

Proposed Regulatory Language

Subsection (b) of Section 2.30, Title 14, CCR, is amended to read:

§ 2.30. Spearfishing.

Spearfishing is permitted only in:

(a) The Colorado River District for carp, tilapia, goldfish and mullet, all year.

(b) The Valley District and Black Butte Lake (Tehama County) for American Shad, carp, tilapia, goldfish, striped bass, Sacramento (Western) Sucker, Sacramento blackfish, hardhead, Sacramento pikeminnow and lamprey, from May 1 through September 15, except that no spearfishing is permitted in:

(1) Shasta County (see Section 2.12).

(2) Tehama County except Black Butte Lake.

(3) Butte Creek (Butte Co.).

(4) Feather River below Oroville Dam (Butte Co.).

~~(5) Designated salmon spawning areas (See Fish and Game Code Section 1505).~~

(5) Yuba River upstream of Simpson Lane Bridge (Yuba Co.).

(6) American River upstream of Howe Ave. Bridge (Sacramento Co.).

(7) Mokelumne River upstream of Elliot Road Bridge (San Joaquin Co.).

(8) San Joaquin River upstream of State Route 99 Bridge (Madera and Fresno Co.).

(9) Stanislaus River upstream of S. Santa Fe Road (J7) Bridge (Stanislaus Co.).

(10) Tuolumne River upstream of the Geer Road (J14) Bridge (Stanislaus Co.).

(11) Merced River upstream of N. Santa Fe Drive (J7) Bridge (Merced Co.).

(12) All designated salmon spawning areas (See Fish and Game Code Section 1505).

(13) Refer to all county, city, and/or local regulations and ordinances to confirm if use and/or possession of projectile weapons is prohibited.

(c) The Kern River from the Kern-Tulare county line upstream to the Johnsondale Bridge for carp, goldfish, Sacramento (Western) Sucker, hardhead and Sacramento pikeminnow, from May 1 through September 15.

(d) See bullfrogs (Section 5.05).

Note: Authority cited: Sections 200, 205, 255 and 265, Fish and Game Code.
Reference: Sections 200, 205, 255 and 265, Fish and Game Code.

Proposed Regulatory Language

Subsection (b)(7) of Section 5.00, Title 14, CCR, is amended to read:

§ 5.00. Black Bass.

. . . No changes to subsections (a) and (b)(1) through (b)(6), just shown for background information. . .

It is unlawful to take or possess black bass except as provided in this section:

(Note: Some waters are closed to all fishing under Sections 7.40 and 7.50.)

(a) General Statewide Restrictions:

(1) Lakes/Reservoirs and the Sacramento-San Joaquin Delta: The following waters, except for those listed in subsection (b), are open to fishing all year, with a 12-inch total length minimum size limit and a five-fish daily bag limit: All lakes and reservoirs in the State, and the Sacramento-San Joaquin River Delta (see Section 1.71 for definition of the Delta).

(2) Rivers/Streams and Private Ponds: Rivers, streams, canals, and lakes or ponds entirely on private lands that are not listed in subsection (b) are open all year with no size limit and a five-fish daily bag limit.

(b) Special Regulations: Counties and individual waters listed below are those having regulations different from the General Statewide Restrictions in subsection (a).

DISTRICTS AND COUNTIES WITH SPECIAL REGULATIONS

Area or Body of Water	Open Season	Size (total length)	Bag Limit
(1) Colorado River District: All waters (Bag and size limits conform with Arizona regulations.).	All year.	13-inch minimum.	6

Area or Body of Water	Open Season	Size (total length)	Bag Limit
(2) Inyo Co.: All streams east of Highway 395 from the southern Inyo Co. line north to the junction of Highway 6 and east of Highway 6 to the Mono Co. line, except those streams listed by name in Section 7.50(b), Special Fishing Regulations.	All year.	12-inch minimum.	5
The remaining streams of Inyo Co., except those waters listed in Section 7.50(b), Special Fishing Regulations	Last Sat. in Apr. through Nov. 15. Closed to bass fishing from Nov. 16 through the Fri. preceding the last Sat. in Apr.	12-inch minimum.	5
All Lakes, Big Pine Canal, Fish Spring Canal, and Millpond in Inyo Co.	All year.	12-inch minimum.	5
(3) Mono Co.: All streams except for Fish Slough (see subsection (b)(10)) and those waters listed by name in Section 7.50(b), Special Fishing Regulations	Last Sat. in Apr. through Nov. 15. Closed to bass fishing from Nov. 16 through the Fri. preceding the last Sat. in Apr.	No size limit.	5
(4) Plumas Co.: All waters.	All year.	No size limit.	5

