Staff Summary for May 14, 2025

5. Klamath River Basin Sport Fishing

Today's Item **Information ☐** **Action ☒**

Consider adopting proposed amendments to Klamath River Basin sport fishing regulations and taking final action under the California Environmental Quality Act.

Summary of Previous/Future Actions

- Wildlife Resources Committee (WRC) vetting — September 12, 2024; WRC
- Notice hearing — February 12-13, 2025
- Discussion hearing — April 16-17, 2025
- **Today's adoption hearing** — **May 14, 2025; Teleconference**

Background

At its February 2025 meeting, the Commission authorized publication of notice of its intent to amend sport fishing regulations on the Klamath and Trinity rivers (referred to as the Klamath River Basin). The notice appeared in the California Regulatory Notice Register on March 28, 2025. Further background on the regulatory options noticed by the Commission can be found in a February 2025 staff summary (Exhibit 1) and the initial statement of reasons (Exhibit 2).

As part of the annual regulatory process, specific bag, possession and size limits for Klamath River fall-run Chinook salmon (KRFC) are scheduled for adoption by the Commission after the Pacific Fishery Management Council (PFMC) reviews the status of West Coast salmon stocks and recommends fishery allocations.

Having completed *Stock Abundance Analysis and Environmental Assessment for 2025 Ocean Salmon Fishery Regulations in March 2025* (Exhibit 6), PFMC recommended its final management measures for the upcoming ocean salmon season at its April 9-15, 2025 meeting. At the Commission's April 2025 meeting, the Department recommended closing both the Klamath River Basin fall and spring Chinook salmon fisheries based on the recommended PFMC management measures for ocean salmon (Exhibit 9).

At today's meeting, the Commission is scheduled to determine whether to adopt the noticed amendments and, if so, select the season dates and an option within the noticed ranges for quota, size, bag and possession limits (under Option 1), or a fishery closure (Option 2), based on PFMC's final recommendation.

California Environmental Quality Act (CEQA)

The Department drafted an initial study and negative declaration as a proposed mechanism for complying with CEQA and provided the draft to the Commission in supplemental materials for the April 2025 Commission meeting. Staff has reviewed and analyzed the negative declaration and determined that it reflects the independent judgment of the Commission. The Commission submitted the draft negative declaration for public comment (State Clearinghouse #2025040692, available at https://ceqanet.opr.ca.gov/2025040692); no public comments were received.

Significant Public Comments (N/A)

Recommendation

Commission staff: Find that the negative declaration reflects the independent judgment of the Commission, approve the proposed project for purposes of CEQA, and adopt Option 2 as described in the ISOR and recommended by the Department.

Department: Adopt the regulatory changes under Option 2 as proposed.

Exhibits

1. Staff summary from February 12-13, 2025 Commission meeting, Agenda item 8 (*for background purposes only*)
2. Initial statement of reasons
3. Noticed regulatory language
4. Department memo transmitting pre-adoption statement of reasons, received May 7, 2025
5. Pre-adoption statement of reasons
6. Link to online PFMC report: *Preseason Report I Stock Abundance Analysis and Environmental Assessment Part 1 for 2025 Ocean Salmon Fishery Regulations*
7. Department memo transmitting draft negative declaration, received March 27, 2025
8. Draft negative declaration regarding Klamath River Basin Sport Fishing Regulations (State Clearinghouse #2025040692)
9. Department presentation including recommendation

Motion

Moved by _____ and seconded by _____ that the Commission finds that the negative declaration reflects the independent judgment of the Commission, adopts the declaration, approves the proposed project pursuant to the California Environmental Quality Act, and adopts Option 2 of the proposed changes to subsection 7.40(b)(50) related to Klamath River Basin sport fishing regulations for the 2025 season and spring fishery.

Staff Summary for February 12-13, 2025
(For background purposes only)

8. Inland Sport Fishing

Today's Item **Information ☐** **Action ☒**

(A) ***Central Valley sport fishing (annual)***
Consider authorizing publication of notice of intent to amend Central Valley sport fishing regulations.

(B) ***Klamath River Basin sport fishing (annual)***
Consider authorizing publication of notice of intent to amend Klamath River Basin sport fishing regulations related to Chinook salmon.

Summary of Previous/Future Actions

• Wildlife Resources Committee (WRC) vetting	September 12, 2024; WRC
• **Today's notice hearing**	**February 12-13, 2025**
• Discussion hearing	April 16-17, 2025
• Adoption hearing	May 14, 2025; Teleconference

Background

The Commission adopts Central Valley sport fishing regulations and Klamath River Basin sport fishing regulations on an annual basis to align state regulations with federal fishery management recommendations made by the Pacific Fishery Management Council (PFMC). PFMC will adopt its final regulatory recommendations in April 2025 for the upcoming season based on salmon abundance estimates and recommended ocean harvest.

Historically, the Commission has not amended regulations for the fall and spring Klamath River Chinook salmon (KRSC) concurrently in its annual rulemaking. However, the KRSC recreational sport fishery has been closed multiple times in the recent past through the emergency rulemaking process. The current stock status and the need to compensate for large-scale changes in fishery effort necessitate the Department to consider annual changes to the regulations for this fishery. As a result, the Department has incorporated the management of KRSC into the annual Klamath sport fish rulemaking process.

The broad scope of the options in the draft initial statement of reasons (ISORs) and draft proposed regulatory language (exhibits A2, A3, B2, and B3) intentionally allows for flexibility in developing the final regulations for each respective package. This flexibility is necessary to allow the Commission to quickly adopt regulations given the timing of the PFMC process. The Department will recommend specific regulation changes to the Commission at its April 2024 meeting for potential adoption at the Commission's May 2024 teleconference meeting.

Multiple options are presented today for each rulemaking.

(A) ***Central Valley***

- Option 1 – Allows the take of any size Chinook salmon up to the daily bag limits [0-4] and possession limits [0-12].
- Option 2 – Allows the take of a limited number of adult Chinook salmon, with grilse Chinook salmon making up the remainder of the daily bag limits [0-4] and possession limits [0-12].
- Option 3 – Allows a grilse-only Chinook salmon fishery up to the daily bag limit [0-4] and possession limit [0-12].
- Option 4 – Closed to the take and possession of Chinook salmon.

Additionally, a range of consecutive days associated with the respective fishing season date range is indicated in [brackets] to allow for the ability to start the season later or end the season earlier, per section of river or across the valley.

(B) ***Klamath River Basin***

- Option 1
  - Klamath River Fall Chinook (KRFC) Adult Stocks (Sport Fishery Quota Management)
    - Quota range of 0-67,600 adult KRFC
    - Bag Limit of [0-4] Chinook salmon – of which no more than [0-4] fish over [20-24] inches total length may be retained until the subquota is met, then 0 fish over [20-24] inches total length.
    - Possession limit of [0-12] Chinook salmon – of which no more than [0-4] fish over [20-24] inches total length may be retained when the take of salmon over [20-24] inches total length is allowed.
  - Klamath River Spring Chinook (KRSC)
    - Bag Limit of [0-1] Chinook salmon
    - Possession limit of [0-2] Chinook salmon
- Option 2
  - KRFC fishery closure
  - KRSC fishery closure

The Commission may publish notice with the presented options and adopt one or more options for each body of water, independently or in combination, to meet management objectives and maximize recreational salmon fishing opportunities in the identified Central Valley and Klamath River Basin rivers and tributaries.

Staff Summary for February 12-13, 2025
(For background purposes only)

Significant Public Comments (N/A)

Recommendation

Commission staff: Authorize publication of notices as recommended by the Department.

Committee: Authorize publication of notices as recommended by the Department.

Department: Authorize publication of notices consistent with the draft ISORs and draft proposed regulatory language.

Exhibits

A1. Department memo, received January 2, 2025
A2. Draft ISOR (Central Valley)
A3. Draft proposed regulatory language (Central Valley)
A4. Draft economic and fiscal impact statement (STD. 399) (Central Valley)
A5. Department presentation, Central Valley
B1. Department memo, received January 10, 2025
B2. Draft ISOR (Klamath River Basin)
B3. Draft proposed regulatory language (Klamath River Basin)
B4. Draft economic and fiscal impact statement (STD. 399) (Klamath River Basin)
B5. Department presentation, Klamath River Basin

Motion

Moved by _____ and seconded by _____ that the Commission authorizes publication of a notice of its intent to amend subsection 7.40(b)(4) et al., related to Central Valley sport fishing regulations.

AND

Moved by _____ and seconded by _____ that the Commission authorizes publication of a notice of its intent to amend subsection 7.40(b)(50), related to Klamath River Basin sport fishing regulations.

State of California
Fish and Game Commission
Initial Statement of Reasons for Regulatory Action

Amend Subsection (b)(50) of Section 7.40
Title 14, California Code of Regulations
Re: Klamath River Basin Sport Fishing 2025

I. Date of Initial Statement of Reasons: December 17, 2024

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: February 12, 2025 Location: Sacramento

(b) Discussion Hearing

Date: April 16, 2025 Location: Sacramento

(c) Adoption Hearing

Date: May 14, 2025 Location: Teleconference

III. Description of Regulatory Action

(a) Statement of Specific Purpose of Regulatory Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed for fall-run Chinook Salmon (*Oncorhynchus tshawytscha*) through a cooperative system of state, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin (in-river) sport fisheries which are consistent with federal fishery management goals.

Tribal entities within the Klamath River Basin maintain fishing rights for ceremonial, subsistence, and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by individual tribal governments.

Klamath River Fall-Run Chinook Salmon
Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural-area spawning escapement goals are established by PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

PFMC Overfishing Review
KRFC stocks have been designated as "overfished" by PFMC. This designation is the result of not meeting conservation objectives for these stocks. Management objectives and criteria for KRFC are defined in the PFMC Salmon Fishery Management Plan (FMP). The threshold for overfished status of KRFC is a three-year geometric mean less than or equal to 30,525 natural area adult spawners. This overfished-threshold was met for KRFC during the 2015-2017 period. The 30,525 KRFC natural area adult spawners is considered the minimum stock size threshold, per the FMP. The KRFC adult natural area spawning escapement for 2023 was 32,834 natural area adult spawners, which is below the one-year conservation threshold of 40,700 natural area adult spawners. The most recent three-year geometric mean of 27,879 is still less than the required 40,700 natural area adult spawners conservation threshold, therefore the KRFC are still considered as an "overfished" stock.

Accordingly, the FMP outlines a process for preparing a "rebuilding plan" that includes assessment of the factors that led to the decline of the stock, including fishing, environmental factors, model errors, etc. The rebuilding plan includes recommendations to address conservation of KRFC, with the goal of achieving rebuilt status. Rebuilt status requires meeting a three-year geometric mean of 40,700 adult natural area KRFC spawner escapement. The plan developed by representatives of NMFS, PFMC, U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife (Department), and tribal entities, was submitted to PFMC in February 2019, adopted by PFMC in June 2019, and submitted to NMFS in August 2019. Forthcoming recommendations from the rebuilding plan may alter how KRFC are managed in the future, including changing the in-river allocation number, and/or allocating less than the normal target number.

Klamath River Spring Chinook Salmon
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. Presently, KRSC stocks are not managed or allocated by PFMC. 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.

KRFC Allocation Management
The PFMC allocation for the Klamath River Basin sport harvest is normally a minimum of 15 percent of the non-tribal PFMC harvest allocation of KRFC. Preseason stock projections of 2025 adult KRFC abundance will not be available from PFMC until March 2025. The 2025 basin allocation will be recommended by PFMC in April 2025. That allocation will inform the quota that the Department proposes to the Commission for adoption as a quota for the in-river sport harvest at the Commission's May 2025 teleconference meeting.

