

Staff Summary for May 15, 2024

6. Emergency Closures of Sport Fishing in Klamath River Basin for Spring Chinook Salmon

Today's Item

Information Action

Discuss and consider adopting emergency regulations for spring Chinook salmon sport fishing closures for the Klamath and Trinity rivers due to federal salmon closure recommendations.

Summary of Previous/Future Actions

- Pacific Fishery Management Council (PFMC) action April 10, 2024
- **Today's adoption hearing May 15, 2024**

Background

Salmon stocks continue to be impacted in California from ongoing issues associated with drought and climate disruption. The salmon present and returning to California's coast and rivers were impacted by multi-year drought, severe wildfires, and associated impacts to spawning and rearing habitat, harmful algal blooms and ocean forage shifts. In April 2024, low ocean abundance forecasts, coupled with low 2023 returns, led PFMC to recommend closure of the 2024 California commercial and recreational ocean salmon fisheries.

After reviewing the April 2024 PFMC recommendation, it is expected that the National Marine Fisheries Service will take regulatory action to enact the closure, effective in mid-May.

The Commission generally adopts sport fishing regulations for Sacramento River *fall-run* Chinook salmon (SRFC) on the American, Feather, Mokelumne, and Sacramento rivers, collectively, the "Central Valley" fishery for SRFC; and Klamath River *fall-run* Chinook salmon (KRFC) on the Klamath and Trinity rivers on an annual basis, informed by Department recommendations intended to align state regulations with federal fishery management objectives set by PFMC (scheduled for action under items 4 and 5 on today's agenda).

Aside from KRFC, the Klamath River Basin also supports Klamath River *spring* Chinook salmon (KRSC). Naturally-produced KRSC are both temporally and spatially separated from KRFC in most cases, running during an earlier fishing season of July 1 through August 14 on the Klamath River, and July 1 through August 31 on the Trinity River.

While the KRSC stocks are not under PFMC management or allocation, KRSC share similar ocean distribution and in-river habitat challenges to those of SRFC and KRFC. Given that the environmental factors that have reduced these two primary fall-run target stocks in California to historical lows are shared by KRSC, the Department is recommending emergency closure for the KRSC stock in the Klamath and Trinity rivers.

The proposed emergency regulations will align inland Chinook salmon sport fishing in the Klamath and Trinity rivers with the April 10, 2024 PFMC recommendation and anticipated federal regulatory action to close all ocean salmon fisheries along the California coast for 2024 by amending the Chinook salmon bag and possession limits language in Section 7.40 to read "Closed to the take and possession of Chinook Salmon" in the following subsections regarding

Staff Summary for May 15, 2024

possession limits [subsection (b)(40)(C)] and open seasons and bag limits [subsection (b)(40)(E)], as follows:

- (b)(40)(C)2.a. ...on the Klamath River downstream of the Highway 96 bridge at Weitchpec from July 1 through August 14; and the Trinity River downstream of the Old Lewiston Bridge to the confluence of the South Fork Trinity River from July 1 through August 31 (*The current possession limit is two Chinook salmon*).
- (b)(40)(E)2.e. ...on the Klamath River downstream of the Highway 96 bridge at Weitchpec from July 1 through August 14 (*The current bag limit is one Chinook salmon*).
- (b)(40)(E)6.b. ...on the Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat July 1 through August 31 (*The current bag limit is one Chinook salmon*).
- (b)(40)(E)6.c. ...on the Trinity River main stem downstream of the Highway 299 West bridge at Cedar Flat to the Denny Road bridge at Hawkins Bar July 1 through August 31 (*The current bag limit is one Chinook salmon*).
- (b)(40)(E)6.e. ...on the Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the mouth of the South Fork Trinity River July 1 through August 31 (*The current bag limit is one Chinook salmon*).

Significant Public Comments (N/A)

Recommendation

Commission staff: Adopt the proposed emergency action to close Chinook salmon sport fishing in the Klamath and Trinity rivers as recommended by the Department.

Department: Close Chinook salmon sport fishing in the Klamath and Trinity rivers as presented in Exhibit 3.

Exhibits

1. [Department news release announcing PFMC recommendation, dated April 10, 2024](#)
2. [Department memo transmitting emergency statement, received May 9, 2024](#)
3. [Draft emergency statement and proposed emergency regulatory language, revised by Commission staff](#)
4. [Economic and fiscal impact statement \(STD. 399\) and addendum](#)
5. [Department presentation](#)

Motion

The Commission determines, pursuant to Section 399 of the California Fish and Game Code, that adopting this regulation is necessary for the immediate conservation, preservation, and protection of birds, mammals, fish, amphibians, or reptiles, including, but not limited to, their nests or eggs, and for the immediate preservation of the public peace, health and safety, or general welfare.

Staff Summary for May 15, 2024

The Commission further determines, pursuant to Section 11346.1 of the California Government Code, that an emergency situation exists and finds this proposed regulation is necessary to address the emergency.

Moved by _____ and seconded by _____ that the Commission adopts the emergency regulation to amend subsection (b)(40) of Section 7.40, related to Chinook salmon emergency closures in the Klamath and Trinity rivers.

PFMC Recommends Repeat Closure for California's 2024 Ocean Salmon Fisheries

April 10, 2024



On Wednesday, April 10, 2024, the Pacific Fishery Management Council (PFMC) acted unanimously to recommend closure of California's commercial and recreational ocean salmon fisheries through the end of the year, mirroring recommendations made last year to close the fisheries in 2023.

