



Tracking Number: (2023-05_)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Jeff Reed / On behalf of the 140 members of the Del Norte Waterfowlers.

Address:

Telephone number:

Email address:

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Sections 200, 203, 205, 265, 355, 710, 710.5, 710.7, 1050, 1530, 1583, 1745, 1764, 1765, 3003.1, 3039, 4001, 4004, 4150 and 10504, Fish and Game Code. Reference: Sections 355, 711, 713, 1050, 1055.3, 1301, 1526, 1528, 1530, 1570, 1571, 1572, 1580, 1581, 1582, 1583, 1584, 1585, 1745, 1761, 1764, 1765, 2006 and 10504, Fish and Game Code; Sections 5003 and 5010, Public Resources Code; and Sections 25455, 26150 and 26155, Penal Code.

3. Overview (Required) - Summarize the proposed changes to regulations: Modify the boating regulations on the Lake Earl Wildlife Area (LEWA) to allow / indicate that during the waterfowl season "Only non-motorized boats or boats with electric motors may be used". Currently reads "motors prohibited during waterfowl season."

4. Rationale (Required) - Describe the problem and the reason for the proposed change: The Lake Earl Wildlife Area comprises roughly 6100 acres of land, wetlands, dunes, and open water. Motorized boats are allowed outside of the waterfowl season for recreation and fishing. During the fall and winter months the open water surface area ranges from 2,500 to 3,000 acres depending on rainfall accumulation. The main body of water is Lake Earl which is roughly 1 mile wide and 3.5 miles long. Lake Earl is connected with the smaller Lake Tolowa via a narrow channel. Lake Tolowa is roughly ¼ mile wide and 1 mile long. Being adjacent to the coast, Lake Earl and the Lake Tolowa are subject to significant and often severe weather conditions for most of the waterfowl season. Strong winds, rain,



and wind driven waves are frequently encountered while hunting. Additionally during most waterfowl hunting seasons the dune between Lake Tolowa and the Pacific Ocean is mechanically breached to alleviate flooding. Both of the Lakes are then also affected by tidal influence from the Pacific Ocean. All of that contributes to unnecessary and often extraordinary efforts needed to safely navigate the water surfaces with oar or paddle propulsion. Significant winds frequently limit proceeding in any direction other than downwind, which then can make a return trip potentially also very problematic. This presents a safety issue to waterfowl hunters at times. It is not uncommon for hunters to leave their boats and gear on the shoreline and walk out to the few nearby county roads or alternately stay put until the winds subside. . Out of the roughly 30 State Wildlife Areas with waterfowl hunting and concurrent boat related regulations: 21 allow boats with no motor restrictions; 3 prohibit boats; 4 allow only non-motor driven boats or boats with electric motors; and 1, the Lake Earl Wildlife Area, prohibits motors completely during the waterfowl season. Lake Earl is the “largest Estuarine Lagoon on the West Coast”. The other lagoons along the California North Coast (Big Lagoon, Stone Lagoon, and Freshwater Lagoon) are smaller than Lake Earl and all allow motor boats and hunting during the waterfowl season. It is already illegal to shoot waterfowl from a watercraft that is under power, so use of an electric motor falls under that restriction. Being able to navigate the Lakes with assistance from an electric motor also provides hunting opportunity to those that may be unable to physically row the distances required to access most of the water surface and shoreline areas open to waterfowl hunting. 90% of the roughly 60 miles of shoreline around the Lakes is accessible for hunting by boat only. Additionally, there are no “reasonable accommodation” measures or means for disabled hunters on the LEWA.]

SECTION II: Optional Information

5. **Date of Petition:** [05/30/2023]

6. **Category of Proposed Change**

- Sport Fishing
- Commercial Fishing
- Hunting
- Other, please specify: [Click here to enter text.]

7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or*

<https://govt.westlaw.com/calregs>)

- Amend Title 14 Section(s): [551 I 15]
- Add New Title 14 Section(s): [Click here to enter text.]
- Repeal Title 14 Section(s): [Click here to enter text.]

8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.]

Or Not applicable.