The Commission may adopt a KRFC in-river sport harvest quota that is different than the quota proposed by the Department or the PFMC 2025 allocation for that fishery. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the FMP.

The annual KRFC in-river sport harvest quota is specified in subsection 7.40(b)(50)(D)1. The quota is split among four geographic areas with a subquota for each area, expressed as a percentage of the total in-river quota, specified in subsection 7.40(b)(50)(D)2. For angler convenience, the subquotas, expressed as the number of fish, are listed for the affected river segments in subsection 7.40(b)(50)(E).

The in-river sport subquota percentages are shown in Figure 1., and are as follows:

1. Main stem Klamath River from the California-Oregon border to the Highway 96 bridge at Weitchpec -- 17 percent of the in-river sport quota;

2. Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth of the Pacific Ocean -- 50 percent of the in-river sport quota;

The spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the total Klamath River Basin quota has been taken downstream of the Highway 101 bridge.

3. Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the in-river sport quota; and

4. Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the in-river sport fishery quota.

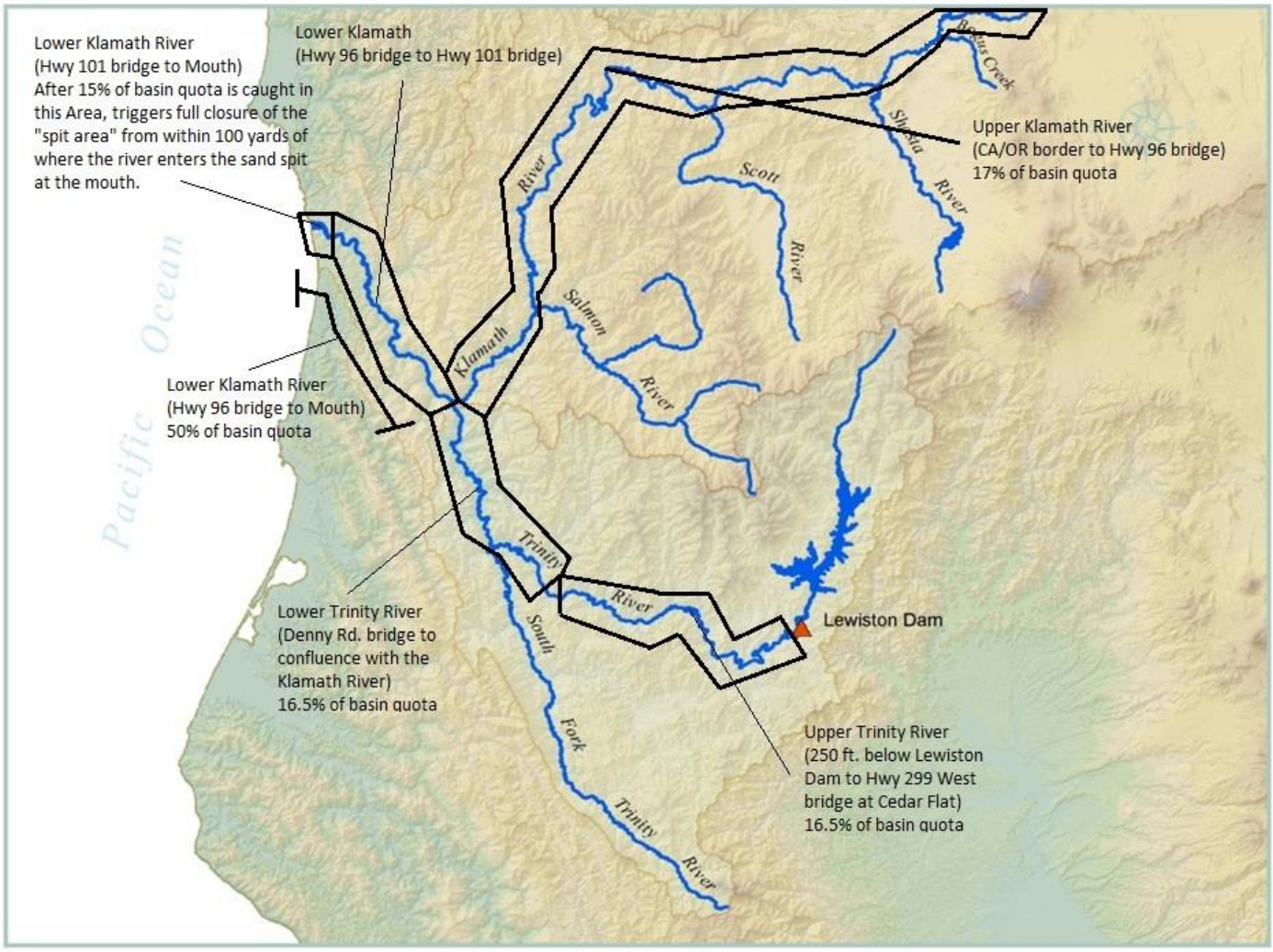

Figure 1. Map of the Klamath River Basin, showing the subquota areas of the Trinity and Klamath rivers.

These geographic areas are based upon the historical distribution of angler effort to ensure equitable harvest of adult KRFC in the Klamath River and Trinity River. The subquota system requires the Department to monitor or assess angler harvest of adult KRFC in each geographic area. All areas are monitored on a real time basis, except for the Klamath River upstream of Weitchpec and in the Trinity River. Due to funding and personnel reductions, the Department does not currently conduct real time harvest monitoring in the Klamath River upstream of the Weitchpec and in the Trinity River.

The Department has developed Harvest Predictor Models (HPM), which incorporate historic creel survey data from the Klamath River downstream of Iron Gate Dam to the confluence with the Pacific Ocean, and the Trinity River downstream of Lewiston Dam to the confluence with the Klamath River. Each HPM is driven by the positive relationship between KRFC harvested in the respective lower and upper subquota areas of the Klamath River and the Trinity River. The HPMs will be used by the Department to implement fishing closures to ensure that anglers do not exceed established subquota targets. Using this method, the upper Klamath River subquota area generally closes between 28-30 days after the lower Klamath River subquota is reached. Similarly, the upper Trinity River subquota area generally closes 45 days after the lower Klamath River subquota has been met. The Department also takes into consideration several other factors when implementing closure dates for subquota areas, including angler

effort, KRFC run timing, weir counts, and ongoing recreational creel surveys performed by the Hoopa Valley Tribe in the lower Trinity River below Willow Creek.

Sport Fishery Management
The KRFC in-river sport harvest quota is divided into geographic areas, and harvest is monitored under real time subquota management. The KRSC in-river sport harvest is managed by general season, daily bag limit, and possession limit regulations.

The Department presently differentiates the two stocks by the following sport fish season in each sub-area:

Klamath River
July 1 through August 14 – General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth.

August 15 to December 31 – KRFC quota management.

Trinity River
July 1 through August 31 – General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Trinity River downstream of the Old Lewiston Bridge to the confluence with the South Fork Trinity River.

September 1 through December 31 – KRFC quota management.

The daily bag and possession limits apply to both stocks within the same sub-area and time period. Current regulations in subsections 7.40(b)(50)(E)2.a. through 2.e. specify bag limits for KRFC stocks in the Klamath River. Current regulations in subsections 7.40(b)(50)(E)6.b., e., and f. specify bag limits for KRFC stocks in the Trinity River. Current regulations in subsections 7.40(b)(50)(C)2.a. and 2.b. specify KRSC and KRFC possession limits, respectively.

Proposed Changes

KRFC Adult Stocks (Sport Fishery Quota Management)
As in prior years, the Department is proposing a range for the quota, daily bag and possession limits, and size limits for KRFC.

Quota: For public notice requirements, the Department recommends the Commission consider a quota range of 0–67,600 adult KRFC in the Klamath River Basin for the in-river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows the Commission to make adjustments during the 2025 regulatory cycle.

Subquotas: The proposed subquotas for KRFC stocks are as follows:

1. Main stem Klamath River from the California-Oregon border to the Highway 96 bridge at Weitchpec -- 17 percent of the total quota equates to [0-11,492];

2. Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth of the Pacific Ocean -- 50 percent of the total quota equates to [0-33,800];

3. Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the total quota equates to [0-11,154]; and

4. Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the total quota equates to [0-11,154].

Seasons:

- Klamath River - August 15 through December 31
- Trinity River - September 1 through December 31

Option 1: Bag and Possession Limits
Because the PFMC recommendations are not known at this time, ranges are shown in [brackets] below of bag and possession limits which encompass historical quotas. All are proposed for the 2025 KRFC fishery in the Klamath and Trinity rivers.

- Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over [20-24] inches total length may be retained until the subquota is met, then 0 fish over [20-24] inches total length.
- Possession limit - [0-12] Chinook Salmon of which no more than [0-12] fish over [20-24] inches total length may be retained when the take of salmon over [20-24] inches total length is allowed.

The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law or established in the FMP.

As in previous years, no retention of adult KRFC is proposed once the subquota has been met.

Size Limits
KRFC are managed based on adult quotas which is the maximum number of adult fish (age three and older) that can be harvested. In 2023, the Department moved away from the fixed standing cutoff size between grilse and adult Chinook Salmon of 23 inches total length to using a range between 20 to 24 inches total length as an annual option for cutoff size. This allows for annual variation in size cutoffs, as informed by previous year(s) data to manage the harvest of the adult KRFC quota more effectively. The Department is currently conducting a post season assessment of KRFC length and age data which will be used to help determine the proposed 2025 size cutoff. The 2025 proposed adult cutoff will be presented at the April Commission meeting.

Option 2: KRFC Fishery Closure
This option would close salmon fishing in the Klamath River Basin as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRFC should a reduction in the stock be indicated by PFMC abundance projections. In any year, should the PFMC recommend a complete or near complete closure of ocean recreational salmon fishery and/or an allocation of 0 (zero) adult KRFC to the in-river fishery, this option would give the Department flexibility to respond to and support any federal action. This option prohibits all methods of targeting KRFC including catch and release fishing.

KRSC Sport Fishery
The KRSC sport fishery has been closed multiple times in the recent past through the emergency rulemaking process. The current stock status and the need to compensate for large-scale changes in fishery effort have necessitated the Commission to consider regulations for this fishery annually. As a result, the management of KRSC has been incorporated into the annual Klamath sport fish rulemaking process.

Seasons:

- Klamath River – July 1 through August 14
- Trinity River – July 1 through August 31

Option 1: Bag and Possession Limits
Ranges are shown in [brackets] below of bag and possession limits which encompass historical ranges. All are proposed for the 2025 KRSC fishery in the Klamath and Trinity rivers.

- Bag Limit - [0-1] Chinook Salmon
- Possession limit - [0-2] Chinook Salmon.

Option 2: KRSC Fishery Closure
This option would close salmon fishing in the Klamath River Basin as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRSC should the Department be concerned with stock status or predict a large shift in effort due to widespread salmon closures in other areas of the state. In any year, should the PFMC recommend a complete or near complete closure of the ocean recreational salmon fishery and/or an allocation of 0 (zero) adult KRFC to the in-river fishery, this option would give the Department flexibility to respond to potential effort shift. This option prohibits all methods of targeting KRSC including catch and release fishing.

Other Changes for Clarity

1. Klamath River Basin sport fishing regulations subsection (50)(D)2.a.(i). The geographic boundary for the KRFC subquota area on the upper Klamath River has been changed from *Lakeview Road Bridge near Iron Gate to the Highway 96 bridge at Weitchpec* to *the California-Oregon border to the Highway 96 bridge at Weitchpec.* This change is necessary because with the recent removal of Iron Gate Dam, the potential for a recreational salmon fishery on the main stem Klamath River now extends up to the California-Oregon border.