Salmon stocks continue to be impacted in California from ongoing issues associated with drought and climate disruption. The salmon currently present and returning to California's coast and rivers were impacted by a multi-year drought, severe wildfires, and associated impacts to spawning and rearing habitat, harmful algal blooms and ocean forage shifts. The low ocean abundance forecasts, coupled with low 2023 returns, led the PFMC to recommend full closure of California's commercial and recreational ocean salmon fisheries.

After reviewing the PFMC recommendation, it is expected that the National Marine Fisheries Service will take regulatory action to enact the closure, effective in mid-May. In addition, the California Fish and Game Commission will consider whether to adopt a closure of inland salmon fisheries at its May 15 teleconference meeting.

"After the closure last year, this decision is not an easy one to make," said CDFW Director Charlton H. Bonham. "While we have been enjoying back-to-back rainy and wet winters this year and last, the salmon that will benefit from these conditions aren't expected to return to California until around 2026 or 2027. The current salmon for this year's season were impacted by the difficult environmental factors present three to five years ago."

"While incredibly painful to fishing families and fishing communities, the Pacific Coast Federation of Fishermen's Associations supports the closure," said George Bradshaw, president of PCFFA. "We all need to be doing everything we can to give California's

salmon a chance to recover. It has to be an all hands-on deck effort to ensure survival for our Central Valley and Klamath salmon runs.”

Following today’s actions, CDFW will work to expedite a request for federal fishery resource disaster determination for the State of California 2024 Sacramento River Fall Chinook and Klamath River Fall Chinook ocean salmon fisheries. Governor Newsom made a similar request in response to the closure in 2023, which was approved. The Department is currently seeking comments on the [2023 spend plan \(PDF\)\(opens in new tab\)](#) for the \$20,625,729 that has been allocated by the National Oceanographic and Atmospheric Administration for the disaster. Comments may be provided via email through 5 p.m., April 19, 2024, at SalmonDisaster@wildlife.ca.gov.

Salmon are significantly important to California’s cultural and natural resources. These important species provide significant commercial, recreational, economic, intrinsic, and cultural benefits to California Native American tribes, fishing communities and the state. California is taking several steps to rebuild salmon stocks across California. In late January 2024, Governor Gavin Newsom announced a [California Salmon Strategy for a Hotter, Drier Future: Restoring Aquatic Ecosystems in the Age of Climate Change \(PDF\)\(opens in new tab\)](#). The strategy has six priorities and 71 actions that will benefit salmon stocks in California.

More information about the PFMC is available on the [PFMC website.\(opens in new tab\)](#) More information about [federal fishery disaster relief](#) and [ocean salmon fishing seasons](#) is available on the CDFW website.

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Media Contact:

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Memorandum

Received May 9, 2024
Original on File

Date: May 6, 2024

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

From: Charlton H. Bonham
Director

Subject: **Item for the May 15, 2024, Teleconference: Submittal of Emergency Statement to Close the Klamath River Spring Chinook Salmon Fishery on the Klamath and Trinity Rivers in 2024 (Subsection (b)(50) of Section 7.40, Title 14, California Code of Regulations)**

Please find attached the Finding of Emergency and Statement of Proposed Emergency Regulatory Action to Amend subsection (b)(50) of Section 7.40, of Title 14, California Code of Regulations. The proposed regulations would close the Klamath River spring Chinook Salmon (KRSC) recreational fishery on the Klamath and Trinity rivers effective immediately.

Chinook Salmon stocks in California have recently experienced a significant decline. In particular, Sacramento River and Klamath River fall Chinook Salmon (SRFC and KRFC), have reached historical lows in abundance. This significant decline of SRFC and KRFC led fishery agencies to completely close California ocean and river fisheries in 2023, and a comparable situation is being contemplated for 2024. At the April 18, 2024, Fish and Game Commission (Commission) meeting, the California Department of Fish and Wildlife (Department) recommended to the Commission that all KRFC and SRFC in-river sport fishing be closed for 2024.

At this time, it is critical that the KRSC stock also be protected from fishery impacts. Any additional take of KRSC in the Klamath and Trinity rivers will have detrimental effects on this important recreational fishery.

Transmittal of the attached Finding of Emergency and Statement of Proposed Emergency Regulatory Action to the Commission will allow the Commission to consider adopting the emergency rulemaking at its May 15, 2024 teleconference meeting. The emergency regulation, if adopted, will continue for a period of 180 days with the possibility of two 90-day extensions.

If you have any questions or need additional information, please contact Jay Rowan Chief, Fisheries Branch, at Fisheries@wildlife.ca.gov. The Department point of contact for this emergency rulemaking should identify Environmental Program Manager, Brett Kormos. He can be reached at Brett.Kormos@wildlife.ca.gov.

Attachment

Melissa Miller-Henson, Executive Director
Fish and Game Commission
May 6, 2024
Page 2

cc: Chad Dibble, Deputy Director
Wildlife and Fisheries Division

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State of California
Fish and Game Commission
Finding of Emergency and Statement of Proposed Emergency Regulatory Action

Emergency Action to Amend Subsection (b)(50) of Section 7.40,
Title 14, California Code of Regulations
Re: Chinook Salmon Sport Fishing Closures in the Klamath and Trinity Rivers for 2024

Date of Statement: May 9, 2024

I. Statement of Facts Constituting the Need for Emergency Regulatory Action

Background

Chinook Salmon Sport Fishing

On April 10, 2024, the Pacific Fishery Management Council (PFMC) acted unanimously to recommend closure of California’s commercial and recreational ocean salmon fisheries through the end of the year, mirroring recommendations made last year to close the fisheries in 2023. Consecutive years of drought, habitat compression in the ocean, and associated changes in ocean forage assemblages have created substantially difficult conditions for Chinook Salmon in the southern range of its distribution. In particular, California stocks continue to experience decline for the two pillars of the California west coast fishery, Sacramento River and Klamath River fall-run Chinook Salmon (SRFC and KRFC, respectively). Low ocean abundance forecasts paired with low 2023 returns suggest significant decline for SRFC and KRFC, leading agencies to completely close California ocean and river fisheries for 2023, and a similar situation is being contemplated for 2024. The PFMC’s recommendations will be forwarded to the National Marine Fisheries Service for approval by May 16, 2024.

