

Proposed Emergency Regulatory Language

Sections 5.79, Title 14, CCR, is amended to read as follows:

§ 5.79. White Sturgeon Report Card and Tagging Requirements for Inland Waters (FG 683, See Section 701).

- (a) Sturgeon Fishing Report Card Required. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for or taking White Sturgeon. Cardholders must complete and return the card pursuant to regulations in this Section and in Section 1.74.
- (b) Tagging and Recording Requirements for Retained Fish. A Sturgeon Fishing Report Card includes a detachable tag that shall be used to tag any White Sturgeon that is taken and retained in the sport fishery. Any White Sturgeon possessed by any person shall be tagged.
 - (1) Upon taking and retaining a White Sturgeon, the cardholder shall immediately record the following information:
 - (A) The fishing location, time of catch and length of the fish shall be recorded legibly and permanently in the appropriate spaces on the tag. The cardholder shall immediately and completely punch out the date of catch (month and day) on the sturgeon tag.
 - (B) The month, day, fishing location and length of the fish shall be recorded in the appropriate spaces on the Sturgeon Fishing Report Card.
 - (2) Immediately after recording the information above, the cardholder shall remove and completely detach the tag from the card and affix it to the White Sturgeon. Cardholders shall not wait until completion of fishing activity to tag any White Sturgeon in possession.
 - (3) The tag shall be securely fastened to the fish. To affix the tag, a “zip tie”, string, line or other suitable material shall be passed through the tag at the location specified on the sturgeon tag and attached to the fish.
 - (4) The tag shall not be removed from the report card until immediately prior to affixing to a White Sturgeon. Any tag detached from the report card and not affixed to a White Sturgeon shall be considered used and therefore invalid. No person shall possess any used or otherwise invalid sturgeon tags.
 - (5) Records of Prior Activity. The tag must be accounted for at all times by entry of a record on the Sturgeon Fishing Report Card. Any tag that was lost or destroyed shall be recorded as such on the corresponding line on the Sturgeon Fishing Report Card.
 - (6) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.

(7) After retaining and tagging a White Sturgeon, a cardholder shall not continue to fish catch and release for White Sturgeon on the same day.

(8) Cardholders that have retained and tagged a White Sturgeon are permitted to catch and release White Sturgeon starting on the day after the tag was used.

(c) Reporting Requirements for Released Fish.

(1) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, location code, length, and species of sturgeon.

(2) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released may be recorded on the back of the card.

(3) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.

(d) Sturgeon tags must be left affixed to the fish in place, including while stored at a residence or non-transient location, until the fish is processed for immediate consumption.

(e) The annual fee for the Sturgeon Fishing Report Card is specified in Section 701(c).

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

Reference: Sections 200, 205 and 265, Fish and Game Code.

Proposed Emergency Regulatory Language

Section 5.80, Title 14, CCR, is amended to read as follows:

§ 5.80. White Sturgeon.

(a) Open season:

- (1) All year: from the west Carquinez Bridge east to the Hwy 50 bridge on the Sacramento River and the I-5 bridge on the San Joaquin River.
- (2) From June 1 through December 31: above the Hwy 50 bridge on the Sacramento River and the I-5 bridge on the San Joaquin River, including all tributaries of both rivers. From January 1 through May 31: it is unlawful to take White Sturgeon.

(b) Daily limit: One fish per day. After harvesting a White Sturgeon, anglers shall not continue to catch and release White Sturgeon on the same day. Anglers that have retained and tagged a fish are permitted to fish catch and release for White Sturgeon starting on the day after the tag was used.

(c) Annual bag limit: One fish per calendar year statewide.

(d) Daily vessel maximum harvest: All persons aboard a vessel may be cited for violation of a daily vessel maximum harvest limit. No more than two White Sturgeon may be harvested per day on a vessel, regardless of the number of anglers on board. Anglers must have in their possession a report card with a valid tag in order to retain a White Sturgeon. When the daily vessel maximum harvest is reached, only anglers that have not tagged a White Sturgeon that day may continue to fish catch and release for White Sturgeon.

(e) Size limit: No fish less than 42 inches fork length or greater than 48 inches fork length may be taken or possessed.

(f) Methods of take: Only one single point, single shank, barbless hook may be used on a line when taking sturgeon. The sturgeon must voluntarily take the bait or lure inside its mouth. No sturgeon may be taken by trolling, snagging or by the use of firearms. Sturgeon may not be gaffed, nor shall any person use any type of firearm or snare to take any sturgeon. For the purposes of this section, a snare is a flexible loop made from any material that can be tightened like a noose around any part of the fish.

(g) Removal from water. Any sturgeon greater than 68 inches fork length may not be removed from the water and shall be released immediately.

(h) Report card required: Any person fishing for or taking sturgeon shall have in their possession a nontransferable Sturgeon Fishing Report Card issued by the department and shall adhere to all reporting and tagging requirements for sturgeon defined in Sections 1.74 and 5.79, Title 14, CCR.

(i) Special North Coast District Sturgeon Closure (Humboldt, Del Norte, Trinity and Siskiyou cos.). It is unlawful to take any sturgeon in the North Coast District at any time.

- (j) For regulations on take and possession of sturgeon in ocean waters as defined in Section 27.00, see Sections 27.90, 27.91, and 27.95.
- (k) Special Sierra and Valley District Sturgeon Closure from January 1 to December 31 (Shasta, Tehama, Butte and Glenn cos.).
 - (1) Sacramento River from Keswick Dam to the Highway 162 Bridge.
 - (A) It is unlawful to take any sturgeon.
 - (B) It is unlawful to use wire leaders.
 - (C) It is unlawful to use lamprey or any type of shrimp as bait.
- (l) Special Yolo Bypass Flood Control System Sturgeon Closure. It is unlawful to take any sturgeon in the Yolo Bypass, Toe Drain Canal, and Tule Canal upstream of Lisbon Weir at any time.