INDIVIDUAL BODIES OF WATER WITH SPECIAL REGULATIONS

Area or Body of Water	Open Season	Size (total length)	Bag Limit
(5) Barrett Lake (San Diego Co.) (Also see Section 2.08.)	All year.	Catch and Release only.	0
(6) Casitas Lake (Ventura Co.)	All year.	12-inch minimum. No more than one over 22 inches.	5

Area or Body of Water	Open Season	Size (total length)	Bag Limit
(7) Castaic Lake (Los Angeles Co.).	All year.	15-inch minimum.	5
(8) Cuyamaca Lake (San Diego Co.).	All year.	No size limit for Largemouth Bass. Catch and Release only for Smallmouth Bass.	5
(9) Fish Slough (Mono Co.), except the fenced portions of Fish Slough within the BLM Spring, which are closed to all fishing all year. See Section 7.50(b)(49), Special Fishing Regulations.	All year.	No size limit.	5
(10) Hodges Lake (San Diego Co.).	All year.	15-inch minimum.	5
(11) Lett's Lake (Colusa Co.).	All year.	No size limit.	5
(12) Plaskett Meadows lakes, upper and lower (Glenn Co.).	All year.	No size limit.	5
(13) Shaver Lake (Fresno Co.).	All year.	No size limit.	5
(14) Upper Otay Lake (San Diego Co.). (Also see Section 2.08.)	All year	Catch and Release only.	0

Note: Authority cited: Sections 200, 205, 265, 270 and 275, Fish and Game Code.
Reference: Sections 200 and 205, Fish and Game Code.

Proposed Regulatory Language

Subsection (b) of Section 7.50, Title 14, CCR, is amended to read:

§ 7.50. Alphabetical List of Trout Waters with Special Fishing Regulations

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

(b)

[...No changes to subsections (b)(1) through (b)(41)...]

(b)

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(42) Deep Creek (San Bernardino Co.) from headwaters at Little Green Valley to confluence of Willow Creek. <u>below Green Valley Lake Dam to the confluence of Willow Creek.</u>	All year. Only artificial lures may be used.	2 trout

[...No changes to subsections (b)(43) through (b)(104)...]

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(105) Parker Creek (Mono Co.) from Parker Lake to the confluence with Rush Creek.	All year. Only artificial lures with barbless hooks may be used.	0 trout
<u>(106) Parker Lake (Mono Co.)</u>	<u>All year. Only artificial lures may be used. 14-inch minimum size limit.</u>	<u>2 trout</u>
(106) <u>(107)</u> Pine Creek (Goose Lake Tributary) and tributaries (Modoc Co.).	Sat. preceding Memorial Day through the last day in Feb.	5 trout
(107) <u>(108)</u> Pine Valley Creek (San Diego Co.) upstream of Barrett Lake and all its tributaries.	All year. Only artificial lures may be used.	2 trout
(108) <u>(109)</u> Piru Creek (Los Angeles and Ventura Cos.).		

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(A) Piru Creek and tributaries upstream of Pyramid Lake.	All year. Only artificial lures may be used.	2 trout
(B) From Pyramid Dam downstream to the bridge approximately 300 yards below Pyramid Lake.	Closed to all fishing all year.	
(C) From the bridge approximately 300 yards below Pyramid Lake downstream to the falls about 1/2 mile above the old Highway 99 bridge.	All year. Only artificial lures with barbless hooks may be used.	0 trout
(409110) Pit River (Shasta and Modoc Cos.).		
(A) Pit River, South Fork (Modoc Co.) and tributaries upstream of the Highway 395 bridge in Likely.	Sat. preceding Memorial through the last day in Feb.	5 trout
(B) Pit River, North Fork (Modoc Co.) and tributaries from the confluence with the South Fork in Alturas upstream to and including Franklin Creek.	Sat. preceding Memorial Day through the last day in Feb. Only artificial lures may be used.	2 trout
(C) From Pit No. 3 (Britton Dam) downstream to the outlet of the Pit No. 3 Powerhouse.	All year. Only artificial lures with barbless hooks may be used.	0 trout
(D) Pit River, from Pit No. 3 Powerhouse downstream to Shasta Lake.	All year.	2 trout. 4 trout in possession.
(440111) Pole Creek and tributaries (Placer Co.).	Closed to all fishing all year.	
(444112) Portuguese Creek, West Fork (Madera Co.) from headwaters downstream to confluence with the East Fork Portuguese Creek.	Sat. preceding Memorial Day through the last day in Feb. Only artificial lures with barbless hooks may be used.	0 trout