The California Fish and Game Commission (Commission) generally adopts sport fishing regulations for SRFC (on the American, Feather, Mokelumne, and Sacramento rivers; collectively, the “Central Valley” fishery for SRFC) and KRFC on an annual basis, informed by Department of Fish and Wildlife (Department) recommendations intended to align state regulations with federal fishery management objectives set by the PFMC. The proposed regulatory packages for the Central Valley fishery ([Office of Administrative Law \(OAL\) notice ID. #Z2024-0223-01](#)) and KRFC ([OAL notice ID. #Z2024-0223-02](#)) presented intentionally broad options for the fisheries given the unknowns to allow flexibility during Commission adoption based on the harvest projections identified by PFMC at its April 2024 meeting, including options for partial or full closures to salmon fishing.

In addition to the annual rulemaking for KRFC, regulatory changes associated with the decommissioning and deconstruction of the four dams on the main stem of the Klamath River prohibit the take and possession of Chinook Salmon on the Klamath River from the California-Oregon state line to the Copco Road bridge at Copco from November 1 through February 28 and from the fourth Saturday in May through August 31 (subsection 7.40(b)(50)(E)2.a.); prohibit the take of salmon on the Klamath River from the Lakeview Road bridge near Iron Gate Dam to the I-5 bridge from January 1 to August 14 but allow catch and release of salmon in this river segment from August 15 to December 31 (subsection 7.40(b)(50)(E)2.a.); and close several Klamath River

tributaries for all fishing all year (subsection 7.40(b)(50)(E)1., 2.a.(i), 2.b., 2.b.(i), 2.b.(ii) and 2.b.(iii)). These changes went into effective April 11, 2024 (OAL File ID # 2024-03-07S).

Aside from KRFC, the Klamath River Basin also supports spring Chinook Salmon originating from the Klamath and Trinity rivers (Klamath River spring Chinook Salmon; KRSC). Naturally produced KRSC are both temporally and spatially separated from KRFC in most cases, running an earlier fishing season of July 1 through August 14 on the Klamath River, and July 1 through August 31 on the Trinity River. This in-river sport fishery is managed by general basin seasons, daily bag limit, and possession limit regulations. KRSC harvest is monitored on the Klamath River below the Highway 96 bridge at Weitchpec to the mouth of the Klamath River by creel survey. The upper Trinity River, upstream of Junction City, is monitored using tag returns from anglers.

While the KRSC stocks are not under PFMC management or allocation, KRSC share similar ocean distribution and in-river habitat challenges to those of SRFC and KRFC. Given that the environmental factors that have reduced these two primary target stocks in California to historical lows are shared by KRSC, the Department is recommending emergency closure of the KRSC stock in the Klamath and Trinity rivers. For the purposes of responsible stewardship and conservation, the Department supports exercising an abundance of caution when planning salmon fisheries in California in 2024.

The Department recognizes that Chinook Salmon fishery closures in 2024 will result in socioeconomic and cultural losses for the communities and tribes of our state; however, it is necessary to provide every advantage possible to this valuable and cherished resource at this time. Recent and dramatic shifts in climate have led to vastly improved river habitat conditions early in 2024 as a result of above average accumulations of rain and snow. This shift in precipitation has resulted in vastly improved river habitat with higher flow, cooler temperatures, and reduced disease. These improvements are expected to persist, especially as compared to summer and fall conditions experienced over the last few years of extreme drought. The Department expects that allowing for escapement of as many spawning salmon as possible on improved river habitat this spring and fall will be advantageous in efforts to rebound these stocks and rebuild abundances. It is hoped that leveraging this opportunity now will pay dividends in future population recovery and sustainable fishing opportunity.

II. Proposed Emergency Regulations

Subsection 7.40(b)(50), Klamath and Trinity Rivers

The proposed emergency regulations will align inland KRSC sport fishing in the Klamath and Trinity rivers with the April 10, 2024 PFMC recommendation and anticipated federal regulatory action to close all ocean salmon fisheries along the California coast for 2024 by amending the Chinook Salmon bag limit and possession limit language to read “Closed to the take and possession of Chinook Salmon” in the following subsections regarding possession limits [subsection 7.40(b)(40)(C)] and open seasons and bag limits [subsection 7.40(b)(40)(E)], as follows:

- (b)(40)(C)2.a. On the Klamath River downstream of the Highway 96 bridge at Weitchpec from July 1 through August 14; and the Trinity River downstream of the Old Lewiston Bridge to the confluence of the South Fork Trinity River from July 1 through August 31 (The current possession limit is two Chinook Salmon).