2. Klamath River Basin sport fishing regulations subsections (50)(E)2.a., 2.b., 2.c., and 2.d., above the Highway 96 bridge at Weitchpec comprise the upper Klamath River subquota area. This subquota area receives 17% of the total KRB quota of KRFC. The KRFC quota for this area can range from 0-11,492 KRFC and is cumulative for all four subsections. For the 2025 angling season, the Department is proposing to keep the upstream reaches of the Klamath River (subsections 2.a. and 2.b.) closed to salmon fishing while habitat restoration continues in the area. However, the Department is proposing options for an open salmon fishery downstream (subsections 2.c. and 2.d.). Should both subsections open to salmon fishing in 2025, the 17% KRFC quota would be the cumulative quota for the two subsections. For clarity purposes, the Department is proposing to add language in subsections 2.c. and 2.d., that states the KRFC quota is the cumulative quota for both subsections.

3. Language was added to subsection (E)2.e. to clarify that the Spit Area will close to fishing after 15% of the KRB quota is taken *below the Highway 101 bridge*, as described in subsection (D)2.b. This change is necessary for consistency and clarity.

(b) Goals and Benefits of the Regulation

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 Klamath River Basin salmon seasons, size limits, and bag and possession limits provide for the maintenance of sufficient populations of salmon to ensure their continued existence.

The benefits of the proposed regulations are conformance with federal fishery management goals, sustainable management of Klamath River Basin fish resources, health and welfare of California residents, and promotion of businesses that rely on salmon sport fishing in the Klamath River Basin.

(c) Authority and Reference Sections from Fish and Game Code for Regulation

Authority: 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

(d) Specific Technology or Equipment Required by Regulatory Change

None.

(e) Identification of Reports or Documents Supporting Regulation Change

In-River Sport Fishing Economics Technical Report, National Oceanographic and Atmospheric Administration, National Marine Fisheries Service, September 2011. Available from: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=164441&inline

(f) Public Discussions of Proposed Regulations Prior to Notice Publication

The Department discussed the proposed amendments to the annual Klamath River Basin regulations at the Commission's Wildlife Resources Committee meeting on September 12, 2024.

IV. 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 existing salmon fishing closure in the Klamath River Basin in place. This would not allow the Commission to re-open salmon fishing in the Klamath River Basin in 2025 should PFMC preseason stock projections of 2025 adult KRFC be sufficient to allow an in-river sport fishery in 2025 and would not allow the Commission to

provide protection to KRSC should the Department be concerned with stock status or predict a large shift in effort due to widespread salmon closures in other areas of the state..

(c) Description of Reasonable Alternatives that Would Lessen Adverse Impact on Small Business

None identified.

V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no significant adverse effect on the environment, and therefore, no mitigation measures are needed.

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 regulation 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 regulations are projected to range from minor to no impact on the net revenues to local businesses servicing sport fishermen. Additionally, the in-river harvest is almost exclusively for KRFC, therefore no significant impacts are anticipated from the proposed changes to the KRSC regulations. If the 2025 KRFC quota is reduced, visitor spending may correspondingly be reduced, and in the absence of alternative visitor activities, the drop in spending could induce some business contraction. If the 2025 KRFC quota remains similar to the KRFC quotas allocated in previous years, then local economic impacts are expected to be unchanged. Neither scenario is expected to directly affect the ability of California businesses to compete with businesses in other states.

(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

An estimated 30-50 businesses that serve sport fishing activities are expected to be directly and/or indirectly affected depending on the final KRFC quota. The impacts range from no impact (Projection 1 under the Economic Impact Assessment (EIA), below) to small adverse impacts (Projection 3, EIA, below).

Depending on the final KRFC quota, the Commission anticipates the potential for some impact on the creation or elimination of jobs in California. The potential adverse employment impacts range from no impact to the loss of 14 jobs. Under all alternatives, due to the limited time period of this regulation’s impact, the Commission anticipates no impact on the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California.

For all of the proposed scenarios, the possibility of growth of businesses to serve alternative recreational activities exists. Adverse impacts to jobs and/or businesses would be less if

fishing of other species and grilse KRFC is permitted, than under a complete closure to all fishing. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed regulatory action is to increase sustainability in fishable salmon stocks and, consequently, promote the long-term viability of these same small businesses. Finally, the in-river harvest is almost exclusively for KRFC, therefore no significant impacts are anticipated from the proposed changes to the KRSC regulations.

(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.

(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.

VII. Economic Impact Assessment

The proposed amendments under consideration will set the 2025 Klamath River Basin salmon sport fishing regulations to conform to the PFMC KRFC allocation and will set the regulations for the KRSC as well. The Klamath River Basin is anticipated to be open for salmon sport fishing at levels similar to the levels in the 2022 sport fishing season (the last year where salmon fishing was open – no closure year); however, the possibility of marine fishery area closures still exists. Ocean closures may in turn result in PFMC recommendations for Klamath River Basin salmon sport fishery closures for the take of adult KRFC. Adverse or positive impacts to jobs and businesses will depend on the 2025 KRFC allocation ultimately adopted by the PFMC, and the specific regulations promulgated by the Commission, in conjunction with the Department. The in-river harvest is almost exclusively for KRFC, therefore no significant impacts are anticipated from the proposed changes to the KRSC regulations.

The proposed quota of 0 to 67,600 adult KRFC in 2025 represents a range from 0 percent or no salmon fishing on adult KRFC to greater than 100 percent of the 2022 Klamath River Basin KRFC quota. Under all scenarios, sport fishing may be allowed for other sport fish species and most likely for grilse KRFC, regardless of PFMC allocation. Thus, any adverse impacts to businesses could be less severe than under a complete closure of fishing.

The preservation of Klamath River salmon stocks is vital for the ongoing success of Klamath River Basin businesses that provide goods and services related to sportfishing. Scientifically-based KRFC allocations are necessary for the continued preservation of the resource, and therefore the prevention of adverse economic impacts.

A 2011 NMFS report (*In-River Sport Fishing Economics Technical Report*), reports that non-resident (outside the Eureka/Crescent City area) salmon or steelhead angler average expenditures are estimated to be $132.72 (2024$) per angler day (for lodging, food, gasoline, fishing gear, boat fuel, and guide fees). The projections do not distinguish between spring and fall runs, however, the report states that the in-river harvest is almost exclusively fall-run. The NMFS report also excluded the Trinity River, the largest tributary to the Klamath. Since the Trinity River is allocated 33 percent of the KRFC total quota, this share is used to expand salmon and steelhead angler effort, and thus impacts on associated businesses that support anglers.

In a normal year, the total non-resident angler contribution to the entire Klamath River Basin (including the Trinity River) is estimated to be about $1,341,634 (2024$) in direct expenditures, resulting in about $2,388,108 (2024$) in total economic output that supports an estimated 27 jobs throughout the state. This is a conservative estimate of total economic impact as it counts only non-resident angler expenditures. The total impact of non-resident angler direct expenditures on labor income, total economic output, and jobs are shown in Table 1.

Table 1. Klamath River Basin* Salmon and Steelhead Economic Impact 2022 (2024$)

Klamath Sportfishing	Salmon	Steelhead	Total Impact
Expenditures	$1,338,008.91	$3,624.90	$1,341,633.81
Labor Income	$748,705.26	$2,028.17	$750,733.43
Total Economic Impact	$2,381,656.26	$6,451.44	$2,388,107.70
Total Jobs Impact	27	0.1	27

Sources: Department Northern Region Creel 2022 surveys, *In-River Sport Fishing Economics Technical Report*, National Oceanographic and Atmospheric Administration, National Marine Fisheries Service, September 2011. * Lower Klamath and Trinity Rivers.

Local resident average expenditures per angler day are estimated to be 60 percent less (markedly reduced lodging, gasoline, and food expenditures), which yields an estimate of $53.08 (2024$) per angler day. Creel surveys in the Department's Northern Region (Del Norte, Humboldt, Lassen, Mendocino, Modoc, Shasta, Siskiyou, Tehama and Trinity counties) reveal that local resident (Eureka/Crescent City) anglers comprise about 22 percent of Klamath River Basin anglers, with a majority (78%) of anglers coming from outside the immediate locale. Any decreases to expenditures by resident anglers associated with reduced fishing opportunities may be offset by increased expenditures on other locally purchased goods and services – with no net change in local economic activity. Thus, the economic impact analysis focuses on non-resident angler expenditures which represent new money whose injection serves to stimulate the local economy.

Economic Impact Projections

To demonstrate the potential economic impacts that may result from a quota anywhere within the range of 0-67,600 KRFC, three adult salmon catch projections are as follows: 100 percent of the 2022 adult KRFC catch limit; 50 percent of the 2022 adult KRFC catch limit; and 0 percent of the 2022 adult KRFC catch limit.

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

Projection 1: 100 percent of the proposed adult KRFC catch limit: The Commission does not anticipate any adverse impacts on the creation or elimination of jobs, as the quotas would not decrease effort nor curtail the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2: 50 percent of the proposed adult KRFC catch limit: The Commission anticipates some impact on the creation or elimination of jobs, which may be partially offset by the potential for continued sport fishing allowed for other sportfish and grilse KRFC. A 50 percent salmon catch reduction will likely reduce visitor spending by slightly less than 50 percent, given price elasticities of demand for salmon fishing activity of less than one. As the “price” of fishing per unit catch increases, the demand for fishing trips declines by a lesser extent, particularly in the short-run. While difficult to predict, job losses associated with a 50 percent reduction in the adult KRFC catch limit are expected to be less than half of the 27 estimated total jobs supported by salmon angler visits seen in Table 1 (i.e. fewer than 14 jobs).

Projection 3: 0 percent of the proposed adult KRFC catch limit: In the event of fisheries closures for adult KRFC in some or all Klamath River Basin areas, the Commission anticipates less than 50 percent reduction in fishery-related jobs. As mentioned above, sport fishing for other species and grilse KRFC may still be allowed, thus mitigating potential job losses. A closure on the take of all KRFC was instituted in 2017, and only steelhead could be legally harvested during the fall season. The 2017 closure resulted in nearly a 50 percent drop in angler days. However, job creation or elimination tends to lag in response to short-term changes in consumer demand. Thus, the potential impacts of a closure on the take of adult KRFC are estimated to result in the loss of less than 14 jobs due to adjustment lags, and the continued sport fishing allowed for other species and potentially for grilse KRFC.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

Projection 1: 100 percent of the 2022 adult KRFC catch limit: The Commission does not anticipate any impacts on the creation of new business or the elimination of existing businesses, as the quotas would not decrease effort nor curtail the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2: 50 percent of the 2022 adult KRFC catch limit: The Commission anticipates a decline in visits to the fishery areas of less than 50 percent due to the continued sport fishing allowed for other species and grilse KRFC. This may result in some decline in business activity, but the Commission does not anticipate any impacts on the creation of new businesses, or the elimination of existing businesses directly related to fishing activities. However, with less effort being expended on salmon fishing, the possibility of alternative sportfishing activities and the growth of businesses to serve those activities exists.

Projection 3: 0 percent of the 2022 adult KRFC catch limit: In the event of salmon fisheries closures for adult KRFC in some or all Klamath River Basin areas, the Commission anticipates a decline in regional spending and thus reduced revenues to the approximately 30 to 50 businesses that directly and indirectly serve sport fishing activities with unknown impacts on the creation of new business or the elimination of existing businesses. However, adverse impacts may be mitigated by the continued opportunity to harvest other sportfish and the

potential for take of grilse KRFC. Additionally, the long-term intent of the proposed regulatory action is to increase sustainability in fishable salmon stocks and, consequently, promote the long-term viability of these same small businesses.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

Projection 1: 100 percent of the 2022 adult KRFC catch limit: The Commission does not anticipate any impacts on the expansion of businesses in California as the quotas would not increase effort nor increase the number of visitors and thus probable visitor expenditures in the fisheries areas.