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(442 113) Prosser Creek from the Prosser Reservoir dam downstream to the confluence with the Truckee River (Nevada Co.).	All year. Only artificial lures with barbless hooks may be used.	0 trout
(443 114) Purisima Creek (San Mateo Co.).	Sat. preceding Memorial Day through Sep. 30. Only artificial lures with barbless hooks may be used.	0 trout
(444115) Putah Creek (Solano and Yolo Cos.) from Solano Lake to Monticello Dam.	All year. Only artificial lures with barbless hooks may be used.	0 trout
(445 116) Redwood Creek and tributaries (Alameda Co.).	Closed to all fishing all year.	
(446 117) Redwood Creek (Humboldt Co.) and tributaries above the mouth of Bond Creek.	Closed to all fishing all year.	
(447 118) Robinson Creek (Mono Co.).		
(A) From the U.S. Forest Service boundary downstream to Upper Twin Lake.	Sat. preceding Memorial Day through Sep. 30.	5 trout
(B) Between Upper and Lower Twin Lakes.	Sat. preceding Memorial Day through Sep. 30.	5 trout
(448 119) Rock Creek Diversion Channel (Mono Co.) from its source below Tom's Place to its confluence with Crooked Creek.	Closed to all fishing all year.	
(449 120) Rock Creek Lake (Inyo Co.).	Last Sat. in Apr. through Nov. 15.	5 trout
(420 121) Rock Creek in the Hat Creek Drainage (Shasta Co.) from Rock Creek spring (origin) downstream to Baum Lake.	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>
(424122) Rock Creek (Shasta Co.) from its confluence with Pit River to Rock Creek Falls (about one mile upstream).	Closed to all fishing all year.	
(422123) Roosevelt Lake (Mono Co.).	All year. Only artificial lures may be used.	2 trout
(123124) Rush Creek (Mono Co.).		
(A) Rush Creek from Grant Lake Dam downstream to Mono Lake.	All year. Only artificial lures with barbless hooks may be used.	0 trout
(B) Rush Creek (Mono.Co.) between Silver Lake and Grant Lake.	Sat. preceding Memorial Day through Sep. 30.	5 trout
(424125) Sabrina Lake (Lake Sabrina, Inyo Co.).	Last Sat. in Apr. through Nov. 15.	5 trout
(425126) Sacramento River and tributaries above Keswick Dam (Shasta and Siskiyou Cos.).		
(A) Sacramento River and tributaries from Box Canyon Dam downstream to the Scarlett Way bridge in Dunsmuir.	All Year. Only artificial lures with barbless hooks may be used.	0 trout
(B) Sacramento River and tributaries from Scarlett Way bridge downstream to the county bridge at Sweetbriar.	Sat. preceding Memorial Day through Sep. 30.	5 trout
	Oct. 1 through the Fri. preceding Memorial Day. Only artificial lures may be used.	2 trout
(C) Sacramento River and tributaries from the county bridge at Sweetbriar downstream to Shasta Lake.	All year. Only artificial lures may be used.	2 trout
(426127) Sagehen Creek (Nevada Co.).		

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(A) From the stream gauging station (located about 1/8 mile below Sagehen Creek Station Headquarters) upstream to about 1/8 mile above the station headquarters at a point where the stream splits into two sections.	Closed to all fishing all year.	
(B) From the Highway 89 bridge upstream to the gauging station at the east boundary of the Sagehen Creek Station.	All year. Only artificial lures with barbless hooks may be used.	0 trout
(427128) Salmon Creek and tributaries above Highway 1 (Monterey Co.).	Sat. preceding Memorial Day through Sep. 30. Only artificial lures with barbless hooks may be used.	0 trout
(428129) San Gabriel River, West Fork and tributaries (Los Angeles Co.).		
(A) Upstream of Cogswell Dam (including Cogswell reservoir and its tributaries).	All year. Only artificial lures may be used.	2 trout
(B) From Cogswell Dam downstream to the second bridge upstream from the Highway 39 bridge.	All year. Only artificial lures with barbless hooks may be used.	0 trout
(429130) San Luis Rey River West Fork (San Diego Co.).	All year. Only artificial lures may be used.	2 trout
(430131) Santa Ana River and tributaries upstream above Seven Oaks Dam (San Bernardino Co.). This does not include Bear Creek. See subsection (b)(8), Bear Creek (San Bernardino Co.) for additional info.	All year.	5 trout