- (b)(40)(E)2.e. On the Klamath River downstream of the Highway 96 bridge at Weitchpec from July 1 through August 14 (The current bag limit is one Chinook Salmon).
- (b)(40)(E)6.b. On the Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat July 1 through August 31 (The current bag limit is one Chinook Salmon).
- (b)(40)(E)6.c. On the Trinity River main stem downstream of the Highway 299 West bridge at Cedar Flat to the Denny Road bridge at Hawkins Bar July 1 through August 31 (The current bag limit is one Chinook salmon).
- (b)(40)(E)6.e. On the Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the mouth of the South Fork Trinity River July 1 through August 31 (The current bag limit is one Chinook salmon).

III. Findings for the Existence of an Emergency

The Commission considered the following factors in determining that an emergency does exist at this time.

The magnitude of potential harm:

The number of Chinook Salmon forecasted to return to the Sacramento River and Klamath River basins this year is near record low. In response to the critically low abundance forecasts for California Chinook Salmon stocks, federal fishery agencies are expected to completely close California ocean fisheries for 2024. On April 18, 2024, the Department recommended to the Commission that the KRFC in-river sport fishery be closed for 2024. At this time, it is critical that all Chinook Salmon in the Klamath River Basin be protected from fishery impacts. Any additional take of KRSC in the Klamath and Trinity rivers will harm this important recreational fishery by lowering already reduced escapement numbers and jeopardizing spawning success, which would imperil future KRSC stocks.

The existence of a crisis situation:

Consecutive years of drought, habitat compression in the ocean, and associated changes in ocean forage assemblages have created substantially difficult conditions for Chinook Salmon in the southern range of its distribution. California stocks have recently experienced a significant decline. SRFC and KRFC, in particular, have reached historical lows in abundance. This significant decline for SRFC and KRFC is expected to lead federal fishery agencies to completely close California ocean fisheries for 2024. In addition, the Department has recommended to the Commission that all KRFC and SRFC in-river sport fishing be closed in 2024. KRSC share similar ocean distribution and fishery impacts to KRFC and SRFC. Given that the environmental factors that have reduced these two primary target stocks in California to historical lows are shared among KRSC, it is necessary to protect this stock from fishery impacts in 2024.

The immediacy of the need:

There is an immediate need for action due to the low abundance forecasts for SRFC and KRFC stocks in California. On April 10, 2024 PFMC adopted recommendations to close all ocean salmon fisheries in California for 2024. On April 18, 2024 the Department recommended to the Commission that all KRFC and SRFC in-river sport fishing be closed in 2024. Without the closure,

the fishery for KRSC in the Klamath and Trinity rivers would begin July 1. The Department recognizes that Chinook Salmon stocks in the Klamath River Basin are threatened by recreational effort shifts as recreational anglers turn to the few remaining fishing opportunities for salmon in California, therefore increasing effort and ultimately take.

Whether the anticipation of harm has a basis firmer than simple speculation:

The 2024 KRFC and SRFC forecast of abundance prior to fishing is at a historical low. KRFC has met the status determination criteria as an overfished stock since 2018, and SRFC is currently at risk of approaching overfished status. Given that the environmental factors that have reduced these two primary target stocks in California to historical lows are shared among all California salmon stocks, an abundance of caution around fishery planning is necessary for KRSC. The proposed fishing closures for KRSC on the Klamath and Trinity rivers will minimize fishing impacts and the magnitude of potential harm during this crisis situation.

IV. 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) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State

None. The proposed emergency regulations will make Chinook Salmon sport fishing in the Klamath and Trinity rivers consistent among the currently proposed closures of both the KRFC and SRFC fisheries in the Klamath River Basin and Central Valley rivers, respectively.

(b) Nondiscretionary Costs/Savings to Local Agencies

None.

(c) Programs Mandated on Local Agencies or School Districts

None.

(d) 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.

(e) Effect on Housing Costs

None.

V. Technical, Theoretical, and/or Empirical Studies, Reports, or Documents Relied Upon:

Pacific Fishery Management Council. April 2024. *Preseason Report III, Council Adopted Management Measures and Environmental Assessment Part 3 for 2023 Ocean Salmon Fishery Regulations*. <https://www.pcouncil.org/documents/2024/04/2024-preseason-report-iii.pdf/>

Pacific Fishery Management Council. April 10, 2024. News Release. Pacific Fishery Management Council Adopts 2024 West Coast Ocean Salmon Seasons. <https://www.pcouncil.org/documents/2024/04/pacific-fishery-management-council-adopts-2024-west-coast-ocean-salmon-seasons-updated-april-10-2024.pdf/>

VI. Authority and Reference

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.

VII. Fish and Game Code Section 399 Finding

Delay in the amendments to bag and possession limits for the inland sport fishery for KRSC when the ocean fisheries were declared closed could be detrimental to the stock. Emergency action is necessary to safeguard KRSC stocks in a timely manner in conjunction with the PFMC's recommendation for ocean salmon commercial and recreational fishery closures.

Pursuant to Section 399 of the Fish and Game Code, the Commission finds that adopting this regulation is necessary for the immediate conservation, preservation, or protection of Klamath River Basin spring Chinook Salmon.

Informative Digest/Policy Statement Overview

Consecutive years of drought, habitat compression in the ocean, and associated changes in ocean forage assemblages have created substantially difficult conditions for Chinook Salmon in the southern range of its distribution. In particular, California stocks have recently experienced such a significant decline that the two pillars of this west coast fishery, Sacramento River and Klamath River fall-run Chinook Salmon (SRFC and KRFC, respectively), have reached historical lows in abundance. This significant decline for SRFC and KRFC led fishery agencies to completely close KRFC and SRFC ocean and river fisheries for 2023, and similar action is being contemplated for 2024. On April 10, 2024, the Pacific Fishery Management Council (PFMC) acted unanimously to recommend closure of California's commercial and recreational ocean salmon fisheries through the end of the year, mirroring recommendations made last year to close the fisheries in 2023.

