

State of California  
Fish and Game Commission  
Final Statement of Reasons for Regulatory Action  
Amend Sections 2.30, 5.00, 7.50, 8.00, and 703  
Title 14, California Code of Regulations  
Re: Inland Sport Fishing Regulations Update

I. Date of Statements of Reason

- (a) Initial Statement of Reasons                      Date: January 24, 2024
- (b) Final Statement of Reasons                      Date: August 19, 2024

II. Dates and Locations of Scheduled Hearings

- (a) Notice Hearing  
Date: April 18, 2024                                      Location: San Jose, CA
- (b) Discussion Hearing  
Date: June 19, 2024                                      Location: Mammoth Lakes, CA
- (c) Adoption Hearing  
Date: August 15, 2024                                      Location: Fortuna, CA

III. Update

At the August 15, 2024, Fish and Game Commission (Commission) meeting, the Commission adopted the Department of Fish and Wildlife’s (Department) recommended amendments to sections 2.30, 5.00, 7.50, 8.00, and 703 of Title 14 of the California Code of Regulations (CCR) as set forth in the attached Adopted Regulatory Text. There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.

IV. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations

Responses to public comments received were included in the Pre-adoption Statement of Reasons (see attached).

June 19, 2024, Commission meeting. Oral comment by James Stone.

Comment:

Mr. Stone thanked the Commission for raising the issue of information access for individuals without internet and suggested phasing out the phone lines rather than eliminating them wholesale.

Response:

The regulations were adopted by the Commission with the understanding that the phone lines currently in use would remain in service for roughly a year after adoption. Further, the transition to web-based information was demonstrated to be the most

popular among interested individuals, straightforward for both giving and receiving the information, and sustainable for Department of Fish and Wildlife staffing. Lastly, the eventual elimination of dedicated phone lines with pre-recorded messages does not preclude individuals from receiving information over the phone, as the Department of Fish and Wildlife can still be contacted to relay it to callers.

August 15, 2024, Commission meeting. Oral comment by Gary Smith.

Comment:

Mr. Smith expressed support for all the changes in the package and thanked Director Bonham for acknowledging and correcting a mistake in the earlier written materials regarding the size requirements for Brook Trout in the Pre-adoption Statement of Reasons. He also thanked staff for including in the materials the fact that the changes to Willow Creek align with Department's mission and will benefit native trout.

Response:

Thank you for your interest in sport fish regulations and for providing a comment in support of the updates.

V. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

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

(b) No Change Alternative

The no change alternative would leave the current regulations in place.

(b) Consideration of Alternatives

In view of information currently possessed by the Commission, no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

VI. Impact of Regulatory Action

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

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

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

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

The Commission does not anticipate adverse impacts on the creation or elimination of jobs within the state. The Commission does not anticipate adverse impacts on the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed changes are to provide clarification of existing regulations and are not anticipated to change the level of fishing activity and thus the demand for goods and services related to sportfishing that could impact the demand for labor, nor induce the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California.

The Commission anticipates benefits to the environment by the sustainable management of fishery resources throughout the state. The Commission does not anticipate any benefits to the health and welfare of California residents or to worker safety.

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

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

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. No changes to costs or savings to state agencies or in federal funding are anticipated by the proposed clarification of existing regulations. The Department program implementation and enforcement are projected to remain the same with a stable volume of fishing activity.

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

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

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

(h) Effect on Housing Costs: None.

## Updated Informative Digest/Policy Statement Overview

This California Department of Fish and Wildlife (Department) proposal combines Department and public requests for changes to Title 14, sections 2.30, 5.00, 7.50, 703, and 8.00, for the 2024 Sport Fishing Regulatory Cycle. This proposal will reduce the daily bag limit for trout in Parker Lake and Willow Creek, reduce the minimum size limit for black bass in Lake Castaic, allow take of American Shad by spearfishing in the Valley District, simplify and streamline access to low-flow fishing information, amend the fishing boundary for Deep Creek, and update the Department's mailing address. These proposed regulatory changes are needed to effectively manage California's sport fisheries, and correct errors and inaccuracies in the existing regulations to reduce public confusion and improve regulatory enforcement.