Projection 2: 50 percent of the 2022 adult KRFC catch limit: The Commission does not anticipate any impacts on the expansion of businesses currently doing business within the State. Decreases in expenditures by resident anglers associated with reduced fishing opportunities may be offset by increased expenditures on other locally purchased goods and services – with no net change in local economic activity. For non-resident anglers, however, decreases in local expenditures associated with decreases in local fishing opportunities may result in increases in other expenditures outside the Klamath River Basin area.

Projection 3: 0 percent of the 2022 adult KRFC catch limit: In the event of salmon fisheries closures for adult KRFC in some or all Klamath River Basin areas, the Commission does not anticipate any expansion of businesses in California. Decreases in expenditures by anglers associated with reduced fishing opportunities may be partially offset by increased expenditures on other locally purchased goods and services as anglers pursue other sportfish, potentially including grilse KRFC, or the substitution of salmon fishing with other recreational activities.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

Under all projections, the Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a Klamath River Basin salmon sport fishery and other sport fisheries encourages a healthy outdoor activity and the consumption of a nutritious food. Sport fishing also contributes to increased mental health of its practitioners, as fishing is a hobby and form of relaxation for many. Sport fishing also provides opportunities for multi-generational family activities and promotes respect for California’s environment by the future stewards of California’s natural resources.

(e) Benefits of the Regulation to Worker Safety

Under all projections, the Commission does not anticipate benefits to worker safety because the proposed regulations will not impact working conditions.

(f) Benefits of the Regulation to the State’s Environment

Under all projections, the Commission anticipates benefits to the environment in the sustainable management of Klamath River Basin salmonid 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 Klamath River Basin salmon seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence.

(g) Other Benefits of the Regulation

Consistency with Federal Fishery Management Goals: California's salmon sport fishing regulations need to align with the new Federal regulations to achieve optimum yield in California. The PFMC annually reviews the status of west coast salmon populations. As part of that process, it recommends west coast adult salmon fisheries regulations aimed at meeting biological and fishery allocation goals specified in law or established in the FMP. These recommendations coordinate west coast management of sport and commercial ocean salmon fisheries off the coasts of Washington, Oregon, and California, and California inland salmon sport fisheries. These recommendations are subsequently implemented as ocean fishing regulations by the NMFS, and as salmon sport regulations for State marine and inland waters by the Commission.

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed for fall-run Chinook Salmon (*Oncorhynchus tshawytscha*) through a cooperative system of state, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin (in-river) sport fisheries which are consistent with federal fishery management goals.

Tribal entities within the Klamath River Basin maintain fishing rights for ceremonial, subsistence, and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by individual tribal governments.

Klamath River Fall-Run Chinook Salmon
Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural spawning escapement goals are established by PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

PFMC Overfishing Review
KRFC stocks have been designated as “overfished” by PFMC. This designation is the result of not meeting conservation objectives for these stocks. Management objectives and criteria for KRFC are defined in the PFMC Salmon Fishery Management Plan (FMP). The threshold for overfished status of KRFC is a three-year geometric mean less than or equal to 30,525 natural area adult spawners. This overfished-threshold was met for KRFC during the 2015-2017 period. The 30,525 KRFC natural area adult spawners is considered the minimum stock size threshold, per the FMP. The KRFC adult natural area spawning escapement for 2023 was 32,834 natural area adult spawners, which is below the one-year conservation threshold of 40,700 natural area adult spawners. The most recent three-year geometric mean of 27,879 is still less than the required 40,700 natural area adult spawners conservation threshold, therefore the KRFC are still considered as an “overfished” stock.

Accordingly, the FMP outlines a process for preparing a “rebuilding plan” that includes assessment of the factors that led to the decline of the stock, including fishing, environmental factors, model errors, etc. The rebuilding plan includes recommendations to address conservation of KRFC, with the goal of achieving rebuilt status. Rebuilt status requires meeting a three-year geometric mean of 40,700 adult natural area KRFC spawner escapement. The plan developed by representatives of NMFS, PFMC, U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife (Department), and tribal entities, was submitted to PFMC in February 2019, adopted by PFMC in June 2019, and submitted to NMFS in August 2019. Forthcoming recommendations from the rebuilding plan may alter how KRFC

are managed in the future, including changing the in-river allocation number, and/or allocating less than the normal target number.

Klamath River Spring Chinook Salmon
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. Presently, KRSC stocks are not managed or allocated by PFMC. 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.

KRFC Allocation Management
The PFMC allocation for the Klamath River Basin sport harvest is normally a minimum of 15 percent of the non-tribal PFMC harvest allocation of KRFC. Preseason stock projections of 2025 adult KRFC abundance will not be available from PFMC until March 2025. The 2025 basin allocation will be recommended by PFMC in April 2025. That allocation will inform the quota that the Department proposes to the Commission for adoption as a quota for the in-river sport harvest at the Commission's May 2025 teleconference meeting.

The Commission may adopt a KRFC in-river sport harvest quota that is different than the quota proposed by the Department or the PFMC 2025 allocation for that fishery. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the FMP.

The annual KRFC in-river sport harvest quota is specified in subsection 7.40(b)(50)(D)1. The quota is split among four geographic areas with a subquota for each area, expressed as a percentage of the total in-river quota, specified in subsection 7.40(b)(50)(D)2. For angler convenience, the subquotas, expressed as the number of fish, are listed for the affected river segments in subsection 7.40(b)(50)(E).

The in-river sport subquota percentages are as follows:

1. Main stem Klamath River from the California-Oregon border to the Highway 96 bridge at Weitchpec -- 17 percent of the in-river sport quota;

2. Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth of the Pacific Ocean -- 50 percent of the in-river sport quota;

The spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the total Klamath River Basin quota has been taken downstream of the Highway 101 bridge.

3. Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the in-river sport quota; and

4. Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the in-river sport fishery quota.

These geographic areas are based upon the historical distribution of angler effort to ensure equitable harvest of adult KRFC in the Klamath River and Trinity River. The subquota system requires the Department to monitor or assess angler harvest of adult KRFC in each geographic area. All areas are monitored on a real time basis, except for the Klamath River upstream of Weitchpec and in the Trinity

River. Due to funding and personnel reductions, the Department does not currently conduct real time harvest monitoring in the Klamath River upstream of the Weitchpec and in the Trinity River.

The Department has developed Harvest Predictor Models (HPM), which incorporate historic creel survey data from the Klamath River downstream of Iron Gate Dam to the confluence with the Pacific Ocean, and the Trinity River downstream of Lewiston Dam to the confluence with the Klamath River. Each HPM is driven by the positive relationship between KRFC harvested in the respective lower and upper subquota areas of the Klamath River and the Trinity River. The HPMs will be used by the Department to implement fishing closures to ensure that anglers do not exceed established subquota targets. Using this method, the upper Klamath River subquota area generally closes between 28-30 days after the lower Klamath River subquota is reached. Similarly, the upper Trinity River subquota area generally closes 45 days after the lower Klamath River subquota has been met. The Department also takes into consideration several other factors when implementing closure dates for subquota areas, including angler effort, KRFC run timing, weir counts, and ongoing recreational creel surveys performed by the Hoopa Valley Tribe in the lower Trinity River below Willow Creek.

Sport Fishery Management
The KRFC in-river sport harvest quota is divided into geographic areas, and harvest is monitored under real time subquota management. The KRSC in-river sport harvest is managed by general season, daily bag limit, and possession limit regulations.

The Department presently differentiates the two stocks by the following sport fish season in each sub-area:

Klamath River
July 1 through August 14 – General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth.

August 15 to December 31 – KRFC quota management.

Trinity River
July 1 through August 31 – General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Trinity River downstream of the Old Lewiston Bridge to the confluence with the South Fork Trinity River.

September 1 through December 31 – KRFC quota management.

The daily bag and possession limits apply to both stocks within the same sub-area and time period. Current regulations in subsections 7.40(b)(50)(E)2.a. through 2.e. specify bag limits for KRFC stocks in the Klamath River. Current regulations in subsections 7.40(b)(50)(E)6.b., e., and f. specify bag limits for KRFC stocks in the Trinity River. Current regulations in subsection 7.40(b)(50)(C)2.a. and 2.b. specify KRSC and KRFC possession limits, respectively.

Proposed Changes

KRFC Adult Stocks (Sport Fishery Quota Management)
Quota: For public notice requirements, the Department recommends the Commission consider a quota range of 0–67,600 adult KRFC in the Klamath River Basin for the in-river sport fishery. This

recommended range encompasses the historical range of the Klamath River Basin allocations and allows PFMC and Commission to make adjustments during the 2025 regulatory cycle.

Subquotas: The proposed subquotas for KRFC stocks are as follows:

1. Main stem Klamath River from the California-Oregon border to the Highway 96 bridge at Weitchpec -- 17 percent of the total quota equates to [0-11,492];

2. Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth of the Pacific Ocean -- 50 percent of the total quota equates to [0-33,800];

3. Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the total quota equates to [0-11,154]; and

4. Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the total quota equates to [0-11,154].

Seasons:

- Klamath River - August 15 through December 31
- Trinity River - September 1 through December 31

Bag and Possession Limits
Because the PFMC recommendations are not known at this time, ranges are shown in [brackets] below of bag and possession limits which encompass historical quotas. All are proposed for the 2025 KRFC fishery in the Klamath and Trinity rivers.

- Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over [20-24] inches total length may be retained until the subquota is met, then 0 fish over [20-24] inches total length.
- Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish over [20-24] inches total length may be retained when the take of salmon over [20-24] inches total length is allowed.

The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law or established in the FMP.

As in previous years, no retention of adult KRFC is proposed once the subquota has been met.

Size Limits
KRFC are managed based on adult quotas which is the maximum number of adult fish (age three and older) that can be harvested. In 2023, the Department moved away from the fixed standing cutoff size between grilse and adult Chinook Salmon of 23 inches total length to using a range between 20 to 24 inches total length as an annual option for cutoff size. This allows for annual variation in size cutoffs, as informed by previous year(s) data to manage the harvest of the adult KRFC quota more effectively. The Department is currently conducting a post season assessment of KRFC length and age data which will be used to help determine the proposed 2025 size cutoff. The 2025 proposed adult cutoff will be presented at the April Commission meeting.

Option 2: KRFC Fishery Closure
This option would close salmon fishing in the Klamath River Basin as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRFC should a reduction in the stock be indicated by PFMC abundance projections. In any year, should the PFMC recommend a complete or near complete closure of the ocean recreational salmon fishery and/or an allocation of 0 (zero) adult KRFC

to the in-river fishery, this option would give the Department flexibility to respond to and support any federal action. This option prohibits all methods of targeting KRFC including catch and release fishing.

KRSC Sport Fishery
The KRSC recreational sport fishery has been closed multiple times in the recent past through the emergency rulemaking process. The current stock status and the need to compensate for large-scale changes in fishery effort have necessitated the Department to consider regulations of this fishery annually. As a result, the management of KRSC has been incorporated into the annual Klamath sport fish rulemaking process.

Seasons:

- Klamath River – July 1 through August 14
- Trinity River – July 1 through August 31

Option 1 Bag and Possession Limits
Ranges are shown in [brackets] below of bag and possession limits which encompass historical ranges. All are proposed for the 2025 KRSC fishery in the Klamath and Trinity rivers.

- Bag Limit - [0-1] Chinook Salmon
- Possession limit - [0-2] Chinook Salmon.

Option 2: KRSC Fishery Closure
This option would close salmon fishing in the Klamath River Basin as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRSC should the Department be concerned with stock status or predicts a large shift in effort due to widespread salmon closures in other areas of the state. In any year, should the PFMC recommend a complete or near complete closure of the ocean recreational salmon fishery and/or an allocation of 0 (zero) adult KRFC to the in-river fishery, this option would give the Department flexibility to respond to potential effort shift. This option prohibits all methods of targeting KRSC including catch and release fishing.