Another salmon stock, the Klamath River spring Chinook Salmon (KRSC), shares similar ocean distribution and in-river habitat challenges to those of SRFC and KRFC. While the KRSC stocks are not under PFMC management or allocation, because the environmental factors that have reduced these two primary target stocks in California to historical lows are shared among all California salmon stocks, the California Department of Fish and Wildlife (Department) is recommending emergency closure of the KRSC in-river fishery on the Klamath and Trinity rivers, which typically is open between July and August.

The Department recognizes that Chinook Salmon fishery closures in 2024 will result in socioeconomic and cultural losses for the communities and tribes of our state, however it is necessary to provide every advantage possible to this valuable and cherished resource at this time. Recent and dramatic shifts in climate led to vastly improved river habitat conditions early in 2024, as a result of above average accumulations of rain and snow. This shift in precipitation has resulted in vastly improved river habitat with higher flow, cooler temperatures, and reduced disease. These improvements are expected to persist, especially as compared to summer and fall conditions experienced over the last few years of extreme drought. The Department expects that allowing for the escapement of as many spawning salmon as possible on improved river habitat this spring and fall will be advantageous in efforts to rebound these stocks and rebuild abundances. It is hoped that leveraging this opportunity now will pay dividends in future population recovery and sustainable fishing opportunity.

The proposed emergency regulations will align KRSC sport fishing in Klamath and Trinity rivers with recent federal regulatory action to close all ocean salmon fisheries along the California coast for 2024.

Benefits of the Regulation:

The Commission anticipates benefits to the State's environment by helping to sustainably manage California's Chinook Salmon resources through the proposed closure of the KRSC stock in the Klamath and Trinity rivers. Other benefits of the proposed regulations are consistency with fishery management goals, and preservation of salmon stocks to help ensure future resource availability past the current low population estimate. Any environmental risks arising from the proposed rule more conservatively preserve salmon than existing regulation.

Consistency and Compatibility with Existing Regulations

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to 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 consistent with other recreational fishing regulations in Title 14, CCR, and therefore 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 Chinook Salmon sport fishing.

Proposed Emergency Regulatory Language

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)(49)]* . . .

(50) Klamath River Basin Regulations.

All anadromous Waters of the Klamath River Basin and Trinity River downstream of Lewiston Dam. This subsection applies only to waters of the Klamath River Basin that are accessible to anadromous salmonids. This subsection does not apply to waters of the Klamath River Basin that are inaccessible to anadromous salmon and trout, portions of the Trinity River system upstream of Lewiston Dam, and the Shasta River and tributaries upstream of Dwinell Dam.

(A) Restrictions and Requirements.

1. Only barbless hooks may be used. (For definitions regarding legal hook types, hook gaps, and rigging see Section 2.10.)
2. During closures to the take of adult salmon, it shall be unlawful to remove any adult Chinook Salmon from the water by any means.
3. See Section 1.74 for sport fish report card requirements.

(B) General Area Closures.

1. No fishing is allowed within 750 feet of any department fish-counting weir.
2. No fishing is allowed from the Ishi Pishi Road bridge upstream to and including Ishi Pishi Falls from Aug. 15 through Dec. 31. Exception: members of the Karuk Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.
3. No fishing is allowed from Sep. 15 through Dec. 31 in the Klamath River within 500 feet of the mouths of the Salmon, Shasta, and Scott rivers, and Blue, Bogus, Fall and Shovel creeks.
4. No fishing is allowed from Jun. 15 through Sep. 14 in the Klamath River from 500 feet above the mouth of Blue Creek to 500 feet downstream of the mouth of Blue Creek.

(C) Klamath River Basin Possession Limits.

1. Trout Possession Limits.
 - a. The Brown Trout possession limit is 20.
 - b. The hatchery trout or hatchery steelhead possession limits are as follows:
 - (i) Klamath River: 4 hatchery trout or hatchery steelhead.
 - (ii) Trinity River: 4 hatchery trout or hatchery steelhead.

2. Chinook Salmon Possession Limits.

a. Klamath River downstream of the Highway 96 bridge at Weitchpec from Jul. 1 through Aug. 14 and the Trinity River downstream of the Old Lewiston Bridge to the confluence of the South Fork Trinity River from Jul. 1 through Aug. 31: ~~2 Chinook Salmon.~~ Closed to the take and possession of Chinook Salmon.

b. Klamath River from Aug. 15 to Dec. 31 and Trinity River from Sep. 1 to Dec. 31: Closed to the take and possession of Chinook Salmon.

(D) Klamath River Basin Chinook Salmon Quotas. Klamath River fall-run Chinook Salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest is closely monitored from Aug. 15 through Dec. 31 each year. Quota areas are noted in subsection 7.40(b)(50)(E) with "Fall-run Quota" in the *Open Season and Special Restrictions* column.

1. Quota for Entire Basin.

The 2023 Klamath River Basin quota is 0 Klamath River fall-run Chinook Salmon. The Klamath River Basin is closed to the take and possession of Chinook Salmon through Dec. 31, 2023. The department shall inform the commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. (Note: A department status report on progress toward the quotas for the various river sections is updated weekly, and available by calling 1-800-564-6479.)

2. Subquota Percentages.

a. The subquota for the Klamath River upstream of the Highway 96 bridge at Weitchpec and the Trinity River is 50% of the total Klamath River Basin quota.