9. **Effective date:** If applicable, identify the desired effective date of the regulation.

If the proposed change requires immediate implementation, explain the nature of the emergency: [10/1/2024.]



- 10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: [Current Motor Prohibition; LEWA Map; Lake Earl Lake Tolowa Google Earth]
- 11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: [NONE]
- 12. **Forms:** If applicable, list any forms to be created, amended or repealed:
[NONE]

SECTION 3: FGC Staff Only

Date received: [June 1, 2023]

FGC staff action:

- Accept - complete
 - Reject - incomplete
 - Reject - outside scope of FGC authority
- Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

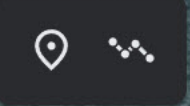
- Denied by FGC
- Denied - same as petition _____
Tracking Number
- Granted for consideration of regulation change

(9) Hallelujah Junction Wildlife Area	Allowed.	Prohibited.
(10) Heenan Lake Wildlife Area	Prohibited except during controlled entry fishing events (see subsection 551(y)).	Allowed.
(11) Hollenbeck Canyon Wildlife Area	Allowed.	Allowed only on designated trails or routes. Horse trailers are permitted within the designated parking area if space is available.

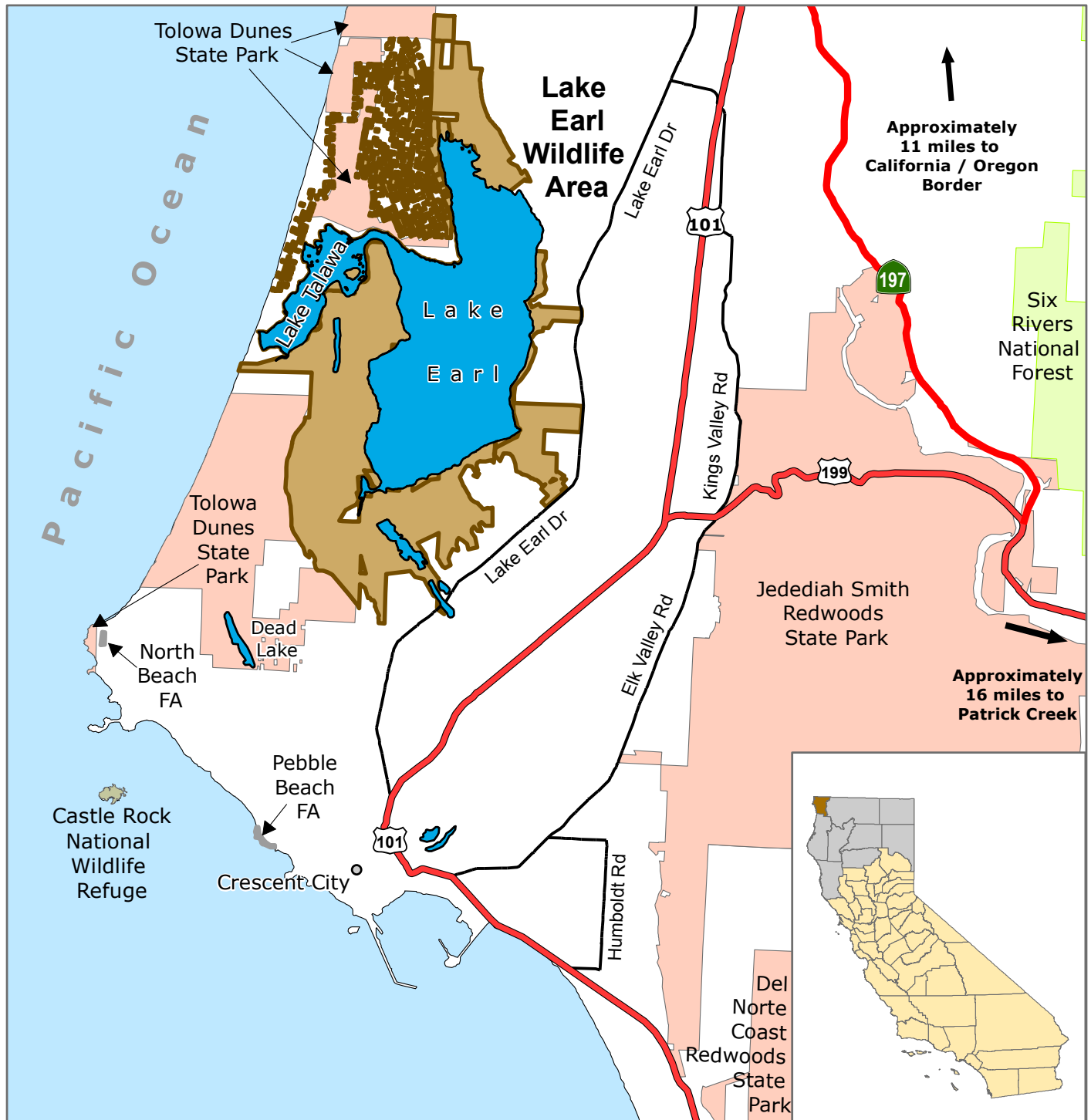
AREA	BOATS	HORSES AND PACK STOCK
(12) Imperial Wildlife Area (Finney-Ramer Unit)	Required for waterfowl hunting. Only non-motor driven boats or boats with electric motors may be used.	Allowed.
(13) Imperial Wildlife Area (Wister Unit)	Only hand-portable boats that are non-motorized or use an electric motor are allowed.	Allowed.
(14) Laguna Wildlife Area	Allowed.	Prohibited.
(15) Lake Earl Wildlife Area	Motors prohibited during waterfowl season.	Allowed.
(16) Little Panoche Reservoir Wildlife Area	Only non-motorized boats or boats with electric motors may be used.	Allowed only during department-authorized dog trials.
(17) Mendota Wildlife Area	Allowed.	Allowed only during department-authorized dog trials.