Benefit of the Regulations

The benefits of the proposed regulations are conformance with federal fishery management goals, sustainable management of Klamath River Basin fish resources, health and welfare of California residents, and promotion of businesses that rely on salmon sport fishing in the Klamath River Basin.

Consistency and Compatibility with Existing Regulations

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated authority to the Commission to promulgate sport fishing regulations (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. Commission staff has searched the California Code of Regulations and has found no other state regulations related to sport fishing in the Klamath River Basin.

Proposed 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 Dwinnel 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.

   KRSC Option 1: 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~~ [0-2] Chinook Salmon.

   KRSC Option 2: 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.

KRFC Option 1: 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.~~[0-12] Chinook Salmon. No more than [0-4] Chinook Salmon over [20-24] inches total length may be retained when the take of salmon over [20-24] inches total length is allowed.

KRFC Option 2: b. Klamath River from Aug. 15 through Dec. 31 and Trinity River from Sep. 1 through 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 ~~2024~~2025 Klamath River Basin quota is ~~0~~[0-67,000] Klamath River fall-run Chinook Salmon. 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~~ the California-Oregon border 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.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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**.
(i) 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.	
(i) Fall Creek downstream of barrier located approximately 1 mile upstream from Copco Road	All anadromous portions of tributaries. Closed to all fishing all year.	
(ii) Jenny Creek downstream of barrier located approximately 2 miles upstream from Copco Road	All anadromous portions of tributaries. Closed to all fishing all year.	
(iii) 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.	

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
c. Klamath River from Lakeview Road Bridge near Iron Gate to Interstate 5 bridge.	Jan. 1 to Aug. 14.	2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~ [0-11,492] Chinook Salmon Aug. 15 to Dec. 31, ~~2024~~2025. This is the cumulative quota for subsections 2.c. and 2.d.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon. 2 hatchery trout or hatchery steelhead**.
d. Klamath River from Interstate 5 bridge to the Highway 96 bridge at Weitchpec.	Jan. 1 through Aug. 14.	2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~ [0-11,492] Chinook Salmon Aug. 15 through Dec. 31, ~~2024~~2025. This is the cumulative quota for subsections 2.c. and 2.d.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon. 2 hatchery trout or hatchery steelhead**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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.	~~1 Chinook Salmon.~~ **KRSC Option 1**: [0-1] Chinook Salmon **KRSC Option 2**: Closed to the take and possession of Chinook Salmon. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~[0-33,800] Chinook Salmon Aug. 15 through Dec. 31, ~~2024~~2025. Fall-run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit 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 downstream of the Hwy 101 bridge. All legally caught Chinook Salmon must be retained. Once the adult (greater than ~~23~~[20-24] 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~~. **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon 2 hatchery trout or hatchery steelhead**.
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**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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 through Jun. 30.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Jul. 1 through Aug. 31.	~~1 Chinook Salmon.~~ **KRSC Option 1**: [0-1] Chinook Salmon **KRSC Option 2**: Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~[0-11,154] Chinook Salmon Sep. 1 through Dec. 31, ~~2024~~2025.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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.	~~1 Chinook Salmon.~~ **KRSC Option 1**: [0-1] Chinook Salmon **KRSC Option 2**: Closed to the take and possession of Chinook Salmon. 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**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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 through Jun. 30.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Jul. 1 through Aug. 31.	~~1 Chinook Salmon.~~ **KRSC Option 1**: [0-1] Chinook Salmon **KRSC Option 2**: Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~[0-11,154] Chinook Salmon Sep. 1 through Dec. 31, ~~2024~~2025. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
f. Trinity River main stem downstream of the mouth of the South Fork Trinity River to the confluence with the Klamath River.	Jan. 1 through Aug. 31.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~[0-11,154] Chinook Salmon Sep. 1 through Dec. 31, ~~2024~~2025. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: 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 by Hyampom.	Nov. 1 through Mar. 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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.	Closed to the take and possession of 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.

State of California
Department of Fish and Wildlife

Signed Original on File
Received May 7, 2025

M e m o r a n d u m

Date: May 6, 2025

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

From: Charlton H. Bonham
Director

Subject: **Submittal of Pre-Adoption Statement of Reasons to Amend Subsection (b)(50) of Section 7.40, Title 14, California Code of Regulations, Re: Klamath River Basin Sport Fishing Regulations 2025**

Please find attached the Pre-Adoption Statement of Reasons (PSOR) for the 2025 Klamath River Basin sport fishing regulations. The PSOR includes the California Department of Fish and Wildlife's (Department) recommendation to close the Klamath River fall Chinook Salmon (KRFC) and Klamath River spring Chinook Salmon (KRSC) recreational fisheries for 2025. The Department's recommendation to close KRFC and KRSC recreational fishing on the Klamath and Trinity rivers for 2025 will be on the agenda for adoption during the California Fish and Game Commission teleconference meeting on May 14, 2025.

If you have any questions regarding his item, please contact Jay Rowan, Chief, Fisheries Branch, by email at Fisheries@wildlife.ca.gov.

ec: Chad Dibble, Deputy Director
Wildlife and Fisheries Division

Jay Rowan, Branch Chief
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State of California
Fish and Game Commission
Pre-Adoption Statement of Reasons for Regulatory Action

Amend Subsection (b)(50) of Section 7.40
Title 14, California Code of Regulations
Re: Klamath River Basin Sport Fishing

I. Date of Initial Statement of Reasons: December 17, 2024

II. Date of Pre-Adoption Statement of Reasons: April 21, 2025

III. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: February 12, 2025 Location: Sacramento

(b) Discussion Hearing

Date: April 16, 2025 Location: Sacramento

(c) Adoption Hearing

Date: May 14, 2025 Location: Teleconference

IV. Description of Modification of Originally Proposed Language of Initial Statement of Reasons (ISOR)

No changes have been to made to the originally proposed regulatory language and outlined in the Initial Statement of Reasons (ISOR).

However, at the April 16, 2025, California Fish and Game Commission (Commission) meeting, the California Department of Fish and Wildlife (Department) recommended a complete closure of the Klamath River fall Chinook Salmon (KRFC)(Option 2) and Klamath River spring Chinook Salmon as well as (KRSC) (Option 2) in-river recreational fisheries for the 2025 season. A complete closure of the fisheries will provide maximum protection of the KRFC and KRSC fisheries. The Department's recommendation is slated for adoption at the Commission's May 14, 2025 teleconference meeting.

V. Reasons for Modification of Originally Proposed Language of ISOR:

On April 15, 2025, the Pacific Fishery Management Council (PFMC) acted unanimously to recommend a complete closure of California's commercial ocean salmon fisheries through the end of the year, and allow a total of 31 days of recreational ocean salmon fishing spread over five months beginning June 7 and ending October 31.This action follows recent projections showing Chinook Salmon abundance in California's ocean waters is at historic lows. In addition, PFMC recommended a Klamath River recreational fishery allocation of 978 adult KRFC to the Klamath River Basin for the 2025 season. At the April 16, 2025, Commission meeting, the Department recommended to allocate the 978 adult KRFC sport fishery quota to spawner escapement.

The Klamath River Basin allocation has been identified as a range between 0–67,600 adult KRFC. The Department bases annual daily bag and possession limit recommendations on annual quotas. In large quota years, daily bag and possession regulations are more liberal to allow for increased harvest opportunity. In low quota years, regulatory recommendations are more conservative to protect the stock and achieve basin spawner escapement goals. Although KRSC stocks are not managed or allocated by PFMC, KRSC overlap in ocean distribution with KRFC and share similar marine and freshwater habitat challenges. KRSC stocks are also in decline, thus necessitating conservative measures for 2025.

VI. Summary of Primary Considerations Raised in Opposition and in Support

April 5, 2025-- Jerry Lampkin, T.N.G. Motorsports guide service, Guide #10270 (written comment).

Comment:

Regarding discussion and action item 12(b), Klamath basin sport fishing regulations.

Commenter has been a fishing guide on the Klamath for over 20 years and fishing the Klamath for over 30 years. Commenter has witnessed the salmon returns fluctuate from over a million, to virtually none. One constant in those 30 years, has been an open salmon fishing season regardless of whether one could keep an adult king or not. In the past, once the adult fish quota was met, a fisherman could still target and keep a jack (grilse) while releasing all adults safely. In the past, once the adult season was closed, when a fisherman returned to the dock or boat ramp, the Department counting personnel would document catch as well as record the number of adults released.

Due to the complete fishing closure in the last 2 years, the fish counting personnel have not been employed and as such, the Department has no accurate data on the water statistics to model this year’s returns.

While commenter is aware of the salmon situation in California, they would like to recommend a catch and release of adults/ harvest of jacks only season, just like the last 30 years have been once the quota was met.

There are a few advantages to this recommendation.

1. CDFW would have actual "on the water " data from those of us that are on the water daily.

2. The local business that rely on the salmon season for survival, would have a chance of surviving another year.(an example would be the campground where commenter stays would have more than 3 of its 50 campsites, occupied).

3. Commenter’s guide business would have a chance of survival.

Commenter feels that the system that has been in use on the Klamath for the last 30+ years, will provide for the protection of both the species, and those of us that rely on the species.

Response:

While there were 987 adult KRFC available for harvest in the freshwater sport fishery, the Department determined that these fish are better allocated to escapement to help recover this population from long term low abundance. Further, splitting those few fish among the various

Klamath/Trinity River sectors would create very small quotas that are difficult to monitor in real time and manage without exceedance of the harvest limit. Finally, in years when KRFC abundance is critically low, such that individual substocks are at risk of falling below critical levels of natural spawner abundance, including falling below crucial genetic thresholds (Salmon Technical Team (STT) Report 2 , PFMC), jack escapement becomes important for protecting the genetic integrity of these fish.

While the in-river recreational sport fishery for Chinook Salmon was closed in 2024, the Department was on the ground monitoring the fishery. A limited creel survey was carried out on the lower Klamath River to monitor steelhead angling effort and provide on the ground outreach and education for anglers not aware of the Chinook closure. Creel surveys were in place to capture any potential accidental or illegal harvest of Chinook Salmon that may have been caught. The survey effort was less than normal and began on August 6 and ran through September 30. Surveyors were present in the lower river 4 days per week (2 days each above and below Hwy 101 bridge). A preliminary estimate of 249 Chinook Salmon (140 adults and 109 jacks) were caught and released during this time. Zero Chinook were recorded as harvested in the recreational fishery. CDFW plans to operate this limited creel survey again in 2025.

Please note that the Department creel survey crews do not collect water quality information. If you are looking for real-time water quality conditions on the Klamath, the Tribal water quality monitoring network is extensive and can be viewed here: Data - Karuk Tribe Water Quality.

April 16, 2025 – James Stone, President of the Northern California Guides and Sportsmen's Association (NCGASA) (verbal comment).

Comment:

The commenter states they wish that there would be a little opportunity in the Klamath system, even a very small opportunity just like there was offered in the ocean this year in the mixed stock fishery because there will be Klamath fish, winter run fish, spring run fish, Sacramento main stem fish caught in the ocean.

Response:

While there were 987 adult KRFC available for harvest in the freshwater sport fishery, the Department determined that these fish are better allocated to escapement to help recover this population from long term low abundance. Further, splitting those few fish among the various Klamath/Trinity River sectors would create very small quotas that are difficult to monitor in real time and manage without exceedance of the harvest limit. Finally, in years when KRFC abundance is critically low, such that individual substocks are at risk of falling below critical levels of natural spawner abundance, including falling below crucial genetic thresholds (STT Report 2), jack escapement becomes important for protecting the genetic integrity of these fish.