(i) The subquota for the Klamath River from Lakeview Road bridge near Iron Gate to the Highway 96 bridge at Weitchpec is 17% of the total Klamath River Basin quota.

(ii) The subquota for the Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat is 16.5% of the total Klamath River Basin quota.

(iii) The subquota for the Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River is 16.5% of the total Klamath River Basin quota.

b. The subquota for the lower Klamath River downstream of the Highway 96 bridge at Weitchpec is 50% of the total Klamath River Basin quota.

(i) The spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) will close when 15% of the total Klamath River Basin quota is taken downstream of the Highway 101 bridge.

(E) Klamath River Basin Open Seasons and Bag Limits. All anadromous waters of the Klamath River Basin are closed to all fishing all year except those areas listed in the following table. Bag limits are for trout and Chinook Salmon in combination unless otherwise specified.

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag Limit</i>
1. Bogus Creek and tributaries.	All anadromous portions of Bogus Creek. Closed to all fishing all year.	
2. Klamath River main stem from the California-Oregon state line to the mouth.		
a. Klamath River from California-Oregon state line to Copco Road bridge at Copco.	Nov. 1 through Feb. 28 and fourth Sat. in May through Aug. 31. Only artificial lures with barbless hooks may be used.	Closed to the take and possession of Chinook Salmon. 0 hatchery trout or hatchery steelhead**.
1. Shovel Creek main stem downstream of barrier located approximately 2.75 miles upstream from Ager Beswick Road	All anadromous portions of tributaries. Closed to all fishing all year.	
b. Klamath River from Copco Road bridge at Copco to Lakeview Road bridge near Iron Gate.	Closed to all fishing all year.	
1. Fall Creek downstream of barrier located approximately 1 mile upstream from Copco Road	All anadromous portions of tributaries. Closed to all fishing all year.	
2. Jenny Creek downstream of barrier located approximately 2 miles upstream from Copco Road	All anadromous portions of tributaries. Closed to all fishing all year.	
3. Scotch Creek main stem downstream of barrier located approximately 3/4 mile upstream from Copco Road	All anadromous portions of tributaries. Closed to all fishing all year.	

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag Limit</i>
c. Klamath River from Lakeview Road Bridge near Iron Gate to I-5 Bridge.	Jan. 1 to Aug. 14.	2 hatchery trout or hatchery steelhead**
	Fall-run Chinook Salmon: Aug. 15 to Dec. 31.	0 Chinook Salmon. 2 hatchery trout or hatchery steelhead**
d. Klamath River from I-5 bridge to the Highway 96 bridge at Weitchpec.	Jan. 1 through Aug. 14.	2 hatchery trout or hatchery steelhead**
	Fall-run Quota: 0 Chinook Salmon Aug. 15 through Dec. 31, 2023.	Closed to the take and possession of Chinook Salmon. 2 hatchery trout or hatchery steelhead**
e. Klamath River downstream of the Highway 96 bridge at Weitchpec.	Jan. 1 through Jun. 30.	2 hatchery trout or hatchery steelhead**
	Jul. 1 through Aug. 14.	4 Chinook Salmon. <u>Closed to the take and possession of Chinook Salmon.</u> 2 hatchery trout or hatchery steelhead**
	Fall-run Quota: 0 Chinook Salmon Aug. 15 through Dec. 31, 2023. Fall-run Quota Exception: Spit Area (within 100 yards of the channel through the sand pit formed at the Klamath River mouth). This area will be closed to all fishing after 15% of the total Klamath River Basin quota has been taken. All legally caught Chinook Salmon must be retained. Once the adult (greater than 23 inches) component of the total daily bag limit has been retained, anglers must cease fishing in the spit area.	Closed to the take and possession of Chinook Salmon. 2 hatchery trout or hatchery steelhead**

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag Limit</i>
3. Salmon River main stem, main stem of North Fork downstream of Sawyer’s Bar bridge, and main stem of South Fork downstream of the confluence of the East Fork of the South Fork.	Nov. 1 through Feb. 28.	2 hatchery trout or hatchery steelhead**.
4. Scott River main stem downstream of the Fort Jones-Greenview bridge to the confluence with the Klamath River.	Fourth Sat. in May through Feb. 28.	2 hatchery trout or hatchery steelhead**.
5. Shasta River main stem downstream of the Interstate Highway 5 bridge north of Yreka to the confluence with the Klamath River.	Fourth Sat. in May through Aug. 31 and Nov. 16 through Feb. 28.	2 hatchery trout or hatchery steelhead**.
6. Trinity River and tributaries.		
a. Trinity River main stem from 250 feet downstream of Lewiston Dam to the Old Lewiston Bridge.	Apr. 1 through Sep. 15. Only artificial flies with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.
b. Trinity River main stem downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat.	Jan. 1 to Jun. 30.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Jul. 1 to Aug. 31.	4 Chinook Salmon. <u>Closed to the take and possession of Chinook Salmon.</u> 10 Brown Trout. 2 hatchery trout or hatchery steelhead**
	Fall-run Quota: 0 Chinook Salmon Sep. 1 to Dec. 31, 2023.	Closed to the take and possession of Chinook Salmon. 10 Brown Trout 2 hatchery trout or hatchery steelhead**.