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(431 <u>432</u>) Santa Ynez River and tributaries upstream of Gibraltar Dam (Santa Barbara Co.).	All year.	2 trout. 4 trout in possession.
(432 <u>433</u>) Sausal Creek and tributaries (Alameda Co.).	Closed to all fishing all year.	
(433 <u>434</u>) Sespe Creek and tributaries above Alder Creek confluence (Ventura Co.).	All year. Only artificial lures with barbless hooks may be used.	0 trout
(434 <u>435</u>) Silver Creek (Mono Co.), tributary to West Walker River, and tributaries upstream from Silver Falls.	Closed to all fishing all year.	
(435 <u>436</u>) Silver Creek and all other tributaries to Swonger Lake (Modoc and Lassen Cos.).	Sat. preceding Memorial Day through the last day in Feb. Only artificial lures may be used.	2 trout
(436 <u>437</u>) Silver King Creek and tributaries (Alpine Co.) upstream of the confluence with Snodgrass Creek.	Closed to all fishing all year.	
(437 <u>438</u>) Silver Lake (Mono. Co.).	Last Sat. in Apr. through Nov. 15.	5 trout
(438 <u>439</u>) Slinkard Creek and tributaries (Mono Co.) upstream from a department of Fish and Wildlife rock gabbion barrier (38.606976°N, 119.567687°W). The barrier is located approximately 5–6 miles upstream from the Hwy 89 and Hwy 395 junction.	All year. Only artificial flies with barbless hooks may be used.	0 trout
(439 <u>440</u>) Solano Lake (Solano Co.).	All year. Only artificial lures and barbless hooks may be used.	0 trout

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(140 <u>141</u>) Sonoma Creek and tributaries (Sonoma Co.) above the Sonoma Creek seasonal waterfall in Sugarloaf Ridge State Park (located 0.2 miles upstream of the west end of the Canyon Trail).	Sat. preceding Memorial Day through Sep. 30. Only artificial lures with barbless hooks may be used.	0 trout
(141 <u>142</u>) Sonoma Lake (Sonoma Co.).	All year.	2 trout. 4 trout in possession.
(142 <u>143</u>) Sonoma Lake tributaries (Sonoma Co.).	Sat. preceding Memorial Day through Sep. 30. Only artificial lures may be use.	2 trout
(143 <u>144</u>) Soulajoule Lake tributaries (Marin Co.).	Sat. preceding Memorial Day through Sep. 30.	2 trout. 4 trout in possession.
(144 <u>145</u>) South Lake (Inyo Co.).	Last Sat. in Apr. through Nov. 15.	5 trout
(145 <u>146</u>) Squaw Valley Creek and tributaries (Shasta Co.).	All year. Only artificial lures with barbless hooks may be used.	0 trout
(146 <u>147</u>) Stanislaus River, Middle Fork (Tuolumne Co.).		
(A) From Beardsley Dam downstream to the U. S. Forest Service footbridge at Spring Gap (including the Beardsley Afterbay).	All year. Only artificial lures may be used.	2 trout
(B) From the U.S. Forest Service footbridge at Spring Gap to New Melones Reservoir.	All year.	2 trout. 4 trout in possession.
(147 <u>148</u>) Stevens Creek and all tributaries upstream of Stevens Creek Reservoir (Santa Clara Co.).	All year. Only artificial lures with barbless hooks may be used.	0 trout

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(448 149) Stony Creek, and tributaries (including the North, South, and Middle forks) from the headwaters downstream to the diversion dam west of Stonyford in the center of Section 35, T18N, R7W (Colusa, Glenn and Lake Cos.).	All year. Only artificial lures with barbless hooks may be used.	0 trout
(449 150) Susan River (Lassen Co.)	Sat. preceding Memorial Day through the last day in Feb.	5 trout
(450 151) Sweetwater River and tributaries upstream of Sweetwater Reservoir (San Diego Co.).	All year. Only artificial lures may be used.	2 trout.
(451 152) Tahoe Lake and tributaries (Placer and El Dorado Cos.).		
(A) Tahoe Lake tributaries upstream to the first lake.	Sat. preceding Memorial Day through Sep. 30. Only artificial lures with barbless hooks may be used.	0 trout
(B) Tahoe Lake within 300 feet of the mouth of its tributaries.	Sat. preceding Memorial Day through Sep. 30. Only artificial lures with barbless hooks may be used.	0 trout
(452 153) Trinity River, above Trinity Lake (Trinity Co.) from the confluence with Tangle Blue Creek (Hwy. 3), downstream (south) to the mouth of Trinity Lake, approximately 13.8 miles.	Sat. preceding Memorial Day through Sep. 30. Oct. 1 through the Fri. preceding Memorial Day. Only artificial lures with barbless hooks may be used.	5 trout
(453 154) Truckee River (Nevada, Placer, and Sierra Cos.).		
(A) Truckee River for 1,000 feet below the Lake Tahoe outlet dam.	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>
(B) Truckee River from the confluence of Trout Creek downstream to the mouth of Prosser Creek.	All year. Only artificial flies with barbless hooks may be used.	0 trout
(C) Truckee River from the mouth of Prosser Creek downstream to the Nevada State Line.	Last Saturday in Apr. through Nov. 15. Only artificial lures may be used.	2 trout
	Nov. 16 through the Friday preceding the last Saturday in Apr. Only artificial lures with barbless hooks may be used.	0 trout
(454155) Tule River and tributaries (Tulare Co.).		
Tule River, North Fork (Tulare Co.), only in the North Fork Tule River and all its forks and tributaries above the confluence with Pine Creek (about 50 yards upstream from the Blue Ridge road bridge, about 12 1/4 miles north of Springville).	All year. Only artificial lures may be used.	2 trout
(455156) Tuolumne River (Stanislaus and Tuolumne Cos.) from O'Shaughnessy Dam (Hetch Hetchy Reservoir downstream to Clavey River Falls.	All year. Only artificial lures may be used.	2 trout
(456157) Twelvemile Creek (Modoc Co.).	Sat. preceding Memorial Day through the last day in Feb. Only artificial lures with barbless hooks may be used.	0 trout
(457158) Twin Lakes (Mammoth, Mono Co.).	Last Sat. in Apr. through Nov. 15.	5 trout
(458159) Twin Lakes, Upper and Lower (Bridgeport, Mono Co.).	Last Sat. in Apr. through Nov. 15.	5 trout