The Department is proposing changes to the following regulations in Title 14, CCR:

- **Section 2.30, Spearfishing**
  - The proposal would amend the freshwater sport fishing regulations to include American Shad as a species that may be taken by spearfishing in the Valley District, and clarification of the spearfishing boundaries (Section 2.30 Spearfishing, subsections (b) and (c)).
- **Section 5.00, Black Bass, Subsection (b)(7), Castaic Lake (Los Angeles Co.)**
  - The proposal is to reduce the 15-inch total length minimum size limit at Castaic Lake to the statewide standard of 12-inch total length minimum size limit. The daily bag limit of five fish will remain unchanged.
- **Section 7.50, Subsection (b)(42), Deep Creek (San Bernardino Co.)**
  - This proposal would amend the fishing boundary for Deep Creek for clarity purposes. The current regulations identify the boundary as "from headwaters at Little Green Valley to confluence of Willow Creek." However, "Little Green Valley" does not exist. The proposed new boundary is "**from below Green Valley Lake Dam** to the confluence of Willow Creek." This change is necessary to ensure law enforcement officers are clear on which area the regulations apply.
- **Section 7.50, Parker Lake (Mono Co.)**
  - This proposal would amend the trout regulations for Parker Lake to allow year-round angling and set a two fish bag limit, a 14-inch minimum size limit, and an artificial lures only gear restriction from the General Statewide Regulations for trout (i.e., Section 5.85) of all year, 5 fish bag limit with 10 in possession. This will require adding Parker Lake to Section 7.50, Special Fishing Regulations for Trout.
- **Section 7.50, Willow Creek (Alpine Co.)**
  - This public proposal seeks to amend the fishing regulations on Willow Creek upstream from the confluence with the West Fork Carson River to the main tributary of Willow Creek to protect the declining populations of trout in the creek. This proposal would reduce the daily bag limit for trout from five fish per day to catch and release fishing

only, with a gear restriction of artificial lures and barbless hooks only. This will require adding Willow Creek to Section 7.50, Special Fishing Regulations for Trout.

- **Section 8.00, Low Flow Fishing Restrictions.**

- This proposal seeks to simplify and streamline access to low-flow information by transitioning the three low-flow phone lines to a single-source CDFW webpage.

- **Other Changes**

The Department is proposing additional changes to correct errors and improve clarity in the regulations, including:

1. Section 2.30(c): capitalize the letter “c” in “county” in regards to the “Kern-Tulare County line.”
2. Section 703(a)(3): The mailing address for the Department’s Fisheries Branch in this section needs to be changed from 830 S Street, Sacramento, CA 95811 to 1010 Riverside Pkwy, West Sacramento, 95605.
3. Section 7.50: Renumber subsections (b)(106) through (b)(169) to account for the addition of Parker Lake and Willow Creek.
4. Section 7.50(b)(144): Update the reference to Soulajoule Lake to the correct name and spelling Soulajule Reservoir.
5. Section 7.50(b)(155): Update the reference to Blue Ridge road to the proper grammar Blue Ridge Road.

### Benefits of the Proposed Regulations

As stated in Fish and Game Code Section 1700, Conservation of Aquatic Resources, it is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant water fisheries based in California in harmony with international law, respecting fishing and the conservation of the living resources of the ocean and other waters under the jurisdiction and influence of the state. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence, and the maintenance of a sufficient resource to support a reasonable sport use. Adoption of scientifically based sport fish seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations sport fish to ensure their continued existence.

The benefits of the proposed regulations are consistent with the sustainable management of California’s sport fisheries, general health and welfare of California residents, and promotion of businesses that rely on sport fishing throughout California.

### Consistency and Compatibility with Existing Regulations

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission (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 recreational fishing in waters of the state (Fish and Game Code sections 200, 205, 315, and

316.5). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to trout sport fishing seasons, bag, and possession limits.

### **Update**

**At the August 15, 2024, Fish and Game Commission meeting, the Commission adopted the Department's recommended amendments to Sections 2.30, 5.00, 7.50, 8.00, and 703 of Title 14 of the California Code of Regulations as set forth in the attached Final Proposed Regulatory Text. There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Action.**