April 16, 2025 – Charles (verbal comment).

Comment:

Commenter states that the real problem is the California sea lion. In the future it's going to have to be addressed just like it was in Washington. There needs to be some kind of control on this animal that is just destroying the salmon population amongst other things.

Response:

Comment noted.

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed for fall-run Chinook Salmon (*Oncorhynchus tshawytscha*) through a cooperative system of state, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The California Fish and Game Commission (Commission) adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin (in-river) sport fisheries which are consistent with federal fishery management goals.

Tribal entities within the Klamath River Basin maintain fishing rights for ceremonial, subsistence, and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by individual tribal governments.

Klamath River Fall-Run Chinook Salmon
Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural spawning escapement goals are established by PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

PFMC Overfishing Review
KRFC stocks have been designated as “overfished” by PFMC. This designation is the result of not meeting conservation objectives for these stocks. Management objectives and criteria for KRFC are defined in the PFMC Salmon Fishery Management Plan (FMP). The threshold for overfished status of KRFC is a three-year geometric mean less than or equal to 30,525 natural area adult spawners. This overfished-threshold was met for KRFC during the 2015-2017 period. The 30,525 KRFC natural area adult spawners is considered the minimum stock size threshold, per the FMP. The KRFC adult natural area spawning escapement for 2024 was 24,032 natural area adult spawners, which is below the one-year conservation threshold of 40,700 natural area adult spawners. The most recent three-year geometric mean of 27,879 is still less than the required 40,700 natural area adult spawners conservation threshold, therefore the KRFC are still considered as an “overfished” stock.

Accordingly, the FMP outlines a process for preparing a “rebuilding plan” that includes assessment of the factors that led to the decline of the stock, including fishing, environmental factors, model errors, etc. The rebuilding plan includes recommendations to address conservation of KRFC, with the goal of achieving rebuilt status. Rebuilt status requires meeting a three-year geometric mean of 40,700 adult natural area KRFC spawner escapement. The plan developed by representatives of NMFS, PFMC, U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife (Department), and tribal entities, was submitted to PFMC in February 2019, adopted by PFMC in June 2019, and submitted to NMFS in August 2019. Forthcoming recommendations from the rebuilding plan may alter how KRFC

are managed in the future, including changing the in-river allocation number, and/or allocating less than the normal target number.

Klamath River Spring Chinook Salmon
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. Presently, KRSC stocks are not managed or allocated by PFMC. 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.

KRFC Allocation Management
The PFMC allocation for the Klamath River Basin sport harvest is normally a minimum of 15 percent of the non-tribal PFMC harvest allocation of KRFC. Preseason stock projections of 2025 adult KRFC abundance will not be available from PFMC until March 2025. The 2025 basin allocation was recommended by PFMC in April 2025. That allocation will inform the quota that the Department proposes to the Commission for adoption as a quota for the in-river sport harvest at the Commission's May 2025 teleconference meeting.

The Commission may adopt a KRFC in-river sport harvest quota that is different than the quota proposed by the Department or the PFMC 2025 allocation for that fishery. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the FMP.

The annual KRFC in-river sport harvest quota is specified in subsection 7.40(b)(50)(D)1. The quota is split among four geographic areas with a subquota for each area, expressed as a percentage of the total in-river quota, specified in subsection 7.40(b)(50)(D)2. For angler convenience, the subquotas, expressed as the number of fish, are listed for the affected river segments in subsection 7.40(b)(50)(E).

The in-river sport subquota percentages are as follows:

1. Main stem Klamath River from the California-Oregon border to the Highway 96 bridge at Weitchpec -- 17 percent of the in-river sport quota;

2. Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth of the Pacific Ocean -- 50 percent of the in-river sport quota;

The spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the total Klamath River Basin quota has been taken downstream of the Highway 101 bridge.

3. Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the in-river sport quota; and

4. Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the in-river sport fishery quota.

These geographic areas are based upon the historical distribution of angler effort to ensure equitable harvest of adult KRFC in the Klamath River and Trinity River. The subquota system requires the Department to monitor or assess angler harvest of adult KRFC in each geographic area. All areas are monitored on a real time basis, except for the Klamath River upstream of Weitchpec and in the Trinity

River. Due to funding and personnel reductions, the Department does not currently conduct real time harvest monitoring in the Klamath River upstream of the Weitchpec and in the Trinity River.

The Department has developed Harvest Predictor Models (HPM), which incorporate historic creel survey data from the Klamath River downstream of Iron Gate Dam to the confluence with the Pacific Ocean, and the Trinity River downstream of Lewiston Dam to the confluence with the Klamath River. Each HPM is driven by the positive relationship between KRFC harvested in the respective lower and upper subquota areas of the Klamath River and the Trinity River. The HPMs will be used by the Department to implement fishing closures to ensure that anglers do not exceed established subquota targets. Using this method, the upper Klamath River subquota area generally closes between 28-30 days after the lower Klamath River subquota is reached. Similarly, the upper Trinity River subquota area generally closes 45 days after the lower Klamath River subquota has been met. The Department also takes into consideration several other factors when implementing closure dates for subquota areas, including angler effort, KRFC run timing, weir counts, and ongoing recreational creel surveys performed by the Hoopa Valley Tribe in the lower Trinity River below Willow Creek.

Sport Fishery Management
The KRFC in-river sport harvest quota is divided into geographic areas, and harvest is monitored under real time subquota management. The KRSC in-river sport harvest is managed by general season, daily bag limit, and possession limit regulations.

The Department presently differentiates the two stocks by the following sport fish season in each sub-area:

Klamath River

July 1 through August 14 – General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth.

August 15 to December 31 – KRFC quota management.

Trinity River

July 1 through August 31 – General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Trinity River downstream of the Old Lewiston Bridge to the confluence with the South Fork Trinity River.

September 1 through December 31 – KRFC quota management.

The daily bag and possession limits apply to both stocks within the same sub-area and time period. Current regulations in subsections 7.40(b)(50)(E)2.a. through 2.e. specify bag limits for KRFC stocks in the Klamath River. Current regulations in subsections 7.40(b)(50)(E)6.b., e., and f. specify bag limits for KRFC stocks in the Trinity River. Current regulations in subsection 7.40(b)(50)(C)2.a. and 2.b. specify KRSC and KRFC possession limits, respectively.

Proposed Changes

KRFC Adult Stocks (Sport Fishery Quota Management)

Quota: For public notice requirements, the Department recommends the Commission consider a quota range of 0–67,600 adult KRFC in the Klamath River Basin for the in-river sport fishery. This

recommended range encompasses the historical range of the Klamath River Basin allocations and allows PFMC and Commission to make adjustments during the 2025 regulatory cycle.

Subquotas: The proposed subquotas for KRFC stocks are as follows:

1. Main stem Klamath River from the California-Oregon border to the Highway 96 bridge at Weitchpec -- 17 percent of the total quota equates to [0-11,492];

2. Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth of the Pacific Ocean -- 50 percent of the total quota equates to [0-33,800];

3. Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the total quota equates to [0-11,154]; and

4. Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the total quota equates to [0-11,154].

Seasons:

- Klamath River - August 15 through December 31
- Trinity River - September 1 through December 31

Bag and Possession Limits

Because the PFMC recommendations are not known at this time, ranges are shown in [brackets] below of bag and possession limits which encompass historical quotas. All are proposed for the 2025 KRFC fishery in the Klamath and Trinity rivers.

- Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over [20-24] inches total length may be retained until the subquota is met, then 0 fish over [20-24] inches total length.
- Possession limit - [0-12] Chinook Salmon of which no more than [0-4] fish over [20-24] inches total length may be retained when the take of salmon over [20-24] inches total length is allowed.

The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law or established in the FMP.

As in previous years, no retention of adult KRFC is proposed once the subquota has been met.

Size Limits

KRFC are managed based on adult quotas which is the maximum number of adult fish (age three and older) that can be harvested. In 2023, the Department moved away from the fixed standing cutoff size between grilse and adult Chinook Salmon of 23 inches total length to using a range between 20 to 24 inches total length as an annual option for cutoff size. This allows for annual variation in size cutoffs, as informed by previous year(s) data to manage the harvest of the adult KRFC quota more effectively. The Department is currently conducting a post season assessment of KRFC length and age data which will be used to help determine the proposed 2025 size cutoff. The 2025 proposed adult cutoff will be presented at the April Commission meeting.

Option 2: KRFC Fishery Closure

This option would close salmon fishing in the Klamath River Basin as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRFC should a reduction in the stock be indicated by

PFMC abundance projections. In any year, should the PFMC recommend a complete or near complete closure of the ocean recreational salmon fishery and/or an allocation of 0 (zero) adult KRFC to the in-river fishery, this option would give the Department flexibility to respond to and support any federal action. This option prohibits all methods of targeting KRFC including catch and release fishing.

KRSC Sport Fishery

The KRSC recreational sport fishery has been closed multiple times in the recent past through the emergency rulemaking process. The current stock status and the need to compensate for large-scale changes in fishery effort have necessitated the Department to consider regulations of this fishery annually. As a result, the management of KRSC has been incorporated into the annual Klamath sport fish rulemaking process.

Seasons:

- Klamath River – July 1 through August 14
- Trinity River – July 1 through August 31

Option 1 Bag and Possession Limits

Ranges are shown in [brackets] below of bag and possession limits which encompass historical ranges. All are proposed for the 2025 KRSC fishery in the Klamath and Trinity rivers.

- Bag Limit - [0-1] Chinook Salmon
- Possession limit - [0-2] Chinook Salmon.

Option 2: KRSC Fishery Closure

This option would close salmon fishing in the Klamath River Basin as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRSC should the Department be concerned with stock status or predicts a large shift in effort due to widespread salmon closures in other areas of the state. In any year, should the PFMC recommend a complete or near complete closure of the ocean recreational salmon fishery and/or an allocation of 0 (zero) adult KRFC to the in-river fishery, this option would give the Department flexibility to respond to potential effort shift. This option prohibits all methods of targeting KRSC including catch and release fishing.

Benefit of the Regulations

The benefits of the proposed regulations are conformance with federal fishery management goals, sustainable management of Klamath River Basin fish resources, health and welfare of California residents, and promotion of businesses that rely on salmon sport fishing in the Klamath River Basin.

Consistency and Compatibility with Existing Regulations

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated authority to the Commission to promulgate sport fishing regulations (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. Commission staff has searched the California Code of Regulations and has found no other state regulations related to sport fishing in the Klamath River Basin.

Update

At the April 16, 2025 Commission meeting, the Department recommended a complete closure of the KRFC (Option 2) and KRSC (Option 2) in-river recreational fisheries for the 2025 season. A complete closure of the fisheries will provide maximum protection of the KRFC and KRSC fisheries. The Department's recommendation is slated for adoption at the Commission's May 14, 2025 teleconference meeting.

Proposed 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 Dwinnel 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.
   KRSC Option 1: 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~~ [0-2] Chinook Salmon.

KRSC Option 2: 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.

KRFC Option 1: 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.~~[0-12] Chinook Salmon. No more than [0-4] Chinook Salmon over [20-24] inches total length may be retained when the take of salmon over [20-24] inches total length is allowed.

KRFC Option 2: b. Klamath River from Aug. 15 through Dec. 31 and Trinity River from Sep. 1 through 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 ~~2024~~2025 Klamath River Basin quota is ~~0~~[0-67,000] Klamath River fall-run Chinook Salmon. 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~~ the California-Oregon border 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.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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**.
(i) 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.	
(i) Fall Creek downstream of barrier located approximately 1 mile upstream from Copco Road	All anadromous portions of tributaries. Closed to all fishing all year.	
(ii) Jenny Creek downstream of barrier located approximately 2 miles upstream from Copco Road	All anadromous portions of tributaries. Closed to all fishing all year.	
(iii) 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.	