(18) Mouth of Cottonwood Creek Wildlife Area	Allowed.	Prohibited.
(19) North Grasslands Wildlife Area	Allowed.	Horseback riding is allowed only during department-authorized dog trials.
(20) O'Neill Forebay Wildlife Area	Allowed.	Allowed only during department-authorized dog trials.
(21) Oroville Wildlife Area	Motorized boats are subject to 5 mph speed limit except on the southern portion of the Thermalito Afterbay Unit (those portions of the water surface south of Highway 162), where motorized boat speeds may exceed 5 mph.	Allowed only on roads open to vehicles or within 25 feet of the exterior boundary fences. Horse drawn carriages are only allowed on roads open to vehicles.
(22) Perris Reservoir State Recreation Area	Only motorized boats may be used.	Allowed.
(23) Sacramento River Wildlife Area	Boat-in Only Access Units: Colusa South, Colusa North, Moulton South, Moulton North, Stegeman, Princeton South, Beehive Bend, Oxbow, Jacinto, Ord Bend, Shannon Slough, Pine Creek North, Wilson Landing, Dicus Slough, and Merrills Landing. Walk-In or Boat-In Access Units: Princeton Southeast, Princeton East, Princeton North, Site 21, Pine Creek West, Pine Creek East.	Prohibited.
(24) San Felipe Valley Wildlife Area	Allowed.	Allowed only on designated trails or routes.
(25) San Luis Reservoir Wildlife Area	Allowed.	Prohibited.
(26) Shasta Valley Wildlife Area	Only non-motorized boats or boats with electric motors may be used.	Allowed.
(27) South Spit Wildlife Area	Allowed.	Allowed only on west side of South Jetty Road.



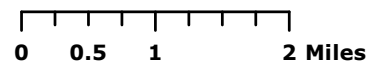
Lake Earl



California Department of Fish and Wildlife Northern Region LAKE EARL WILDLIFE AREA Del Norte County



- | | |
|-----------------|--------------------------|
| Wildlife Area | National Wildlife Refuge |
| Fishing Access | U.S. Highway |
| National Forest | State Highway |
| State Parks | |



Disclaimer: Boundaries are approximate.
Maps are intended for general purposes only.

January 2015 - WLB