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(459 160) Upper Otay Lake (San Diego Co.).	All year. Only artificial lures with barbless hooks may be used.	0 trout
(460 161) Upper Truckee River and tributaries upstream from confluence with Showers Creek (Alpine and El Dorado Cos.).	Sat. preceding Memorial Day through Sep. 30. Only artificial lures with barbless hooks may be used.	0 trout
(464 162) Virginia Lakes, Upper and Lower (Mono Co.).	Last Sat. in Apr. through Nov. 15.	5 trout
(462 163) Walker Creek (Mono Co.) from the private property line (fence) to the confluence Rush Creek.	All year. Only artificial lures with barbless hooks may be used.	0 trout
(463 164) Walker River, East Fork (Mono Co.) from Bridgeport Dam to Nevada State Line.	Last Sat. in Apr. through Nov. 15. Only artificial lures may be used. Minimum size limit: 18 inches total length. NOTE: BOW AND ARROW FISHING FOR CARP ONLY IS PERMITTED.	2 trout
(464 165) Whiskey Creek (Mono Co.) downstream from Crowley Lake Drive (old Highway 395).	Sat. preceding Memorial Day through Sep. 30.	5 trout
(166) Willow Creek (Alpine Co.) upstream from the confluence with the West Fork Carson River to the main tributary of Willow Creek.	<u>All year. Only artificial lures with barbless hooks may be used.</u>	<u>0 trout</u>
(465 167) Wolf Creek and tributaries (tributary to West Walker River) (Mono Co.).	All year. Only artificial flies with barbless hooks may be used.	0 trout

<i>Body of Water</i>	<i>Open Season and Special Restrictions</i>	<i>Daily Bag and Possession Limit</i>
(166 168) Wolf Creek Lake (at the headwaters of Wolf Creek, tributary to the West Walker River) (Mono Co.).	Closed to all fishing all year.	
(167 169) Yellow Creek (Plumas Co.) from Big Springs downstream to the marker at the lower end of Humbug Meadow.	Sat. preceding Memorial Day through the last day in Feb. Only artificial lures with barbless hooks may be used.	0 trout
(168 170) Yuba River, Middle Fork (Nevada and Sierra Cos.) from Jackson Meadows Dam downstream to Milton Lake.	See Milton Lake (b)(97).	
(169 171) Yuba River, North Fork (Sierra and Yuba Cos.) from the western boundary of Sierra City to the confluence with Ladies Canyon Creek.	All year. Only artificial lures may be used.	2 trout

NOTE: Authority cited: Sections 200, 205, 265, 270, 315 and 399, Fish and Game Code. Reference: Sections 200, 205, 265 and 270, Fish and Game Code.

Proposed Regulatory Language

Section 8.00, Title 14, CCR, is amended to read:

§ 8.00. Low-Flow Restrictions.

(a) Eel River, Mad River, Mattole River, Redwood Creek, Smith River and Van Duzen River. Stream closures: Special Low Flow Conditions.

(1) From September 1 through April 30:

(A) Any of the stream reaches listed in subsections (a)(2) through (8) below shall be closed to all angling on Tuesday and Wednesday when the department determines that the flow on the previous Monday at any of the designated gauging stations is less than the minimum flows set forth in subsections (a)(2) through (8).

(B) Any of the stream reaches listed in subsections (a)(2) through (8) below shall be closed to all angling on Thursday and Friday when the department determines that the flow on the previous Wednesday at any of the designated gauging stations is less than the minimum flows set forth in subsections (a)(2) through (8).

(C) Any of the stream reaches listed in subsections (a)(2) through (8) below shall be closed to all angling from Saturday through Monday when the department determines that the flow on the previous Friday at any of the designated gauging stations is less than the minimum flows set forth in subsections (a)(2) through (8). Note: Authority cited: Sections 200, 205, 265 and 270, Fish and Game Code. Reference: Sections 200, 205 and 265, Fish and Game Code.