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
c. Klamath River from Lakeview Road Bridge near Iron Gate to Interstate 5 bridge.	Jan. 1 to Aug. 14.	2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~ [0-11,492] Chinook Salmon Aug. 15 to Dec. 31, ~~2024~~2025. This is the cumulative quota for subsections 2.c. and 2.d.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon. 2 hatchery trout or hatchery steelhead**.
d. Klamath River from Interstate 5 bridge to the Highway 96 bridge at Weitchpec.	Jan. 1 through Aug. 14.	2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~ [0-11,492] Chinook Salmon Aug. 15 through Dec. 31, ~~2024~~2025. This is the cumulative quota for subsections 2.c. and 2.d.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon. 2 hatchery trout or hatchery steelhead**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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.	~~1 Chinook Salmon.~~ **KRSC Option 1**: [0-1] Chinook Salmon **KRSC Option 2**: Closed to the take and possession of Chinook Salmon. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~[0-33,800] Chinook Salmon Aug. 15 through Dec. 31, ~~2024~~2025. Fall-run Quota Exception: Spit Area (within 100 yards of the channel through the sand spit 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 downstream of the Hwy 101 bridge. All legally caught Chinook Salmon must be retained. Once the adult (greater than ~~23~~[20-24] 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~~. **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon 2 hatchery trout or hatchery steelhead**.
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**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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 through Jun. 30.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Jul. 1 through Aug. 31.	~~1 Chinook Salmon.~~ **KRSC Option 1**: [0-1] Chinook Salmon **KRSC Option 2**: Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~[0-11,154] Chinook Salmon Sep. 1 through Dec. 31, ~~2024~~2025.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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.	~~1 Chinook Salmon.~~ **KRSC Option 1**: [0-1] Chinook Salmon **KRSC Option 2**: Closed to the take and possession of Chinook Salmon. 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**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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 through Jun. 30.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Jul. 1 through Aug. 31.	~~1 Chinook Salmon.~~ **KRSC Option 1**: [0-1] Chinook Salmon **KRSC Option 2**: Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~[0-11,154] Chinook Salmon Sep. 1 through Dec. 31, ~~2024~~2025. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: Closed to the take and possession of Chinook Salmon. 10 Brown Trout. 2 hatchery trout or hatchery steelhead**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
f. Trinity River main stem downstream of the mouth of the South Fork Trinity River to the confluence with the Klamath River.	Jan. 1 through Aug. 31.	10 Brown Trout. 2 hatchery trout or hatchery steelhead**.
	Fall-run Quota: ~~0~~[0-11,154] Chinook Salmon Sep. 1 through Dec. 31, ~~2024~~2025. This is the cumulative quota for subsections 6.e. and 6.f. of this table.	~~Closed to the take and possession of Chinook Salmon.~~ **KRFC Option 1**: [0-4] Chinook Salmon - no more than [0-4] fish over [20-24] inches total length until subquota is met, then 0 fish over [20-24] inches total length. **KRFC Option 2**: 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 by Hyampom.	Nov. 1 through Mar. 31. Only artificial lures with barbless hooks may be used.	2 hatchery trout or hatchery steelhead**.

Body of Water	*Open Season and Special Restrictions*	*Daily Bag Limit*
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.	Closed to the take and possession of 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.

State of California
Department of Fish and Wildlife

Signed Original on File
Received March 27, 2025

M e m o r a n d u m

Date: March 19, 2025

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

From: Charlton H. Bonham, Director

Subject: **Initial Study and Negative Declaration for Proposed Amendments to Klamath River Basin Sport Fishing Regulations, Subsection (b)(50) of Section 7.40, Title 14, California Code of Regulations**

In compliance with the California Environmental Quality Act, the Department of Fish and Wildlife (Department) has prepared the enclosed *Initial Study and Negative Declaration for Proposed Amendments to the 2025 Klamath River Basin Sport Fishing Regulations, Title 14, California Code of Regulations (CCR)*. The California Fish and Game Commission (Commission) proposes to amend the Klamath River Basin sport fishing regulations as set forth in subsection 7.40(b)(50), Title 14, CCR for Klamath River fall-run Chinook Salmon and Klamath River spring Chinook Salmon based on federal fisheries management goals and to make additional changes for clarity. Based on the initial study, the Department assesses that the proposed amendments to the Klamath River Basin sport fishing regulations will not have a significant effect or potentially significant effect on the environment. The Department recommends the Commission adopt the Negative Declaration.

If you have any questions regarding the enclosed documents, please contact Karen Mitchell, Senior Environmental Scientist, at inlandfisheriesreg@wildlife.ca.gov.

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STATE OF CALIFORNIA
NATURAL RESOURCES AGENCY

CALIFORNIA FISH AND GAME COMMISSION

DRAFT NEGATIVE DECLARATION FOR PROPOSED AMENDMENTS TO 2025 KLAMATH RIVER BASIN SPORT FISHING REGULATIONS TITLE 14, CALIFORNIA CODE OF REGULATIONS

Prepared by:

California Department of Fish and Wildlife
Fisheries Branch

JANUARY 2025

This report has been prepared pursuant to the California Environmental Quality Act of 1970

State Clearinghouse #2025040692

Project Summary and Findings

The Project

The California Fish and Game Commission (Commission) proposes to amend the Klamath River Basin sport fishing regulations as set forth in Title 14 of the California Code of Regulations for Klamath River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; KRFC) and Klamath River spring Chinook Salmon (*Oncorhynchus tshawytscha*; KRSC) (Project). Current regulations in subsection 7.40(b)(50) prescribe the seasons dates and daily bag and possession limits for KRFC and KRSC in the Klamath River and Trinity River systems. Each year the California Department of Fish and Wildlife (Department) evaluates the potential need to amend the existing salmon regulations in the Klamath River Basin (KRB) to align with federal fisheries management goals. Any proposed changes to the salmon fishing regulations are presented to the Commission for consideration.

The Findings

The Commission finds that the Project would not have a significant effect on the environment.

The completed Initial Study, attached to this Negative Declaration, documents the bases for this finding and the Commission's determination that the Project will not have any significant or potentially significant effects on the environment, and that there is no substantial evidence, in light of the whole record before the Commission, that the Project may have significant effects on the environment. Therefore, no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment.

The Initial Study concluded that the project will not have a significant effect on aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.

Therefore, this Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21080, subdivision (c).

Basis of the Findings

This proposed negative declaration consists of:

- Project Description and Background Information on the Proposed Amendments to Klamath River Basin Sport Fishing Regulations for KRFC and KRSC
- Initial Study Environmental Checklist Form
- Explanation of the Responses to the Initial Study Environmental Checklist Form

Project Description and Background Information for Proposed Amendments to Klamath River Basin Sport Fishing Regulations

Annually the Department recommends Chinook Salmon (*Oncorhynchus tshawytscha*) in-river sport fishing regulations for the Klamath River Basin to the Commission. The Commission then makes the final determination on what amendments to the regulations should be implemented and is the lead agency for the purposes of CEQA. Under Fish and Game Code Section 200, the Commission has the authority to regulate the taking or possession of fish for the purpose of sport fishing.

Project Goals and Objectives

The goal of this project is to amend the Klamath River Basin sport fishing regulations in furtherance of the state's policy on conservation, maintenance, and utilization of California's aquatic resources stated in Fish and Game Code Section 1700. This Section includes the following objectives:

1. Maintain sufficient populations of all aquatic species to ensure their continued existence.
2. Maintain sufficient resources to support reasonable sport use.
3. Management of fisheries using best available science and public input.

Background

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed for fall-run Chinook Salmon (*Oncorhynchus tshawytscha*) through a cooperative system of state, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the U.S. Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The Commission adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin (in-river) sport fisheries which are consistent with federal fishery management goals. Tribal entities within the Klamath River Basin maintain fishing rights for ceremonial, subsistence, and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by individual

tribal governments.

Klamath River Fall-Run Chinook Salmon
Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural-area spawning escapement goals are established by PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

KRFC Allocation Management
The Klamath River Basin in-river KRFC sport fishery is managed using adult quotas. A quota range of 0–67,600 adult KRFC in the Klamath River Basin is utilized for public notice purposes for the in-river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows PFMC and the Commission to make adjustments during the 2025 regulatory cycle. The annual KRFC in-river harvest quota specified in subsection 7.40(b)(50)(D)1 is split between four geographic areas between the Klamath and Trinity rivers with a subquota for each area, expressed as a percentage of the total in-river quota. These geographic areas are based upon the historical distribution of angler effort to ensure equitable harvest of adult KRFC in the Klamath River and Trinity River.

The PFMC allocation for the Klamath River Basin sport harvest is normally a minimum of 15 percent of the non-tribal PFMC harvest allocation of KRFC. Preseason stock projections of 2025 adult KRFC abundance will not be available from PFMC until March 2025. The 2025 basin allocation will be recommended by PFMC in April 2025. That allocation will inform the quota that the Department proposes to the Commission for adoption as a quota for the in-river sport harvest at the Commission's May 2025 teleconference meeting.

The Commission may adopt a KRFC in-river sport harvest quota that is different than the quota proposed by the Department or the PFMC 2025 allocation for that fishery. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the PFMC Salmon Fishery Management Plan (FMP).

Klamath River Spring Chinook Salmon
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. Presently, KRSC stocks are not managed or allocated by PFMC. 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.

The proposed sport fishing regulations for the Klamath and Trinity rivers *may*:

(1) increase or decrease KRFC and KRSC bag and possession limits;

(2) increase or decrease the size limit for adult KRFC salmon; or

(3) close all KRFC and KRSC fishing in the Klamath and Trinity rivers and all associated tributaries, or specific areas/bodies of water, as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRFC and KRSC.

The proposed sport fishing regulations for the Klamath and Trinity rivers *will*:

(1) set a Klamath River Basin quota between 0 and 67,600 adult KRFC and subquotas based on that quota.

Project Location

The sport fishing addressed by this environmental document occurs in the anadromous waters of the Klamath River Basin, which consists of the Klamath River and Trinity River systems. The Klamath River Basin is in the northern California counties of Del Norte, Humboldt, Siskiyou, and Trinity.

Environmental Setting

In 1945 the Commission was charged with promulgating regulations to manage sport fishing in California, which includes a Chinook Salmon sport fishery on the Klamath and Trinity rivers. Since then, the Chinook Salmon sport fishery on these rivers has been open every year, with the exception of fishing closures in 2008-2009 and 2023-24. Although the Chinook Salmon in-river sport fishery is currently closed, the project area is open to steelhead fishing. The current lull in the Chinook Salmon in-river sport fishery is abnormal and does not accurately represent the environmental baseline for the project. The conditions that do accurately represent the environmental baseline for the project are an open Chinook Salmon in-river sport fishery between July and December with an amount of allowable take within the range of take allowed for the project area in 2022. This particular year also represents the norm for the environmental setting as assessed in economic and fiscal analyses of the effects of possible changes to the fishery.

Project Description

Current regulations in subsections (b)(50) of Section 7.40 prescribe the seasons and daily bag and possession limits for Klamath River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; KRFC) sport fishing in the Klamath River Basin (**Figure 1**). Each year, the Department recommends new KRFC bag and possession limits for consideration by the Commission to align the fishing limits with up-to-date management goals, as set forth below.

The KRFC in-river sport fishery is currently closed. In April 2024, the PFMC acted unanimously to recommend a full closure of California's commercial and recreational ocean salmon season (three to 200 nautical miles offshore) following projections showing Chinook Salmon abundance in California's ocean waters is at historic lows. Based on the April 2024 recommendation by the PFMC, the Department recommended a full closure of the KRFC fishery in all anadromous areas of the Klamath River Basin. The Commission considered the Department's recommendation and adopted the same at its May 15, 2024, meeting.