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag Limit</i>
c. Trinity River main stem downstream of the Highway 299 West bridge at Cedar Flat to the Denny Road bridge at Hawkins Bar.	Jan. 1 through Jun. 30.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Jul. 1 through Aug. 31.	4 Chinook Salmon. <u>Closed to the take and possession of Chinook Salmon.</u> 10 Brown Trout. 2 hatchery trout or hatchery steelhead**
	Sep. 1 through Dec. 31.	Closed to all fishing.
d. New River main stem downstream of the confluence of the East Fork to the confluence with the Trinity River.	Sep. 15 through Nov. 15. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.
e. Trinity River main stem downstream of the Denny Road bridge at Hawkins Bar to the mouth of the South Fork Trinity River.	Jan. 1 to Jun. 30.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Jul. 1 to Aug. 31.	4 Chinook Salmon. <u>Closed to the take and possession of Chinook Salmon.</u> 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: 0 Chinook Salmon Sep. 1 through Dec. 31, 2023. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag Limit</i>
f. Trinity River main stem downstream of the mouth of the South Fork Trinity River to the confluence with the Klamath River.	Jan. 1 to Aug. 31.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: 0 Chinook Salmon Sep. 1 through Dec. 31, 2023. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
g. Hayfork Creek main stem downstream of the Highway 3 bridge in Hayfork to the confluence with the South Fork Trinity River.	Nov. 1 through Mar. 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.
h. South Fork Trinity River downstream of the confluence with the East Fork of the South Fork Trinity River to the South Fork Trinity River bridge at Hyampom.	Nov. 1 through Mar. 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.
i. South Fork Trinity River downstream of the South Fork Trinity River bridge at Hyampom to the confluence with the Trinity River.	Nov. 1 through Dec. 31.	0 Chinook Salmon. 2 hatchery trout or hatchery steelhead**.
	Jan. 1 through Mar. 31.	2 hatchery trout or hatchery steelhead**.

. . . No changes to subsections (b)(51) 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 Emergency Action to Amend Section 7.40(b), Title 14, CCR, Re: Salmon Fishing Emergency Closure			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 type="checkbox"/> a. Impacts business and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance |
| <input type="checkbox"/> c. Impacts jobs or occupations | <input type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input checked="" type="checkbox"/> h. None of the above (Explain below): |

Emergency action: no economic assessment only fiscal impact assessment***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.***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: _____

Describe the types of businesses (Include nonprofits): _____

Enter the number or percentage of total
businesses impacted that are small businesses: _____

4. Enter the number of businesses that will be created: _____ eliminated: _____

Explain: _____

5. Indicate the geographic extent of impacts: Statewide
 Local or regional (List areas): _____

6. Enter the number of jobs created: _____ and eliminated: _____

Describe the types of jobs or occupations impacted: _____

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? \$ _____

a. Initial costs for a small business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

b. Initial costs for a typical business: \$ _____ Annual ongoing costs: \$ _____ Years: _____

c. Initial costs for an individual: \$ _____ Annual ongoing costs: \$ _____ Years: _____

d. Describe other economic costs that may occur: _____

2. If multiple industries are impacted, enter the share of total costs for each industry: _____

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: _____

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ _____

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: _____

2. Are the benefits the result of: specific statutory requirements, or goals developed by the agency based on broad statutory authority?

Explain: _____

3. What are the total statewide benefits from this regulation over its lifetime? \$ _____

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: _____

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: _____

**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: \$ _____ Cost: \$ _____

Alternative 1: Benefit: \$ _____ Cost: \$ _____

Alternative 2: Benefit: \$ _____ Cost: \$ _____

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: _____
_____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: _____
_____**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: _____
_____The incentive for innovation in products, materials or processes: _____
_____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: _____

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 _____

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



STD399 ADDENDUM

**Emergency Action to Amend Subsection (b)(50) of Section 7.40,
Title 14, California Code of Regulations
Re: Chinook Salmon Sport Fishing Closures in the Klamath and Trinity Rivers for
2024**

Economic Impact Statement

A. ESTIMATED PRIVATE SECTOR COST IMPACTS

1. Answer: h. None of the above. (Explain below):

Emergency regulations do not require an economic impact statement; only fiscal impacts must be evaluated (California Government Code Section 11346.1).

Fiscal Impact Statement details are provided below.

Fiscal Impact Statement

A. FISCAL EFFECT ON LOCAL GOVERNMENT

Answer: 5. No fiscal impact.

The proposed amendment to subsection (b)(50) of Section 7.40, Title 14, CCR will not have the potential for a fiscal effect on local governments.

B. FISCAL EFFECT ON STATE GOVERNMENT

Answer: 3. No fiscal impact.

The Commission anticipates that the proposed emergency action will have no fiscal effect on State government. The California Department of Fish and Wildlife (Department) has determined that the proposed salmon emergency will not affect the already existing level of monitoring and enforcement activities. North Coast Salmon ReportCard sales revenue to the Department is anticipated to vary within historic levels because opportunity for salmon harvest will still be available on the Smith River and the Eel River.

Additionally, no other state agencies would be affected by this regulatory action.

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS

Answer: 3. No fiscal impact.

The proposed emergency action will not have the potential for a fiscal effect on the federal funding of state programs.