NOTE: Authority cited: Sections 200, 205, 265, 275 and 399, Fish and Game Code.
Reference: Sections 110, 200 and 205, Fish and Game Code.

Proposed Emergency Regulatory Language

Section 27.90, Title 14, CCR, is amended to read as follows:

§ 27.90. White Sturgeon.

- (a) Open season: All year except as described in Section 27.95 of these regulations.
- (b) Daily limit: One fish per day. After harvesting a White Sturgeon, anglers shall not continue to catch and release White Sturgeon on the same day. Anglers that have retained and tagged a fish are permitted to fish catch and release for White Sturgeon starting on the day after the tag was used.
- (c) Annual bag limit: One fish per calendar year statewide.
- (d) Daily vessel maximum harvest: All persons aboard a vessel may be cited for violation of a daily vessel maximum harvest limit. No more than two White Sturgeon may be harvested per day on a vessel, regardless of the number of anglers on board. Anglers must have in their possession a report card with a valid tag in order to retain a White Sturgeon. When the daily vessel maximum harvest is reached, only anglers that have not tagged a White Sturgeon that day may continue to fish catch and release for White Sturgeon.
- (e) Size limit: No fish less than 42 inches fork length or greater than 48 inches fork length may be taken or possessed.
- (f) Methods of take: Only one single point, single shank, barbless hook may be used on a line when taking sturgeon. The sturgeon must voluntarily take the bait or lure in its mouth. No sturgeon may be taken by trolling, snagging or by the use of firearms. Sturgeon may not be gaffed, nor shall any person use any type of firearm or snare to take any sturgeon. For the purposes of this section, a snare is a flexible loop made from any material that can be tightened like a noose around any part of the fish.
- (g) Removal from water. Any sturgeon greater than 68 inches fork length may not be removed from the water and shall be released immediately.
- (h) Report card required: Any person fishing for or taking sturgeon shall have in their possession a nontransferable Sturgeon Fishing Report Card issued by the department and shall adhere to all reporting and tagging requirements for sturgeon defined in Sections 1.74 and 27.92, Title 14, CCR.
- (i) For regulations on take and possession of sturgeon in inland waters as defined in Section 1.53, see Section 5.80 and Section 5.81.
- (j) Boat limits, as defined in Subsection 27.60(c) and Section 195, are not authorized for sturgeon fishing and shall not apply to the take, possession or retention of White Sturgeon.

NOTE: Authority cited: Sections 200, 205, 265, 275, and 399, Fish and Game Code.
Reference: Sections 110, 200, and 205, Fish and Game Code.

Proposed Emergency Regulatory Language

Section 27.92, Title 14, CCR, is amended to read as follows:

§ 27.92. White Sturgeon Report Card and Tagging Requirements for Ocean Waters (FG 683, See Section 701).

- (a) Sturgeon Fishing Report Card Required. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for or taking White Sturgeon. Cardholders must complete and return the card pursuant to regulations in this Section and in Section 1.74.
- (b) Tagging and Recording Requirements for Retained Fish. A Sturgeon Fishing Report Card includes a detachable tag that shall be used to tag any White Sturgeon that is taken and retained in the sport fishery. Any White Sturgeon possessed by any person shall be tagged.
 - (1) Upon taking and retaining a White Sturgeon, the cardholder shall immediately record the following information:
 - (A) The fishing location, time of catch and length of the fish shall be recorded legibly and permanently in the appropriate spaces on the tag. The cardholder shall immediately and completely punch out the date of catch (month and day) on the sturgeon tag.
 - (B) The month, day, fishing location and length of the fish shall be recorded in the appropriate space on the Sturgeon Fishing Report Card.
 - (2) Immediately after recording the information above, the cardholder shall remove and completely detach the tag from the card and affix it to the White Sturgeon. Cardholders shall not wait until completion of fishing activity to tag any White Sturgeon in possession.
 - (3) The tag shall be securely fastened to the fish. To affix the tag, a “zip tie”, string, line or other suitable material shall be passed through the tag at the location specified on the sturgeon tag and attached to the fish.
 - (4) The tag shall not be removed from the report card until immediately prior to affixing to a White Sturgeon. Any tags detached from the report card and not affixed to a White Sturgeon shall be considered used and therefore invalid. No person shall possess any used or otherwise invalid sturgeon tags.
 - (5) Records of Prior Activity. The tag must be accounted for at all times by entry of a record on the Sturgeon Fishing Report Card. Any tag that was lost or destroyed shall be recorded as such on the corresponding line on the Sturgeon Fishing Report Card.
 - (6) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.
 - (7) After retaining and tagging a White Sturgeon, cardholders shall not continue to catch and release White Sturgeon on the same day.

(8) Cardholders that have retained and tagged a White Sturgeon are permitted to fish catch and release for White Sturgeon starting on the day after the tag was used.

(c) Reporting Requirements for Released Fish.

(1) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, location code, length, and species of sturgeon.

(2) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released may be recorded on the back of the card.

(3) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.

(d) Sturgeon tags must be left affixed to the fish in place, including while stored at a residence or non-transient location, until the fish is processed for immediate consumption.

(e) The annual fee for the Sturgeon Fishing Report Card is specified in Section 701, Title 14, CCR.

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