waters Open to Chinook Salmon Angling

California Central Valley Waters Open to Chinook Salmon Angling, 2019



Special Regulation Waters - Major Central Valley Rivers



Special Regulation Waters Major Central Valley Rivers



2022 Central Valley Sport Fishing Regulations

- Lower American River
 - 2 fish daily bag / 4 fish possession limit
- Feather River
 - 2 fish daily bag / 4 fish possession limit
- Sacramento River
 - 2 fish daily bag / 4 fish possession limit
- Mokelumne River
 - 2 fish daily bag / 4 fish possession limit

2023 Regulatory Options

- Option 1 – Any size Chinook Salmon fishery
 - [0-4] salmon per day, [0-12] salmon in possession
- Option 2 – Adult and grilse fishery
 - limited number of adults, with grilse making up the remainder of the daily bag and possession limits
- Option 3 – Grilse-only fishery

Option 4 – New

- Prohibits take and possession of Chinook Salmon
- May be necessary in years of projected low Sacramento River fall-run Chinook Salmon (SRFC) stock abundance
- Provides flexibility to respond to and support any federal action in the ocean
- Prohibits all methods of targeting salmon including catch and release
- Would still allow for take of other species, unless otherwise noted

Utility of Regulatory Options

- To meet Pacific Fishery Management Council SRFC management objectives and maximize recreational salmon fishing opportunities
- Options 1-4 are intended to be used independently or in combination
- Different options may be applied to the same water body, as specified by river reach(es) in subsection 7.40(b)
 - Example: Sacramento River
 - Subsection 7.40(b)(80)(C) – Option 4, closed to the take and possession of Chinook Salmon
 - Subsection 7.40(80)(D) – Option 1, 1 fish daily bag limit and 2 fish possession limit

Sacramento River Fishing Regulation Boundary Change

- Title 14, subsections 7.40(b)(80)(C) and (D)
- Move fishing boundary from Red Bluff Diversion Dam (river mile 244) to Woodson Bridge (river mile 220)
- All SRFC spawning tributaries and most mainstem spawning habitat is upstream of Woodson Bridge
- Necessary to provide protection to spawning adults holding below their natal tributaries in years of low SRFC stock abundance
- Provides recreational opportunity below Woodson Bridge in years of low SRFC stock abundance

Late-Fall-Run Chinook Salmon Fishery Opportunity

- Sacramento River between Deschutes Road Bridge and (proposed) Woodson Bridge
 - Current season: August 1 – December 31
 - Split into two seasons: August 1 – October 31 and November 1 – December 31
 - Allow for better management SRFC and SRLFC populations
 - Necessary to provide protection to SRFC from August through October in years of low stock abundance
 - Provide anglers access to SRLFC during November and December

Questions ♦ Thank You



Jonathan Nelson, Program Manager
Fisheries Branch