Photo Credit: CDFW

PROPOSED KLAMATH RIVER SPRING CHINOOK SALMON FISHING CLOSURE FOR 2024



PRESENTATION TO THE CALIFORNIA FISH AND GAME COMMISSION

May 15, 2024 | Jay Rowan

Chief, Fisheries Branch

Presentation Overview

- Background
- Drought and low flow conditions
- Status of salmon fisheries
- PFMC and CDFW recommendations
- Need for emergency regulation
- Proposed temporary emergency salmon fishing closure



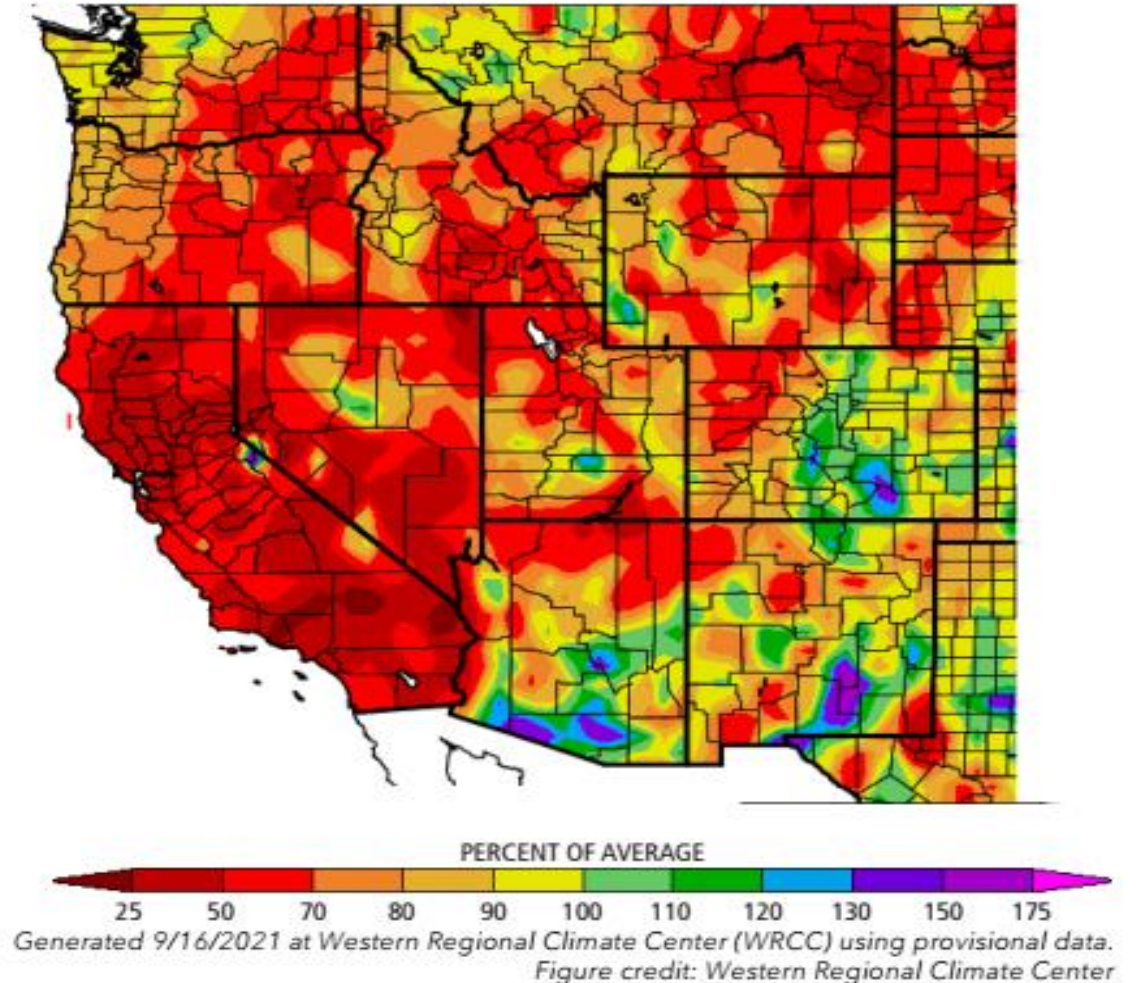
Background

- Drought, low flows, and ocean conditions have led to a significant decline of California Chinook Salmon stocks
- Pacific Fishery Management Council has recommended closure of California ocean fisheries in 2024
- Klamath River spring Chinook Salmon (KRSC) fishery is scheduled to be open to fishing in 2024 in the Klamath and Trinity rivers



Continued Drought

- Third consecutive year of extreme drought conditions
- Governor Brown from Ore. issued drought declaration in the Klamath headwaters
- Emergency drought proclamations continued in California



Status of Salmon Fisheries

- Klamath River Spring Chinook stocks:
 - CESA listed stock that can use extra conservation when indicator stocks (KRFC) are depressed
 - Drought conditions persisted
 - Ocean habitat compression and shifts in ocean forage have created difficult conditions for Chinook Salmon
 - KRSC share the same ocean/freshwater distribution with KRFC



Recent PFMC and CDFW Recommendations

- April 10, 2024 – PFMC adopted final ocean salmon season recommendations:
 - Complete closure of recreational and commercial ocean salmon fisheries off the California Coast, constrained off Oregon Coast
- May 15, 2024 – CDFW recommendations to the Fish and Game Commission:
 - Complete closure of the recreational SRFC fishery in the Sacramento, American, Feather, and Mokelumne rivers
 - Complete closure of the recreational KRFC fishery in the Klamath River Basin



Need for Emergency Regulation Change

- KRSC are CESA listed species
- KRSC have experienced severe drought conditions, habitat compression, and changes in ocean forage
- Projections and early return data suggests low adult KRSC returning to the Klamath and Trinity rivers this year
- Good water year provides good opportunity to rebuild stocks



Proposed Temporary Emergency Fishing Closure

- Amend Title 14, Section 7.40(b) to close KRSC recreational fishing in the Klamath and Trinity rivers:
 - 7.40(b)(50) Klamath and Trinity rivers

Credits | Questions | Contact



Photo credit: CDFW

Jay Rowan

Chief, Fisheries Branch

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