(D) Notwithstanding subsections (a)(1)(A) through (C), the department may close or keep a stream reach closed to fishing when the minimum flow is exceeded on the scheduled flow determination day if the department is reasonably assured that the stream flow is likely to decrease below the minimum flow as specified in subsections (a)(2) through (8) before or on the next flow-determination date.

(E) The department may reopen a stream at any time during a closed period if the minimum flow as specified in subsections (a)(2) through (8) is exceeded and the department is reasonably assured that it will remain above the minimum flow until the next scheduled Monday, Wednesday, or Friday flow determination. The department shall make information available to the public by a ~~telephone recorded message~~ webpage updated, as necessary, no later than 1:00 p.m. each Monday, Wednesday, and Friday as to whether any stream will be open or closed to fishing. It shall be the responsibility of the angler to use the ~~telephone number~~ webpage designated in the sport fishing regulations booklet to obtain information on the status of any stream.

(2) Eel River

(A) From the mouth to Fulmor Road, at its paved junction with the south bank of Eel River. Closed to angling, except:

1. Legal fishing methods other than angling are permitted.
2. From the mouth to Cock Robin Island Bridge, angling from shore for non-salmonids is permitted.

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

(B) The main stem Eel River from the paved junction of Fulmor Road with the Eel River to the South Fork Eel River. Minimum Flow: 350 cfs at the gauging station near Scotia.

(3) The South Fork of the Eel River downstream from Rattlesnake Creek and the Middle Fork Eel River downstream from the Bar Creek. Minimum Flow: 340 cfs at the gauging station at Miranda.

(4) Van Duzen River: The main stem Van Duzen River from its junction with the Eel River to the end of Golden Gate Drive near Bridgeville (approximately 4,000 feet upstream from the Little Golden Gate Bridge).

Minimum Flow: 150 cfs at the gauging station near Grizzly Creek Redwoods State Park.

(5) Mad River: The main stem Mad River from the Hammond Trail Railroad Trestle to Cowan Creek.

Minimum Flow: 200 cfs at the gauging station at the Highway 299 bridge.

(6) Mattole River: The main stem of the Mattole River from the mouth to Honeydew Creek.

Minimum Flow: 320 cfs at the gauging station at Petrolia.

(7) Redwood Creek: The main stem of Redwood Creek from the mouth to its confluence with Bond Creek.

Minimum Flow: 300 cfs at the gauging station near the Highway 101 bridge.

(8) Smith River: The main stem Smith River from the mouth of Rowdy Creek to the mouth of Patrick Creek (tributary of the Middle Fork Smith River); the South Fork Smith River from the mouth upstream approximately 1000 feet to the County Road (George Tyron-) bridge and Craigs Creek to its confluence with Jones Creek; and the North Fork Smith River from the mouth to its confluence with Stony Creek.

Minimum Flow: 600 cfs at the Jedediah Smith Redwoods State Park gauging station.

~~THE NUMBER TO CALL FOR INFORMATION IS (707) 822-3164.~~ Check the Department's regulations page at www.wildlife.ca.gov/regulations for Low-Flow Restrictions and Information.

(b) Mendocino, Sonoma, and Marin County coastal streams: Stream Closures: Special Low Flow Conditions.

(1) From September 1 through April 30:

(A) Any of the stream reaches listed in subsections (b)(2) through (5) below shall be closed to all angling on Tuesday and Wednesday when the department determines that the flow on the previous Monday at the applicable designated gauging stations is less than the minimum flows set forth in subsections (b)(2) through (5).

(B) Any of the stream reaches listed in subsections (b)(2) through (5) below shall be closed to all angling on Thursday and Friday when the department determines that the flow on the previous Wednesday at the applicable designated gauging stations is less than the minimum flows set forth in subsections (b)(2) through (5).

(C) Any of the stream reaches listed in subsections (b)(2) through (5) below shall be closed to all angling from Saturday through Monday when the department determines that the flow on the previous Friday at the applicable designated gauging stations is less than the minimum flows set forth in subsections (b)(2) through (5).

(D) Notwithstanding subsections (b)(1)(A) through (C), the department may close or keep a stream reach closed to fishing when the minimum flow is exceeded on the scheduled flow determination day if the department is reasonably assured that the stream flow is likely to decrease below the minimum flow as specified in subsections (b)(2) through (5) before or on the next flow-determination date.

(E) The department may reopen a stream at any time during a closed period if the minimum flow as specified in subsections (b)(2) through (5) is exceeded and the department is reasonably assured that it will remain above the minimum flow until the next scheduled Monday, Wednesday, or Friday flow determination.

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

~~THE NUMBER TO CALL FOR INFORMATION IS (707) 822-3164 for Mendocino County and (707) 944-5533 for Sonoma, Marin, and Napa Counties.~~ Check the Department's regulations page at www.wildlife.ca.gov/regulations for Low-Flow Restrictions and information.

(2) All rivers, creeks, and streams that flow directly into the Pacific Ocean (and its bays) in Mendocino County, except for the Russian and Gualala rivers. This excludes sections and reaches above fish migration barriers, dams, and natural features that prevent upstream anadromous migration.

Minimum Flow: 200 cfs at the USGS gauging station on the main stem Navarro River near Navarro, CA.

(3) All rivers, creeks, and streams that flow directly into the Pacific Ocean (and its bays) in Sonoma and Marin Counties, except for the Russian River. This excludes sections and reaches above fish migration barriers.

Minimum Flow: 150 cfs at the gauging station on the South Fork Gualala River near Sea Ranch (Sonoma County).

(4) Russian River main stem below the confluence of the East Branch Russian River (Mendocino and Sonoma Counties), Laguna de Santa Rosa, and Santa Rosa Creek.

Minimum Flow: 300 cfs at the gauging station located on the main stem Russian River near Guerneville (Sonoma County).

(5) The Napa River (Napa County) between Trancas Avenue in Napa and Oakville Cross Bridge near Yountville.

Minimum Flow: 15 cfs at the gauging station at the Oak Knoll Bridge on the main stem Napa River.

(c) South Central Coast Streams — Special Low Flow Closures: During December 1 through March 7, the following streams (subsections (c)(1) through (5)) will be closed to fishing when the department determines that stream flows are inadequate to provide fish passage for migrating steelhead trout and salmon. Closed streams will be reopened when the department determines flows are adequate for fish passage.

(1) Pescadero Creek and all anadromous reaches of San Mateo Co. coastal streams normally open for fishing, from Elliot Creek through Milagro Creek, shall be closed to all fishing when the department determines that the Pescadero Creek flows are impeding fish passage. (U. S. G. S. gauging station is on Pescadero Creek.)

(2) Aptos and Soquel Creeks (Santa Cruz Co.) shall be closed to all fishing when the department determines that the Soquel Creek flows are impeding fish passage. (U. S. G. S. gauging station on Soquel Creek.)

(3) The Pajaro River and Uvas, Llagas, and Corralitos Creeks (Santa Cruz, Monterey, & Santa Clara Cos.) shall be closed to all fishing when the department determines that the Pajaro River flows are impeding fish passage. (U. S. G. S. gauging station on the lower Pajaro River.)

(4) The main stem of the Salinas River (Monterey Co.), below its confluence with the Arroyo Seco River, shall be closed to all fishing when the department determines that the flows are impeding fish passage (U. S. G. S. Spreckels gauging station on the Salinas River.)

(5) The Arroyo Seco River (Monterey Co.) shall be closed to all fishing when the department determines that the flows are impeding fish passage. (Flows to be evaluated at U. S. G. S. Spreckels gauging station on the Salinas River and the U. S. G. S. gauging station near Geenfield on the Arroyo Seco River.)

(6) The San Lorenzo River and all its tributaries, as well as all anadromous reaches of coastal streams normally open for fishing in Santa Cruz Co. from the San Lorenzo River north through Waddell Creek, shall be closed to all fishing when the department determines that the flow at the U.S.G.S. gauging station (#11160500) in the San Lorenzo River at Big Trees is less than 40 cfs.

(7) The Carmel River main stem, and the adjacent waters of San Jose, Gibson, Malpaso, and Soberanes Creeks that are west of Highway 1 (Monterey Co.), shall be closed to all fishing when the department determines that the flow at the U. S. G. S. gauging station near Carmel is less than 80 cfs.

(8) The Big Sur River main stem west of the Highway 1 bridge, all of Limekiln Creek and its tributaries, and the anadromous portions of all other Big Sur Coast streams west of Highway 1 in Monterey Co., from Granite Creek south to Salmon Creek, shall be closed to all fishing when the department determines that the flow at the U. S. G. S. gauging station on the Big Sur River is less than 40 cfs.

(9) The stream flow gauges referred to above in subsections (c)(6) through (8) will be checked on Tuesday and Friday of each week. The decision as to whether these rivers will be open or closed to fishing will take place only on Tuesday and Friday of each week. In the event that river flow differs later in the week, the fishing status for each specific river will not change until the day following the next scheduled reading.

(10) It shall be the responsibility of the angler to use the ~~telephone number~~ webpage designated in the sport fishing regulations booklet to obtain information on the status of any of the rivers or creeks listed above in subsections (c)(1) through (8).

~~THE NUMBER TO CALL FOR INFORMATION IS (831) 649-2886.~~ Check the Department's regulations page at www.wildlife.ca.gov/regulations for Low-Flow Restrictions and information.

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

Proposed Regulatory Language

Subsection (a) of Section 703, Title 14, CCR is amended to read:

§ 703. Miscellaneous Applications, Tags, Seals, Licenses, Permits, and Fees.

(a) Applications, Forms and Fees for January 1 through December 31 (Calendar Year).

... No changes to subsections (1) through (2)...

(3) Determination that a Transgenic Aquatic Animal is not Detrimental

(A) The applicant shall apply in the form of a letter, on letterhead if an entity, for a department determination that a transgenic aquatic animal is not detrimental in accordance with Section 1.92 and shall include all of the following:

1. The name, mailing address, telephone number(s), and e-mail address of the person seeking to import, possess, distribute, and sell the transgenic aquatic animal or of the principal contact person if an entity seeks to import, possess, distribute, and sell the transgenic aquatic animal.

2. A detailed analysis based on credible science containing:

a. The common and scientific names of the species for which an exemption is sought.

b. A description of the life history of the species.

c. A description of the method(s) by which the genome of the species has been deliberately altered, modified, or engineered.

d. The known or anticipated effects of the genetic alteration, modification or engineering of the species.

e. An analysis of the potential risk to native fish, wildlife, or plants posed by the presence of the transgenic aquatic animal within California.

f. A description of the applicant's proposed importation, possession, distribution, and sale of the transgenic aquatic animal within California.

3. Certification in the following language: I certify that the information submitted in this application is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject the application to rejection, or the department determination to revocation, and to civil and criminal penalties under the laws of the State of California.

a. The original signature of the person, or principal contact person if an entity, seeking the determination.

4. The applicant shall submit a separate application and nonrefundable fee of \$4,790 per species of transgenic aquatic animal.

5. The applicant shall submit one paper copy, and an electronic copy (via email or other device as directed by department staff) containing all application materials, and the application fee, to the Fisheries Branch Chief at ~~830 S Street, Sacramento, CA 95811~~ 1010 Riverside Pkwy, West Sacramento, CA, 95605.

(B) Contents of the Department Determination

1. The department shall issue a determination in writing, based on the information provided by the applicant, and any other relevant credible scientific information in the possession of the department or submitted to the department.

2. The determination shall state whether:

a. The presence of the transgenic aquatic animal within California is detrimental and subject to regulation under Section 671 and subsection 671.1(a)(8); or,

b. The presence of the transgenic aquatic animal within California is not detrimental and poses no reasonably foreseeable risk to native fish, wildlife, or plants and is not subject to regulation under Section 671 and subsection 671.1(a)(8).

c. In making its determination, the department may impose reasonable conditions to ensure the proposed importation, possession, distribution, and sale of the transgenic aquatic animal within California is not detrimental to native fish, wildlife, or plants.

d. The department may revoke or change its determination at any time upon newly-obtained information or circumstances involving said animal's detrimental impacts.

3. If the department identifies deficiencies in the application, requiring additional time or further review, the department shall reject the application and provide written notification of the identified deficiencies in the application to the applicant. No additional fee is required if the application, with required information, is resubmitted within one year of receipt of the original application.

(C) Effect of Department Determination

1. Once it receives a determination from the department that the transgenic aquatic animal poses no reasonably foreseeable risk to native fish, wildlife, or plants, the applicant or its authorized agent may import, possess, distribute, and sell the animal within the state provided that both the applicant and its authorized agent possess and provide within three business days, upon request by the department, a copy of the department's determination.

2. Any wholesaler or retailer purchasing a transgenic aquatic animal from the applicant or its authorized agent may import, possess, distribute, and sell the animal provided that the wholesaler or retailer possesses and provides within three business days, upon request by the department, both a copy of the department's

determination and written documentation to demonstrate that the animal that the wholesaler or retailer purchased originated from the applicant or its authorized agent.

3. Individuals purchasing a transgenic aquatic animal that originated from the applicant, its authorized agent, or wholesalers or retailers as authorized by this section may possess the animal, without a copy of the department's determination or any other documentation, provided that the animal is maintained in a closed system and not placed in the waters of the state.

NOTE: Authority cited: Sections 713, 1002, 1002.5, 1050, 1055, 2118, 2120, 2122, 2150, 2150.2, 2157 and 5060, Fish and Game Code.

Reference: Sections 395, 396, 398, 713, 1002, 1002.5, 1050, 2116, 2116.5, 2117, 2118, 2120, 2125, 2150, 2150.2, 2150.4, 2151, 2157, 2190, 2193, 2271, 3005.5, 3007, 3503, 3503.5, 3511, 3513, 3950, 5060, 5061, 10500, 12000 and 12002, Fish and Game Code; and Title 50, Code of Federal Regulations, Parts 21.29 and 21.30.