The KRSC in-river sport fishery is also currently closed. While the KRSC stocks are not under

PFMC management or allocation, KRSC share similar ocean distribution and in-river habitat challenges to those of KRFC. Given that the environmental factors that have reduced the KRFC stock to historical lows are shared by KRSC, the Department recommended an emergency closure of the KRSC fishery in the Klamath and Trinity rivers for 2024 at the Commission's April 18, 2024 meeting. The Commission considered the Department's recommendation and adopted the same at its May 15, 2024, meeting.

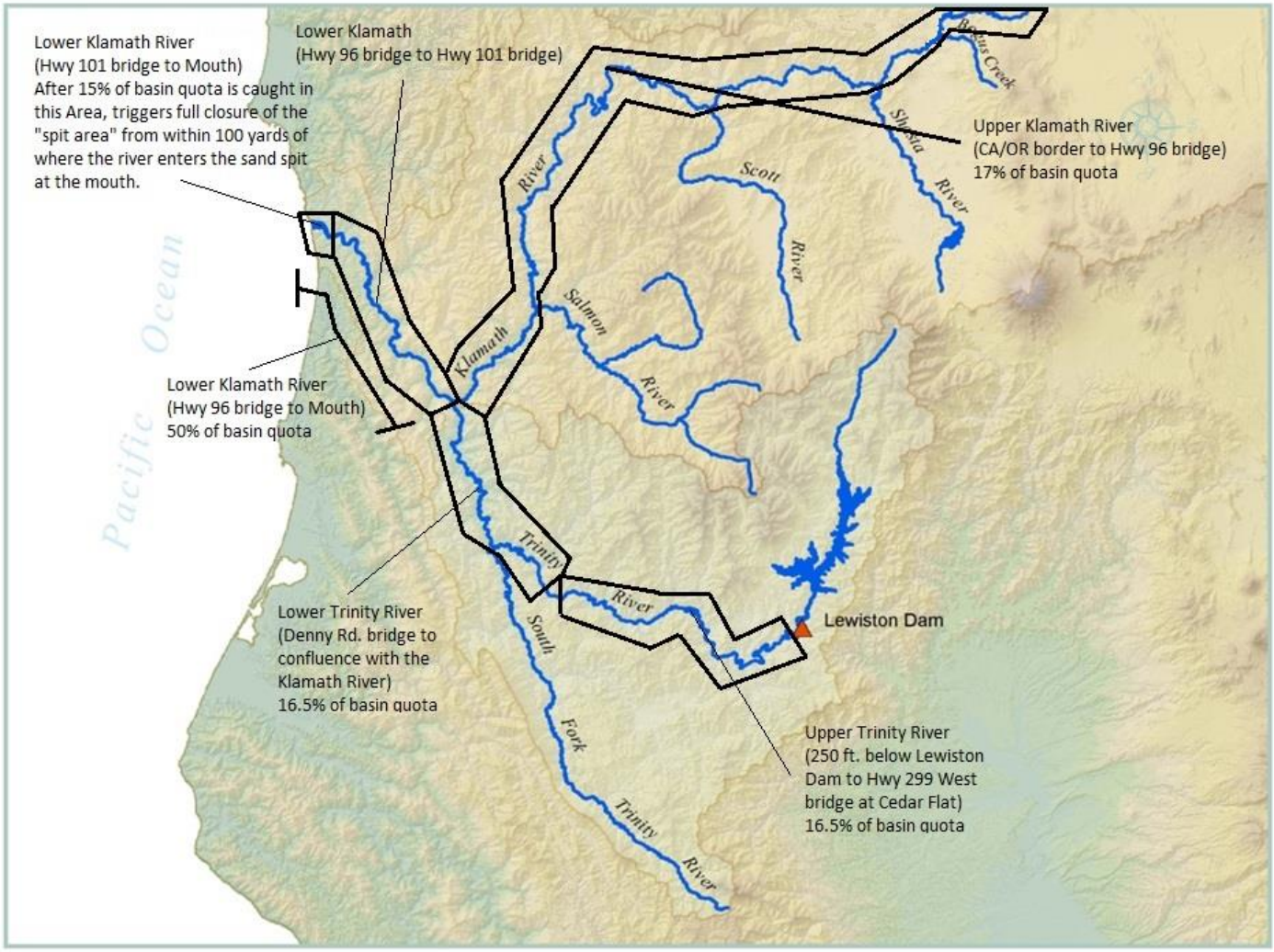


Figure 1. Map of the Klamath River Basin, showing the subquota areas of the Trinity and Klamath rivers.

Schedule

If adopted by the Commission and approved by the Office of Administrative Law, the proposed regulatory amendments described below will become effective on or around July 1, 2025.

Proposed Changes

KRFC Adult Stocks (Sport Fishery Quota Management)
As in prior years, the Department is proposing a range for the quota, daily bag and possession limits, and size limits for KRFC.

Quota: For public notice requirements, the Department recommends the Commission consider a quota range of 0–67,600 adult KRFC in the Klamath River Basin for the in-river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows the Commission to make adjustments during the 2025 regulatory cycle.

Subquotas: The proposed subquotas for KRFC stocks are as follows:

1. Main stem Klamath River from the California-Oregon border to the Highway 96 bridge at Weitchpec -- 17 percent of the total quota equates to [0-11,492];
2. Main stem Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth of the Pacific Ocean -- 50 percent of the total quota equates to [0-33,800];
3. Main stem Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat -- 16.5 percent of the total quota equates to [0-11,154]; and
4. Main stem Trinity River downstream of the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River -- 16.5 percent of the total quota equates to [0-11,154].

Seasons:

- Klamath River - August 15 through December 31
- Trinity River - September 1 through December 31

Size Limits
KRFC are managed based on adult quotas which is the maximum number of adult fish (age three and older) that can be harvested. In 2023, the Department moved away from the fixed standing cutoff size between grilse (two-year old salmon) and adult Chinook Salmon of 23 inches total length to using a range between 20 to 24 inches total length as an annual option for cutoff size. This allows for annual variation in size cutoffs, as informed by previous year(s) data to manage the harvest of the adult KRFC quota more effectively. The Department is currently conducting a post-season assessment of KRFC length and age data which will be used to help determine the proposed 2025 size cutoff. The 2025 proposed adult cutoff will be presented at the April Commission meeting.

Option 1: Bag and Possession Limits
Because the PFMC recommendations are not known at this time, ranges are shown in [brackets] below of bag and possession limits which encompass historical quotas. All are proposed for the 2025 KRFC fishery in the Klamath and Trinity rivers.

- Bag Limit - [0-4] Chinook Salmon – of which no more than [0-4] fish over [20-24] inches total length may be retained until the subquota is met, then 0 fish over [20-24] inches total length.
- Possession limit - [0-12] Chinook Salmon of which no more than [0-12] fish over [20-24] inches total length may be retained when the take of salmon over [20-24] inches total length is allowed.

The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law or established in the FMP.

As in previous years, no retention of adult KRFC is proposed once the subquota has been met.

Option 2: KRFC Fishery Closure
This option would close salmon fishing in the Klamath River Basin as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRFC should a reduction in the stock be indicated by PFMC abundance projections. In any year, should the PFMC recommend a complete or near complete closure of ocean recreational salmon fishery and/or an allocation of 0 (zero) adult KRFC to the in-river fishery, this option would give the Department flexibility to respond to and support any federal action. This option prohibits all methods of targeting KRFC including catch and release fishing.

KRSC Sport Fishery
The KRSC sport fishery has been closed multiple times in the recent past through the emergency rulemaking process. The current stock status and the need to compensate for large-scale changes in fishery effort have necessitated the Commission to consider regulations for this fishery annually. As a result, the management of KRSC has been incorporated into the annual Klamath sport fish rulemaking process.

Seasons:

- Klamath River – July 1 through August 14
- Trinity River – July 1 through August 31

Option 1: Bag and Possession Limits
Ranges are shown in [brackets] below of bag and possession limits which encompass historical ranges. All are proposed for the 2025 KRSC fishery in the Klamath and Trinity rivers.

- Bag Limit - [0-1] Chinook Salmon
- Possession limit - [0-2] Chinook Salmon

Option 2: KRSC Fishery Closure

This option would close salmon fishing in the Klamath River Basin as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRSC should the Department be concerned with stock status or predict a large shift in effort due to widespread salmon closures in other areas of the state. In any year, should the PFMC recommend a complete or near complete closure of the ocean recreational salmon fishery and/or an allocation of 0 (zero) adult KRFC to the in-river fishery, this option would give the Department flexibility to respond to potential effort shift. This option prohibits all methods of targeting KRSC including catch and release fishing.

Other Changes for Clarity

1. Klamath River Basin sport fishing regulations subsection (50)(D)2.a.(i). The geographic boundary for the KRFC subquota area on the upper Klamath River has been changed from *Lakeview Road Bridge near Iron Gate to the Highway 96 bridge at Weitchpec* to *the California-Oregon border to the Highway 96 bridge at Weitchpec.* This change is necessary because with the recent removal of Iron Gate Dam, the potential for a recreational salmon fishery on the main stem of the Klamath River now extends up to the California-Oregon border.

2. Klamath River Basin sport fishing regulations subsections (50)(E)2.a., 2.b., 2.c., and 2.d., above the Highway 96 bridge at Weitchpec comprise the upper Klamath River subquota area. This subquota area receives 17% of the total KRB quota of KRFC. The KRFC quota for this area can range from 0-11,492 KRFC and is cumulative for all four subsections. For the 2025 angling season, the Department is proposing to keep the upstream reaches of the Klamath River (subsections 2.a. and 2.b.) closed to salmon fishing while habitat restoration continues in the area. However, the Department is proposing options for an open salmon fishery downstream (subsections 2.c. and 2.d.). Should both subsections open to salmon fishing in 2025, the 17% KRFC quota would be the cumulative quota for the two subsections. For clarity purposes, the Department is proposing to add language in subsections 2.c. and 2.d., that states the KRFC quota is the cumulative quota for both subsections.

3. Language was added to subsection (E)2.e. to clarify that the Spit Area will close to fishing after 15% of the KRB quota is taken *below the Highway 101 bridge*, as described in subsection (D)2.b. This change is necessary for consistency and clarity.

Initial Study Environmental Checklist Form

1. Project Title:
   Proposed Amendments to 2025 Klamath River Basin Sport Fishing Regulations, Title 14, California Code of Regulations
2. Lead Agency Name and Address: California Fish and Game Commission
   715 P Street, 16th Floor, Sacramento, CA 95814
3. Contact Person and Phone Number: Melissa Miller-Henson, (916) 653-4899
4. Project Location:
   The Klamath River and Trinity River systems.
5. Project Sponsor's Name and Address:
   California Department of Fish and Wildlife Fisheries Branch
   1010 Riverside Parkway
   West Sacramento, CA 95605
6. General Plan designation: N/A (statewide)
7. Zoning: N/A (statewide)
8. Description of Project:
   Potentially amend the daily bag and possession limits and adult quota for Klamath River fall-run Chinook Salmon for the Klamath River Basin sport fishery based on PFMC recommendations; adjust the adult/grilse cutoff length to more effectively manage the harvest of the adult KRFC quota; or close all KRFC fishing in the Klamath and Trinity rivers and all associated tributaries, or specific areas/bodies of water, as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to KRFC.
9. Surrounding land uses and setting: N/A
10. Other Public Agencies Whose Approval Is Required: None
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.31?
    No.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- ☐ Aesthetics
- ☐ Agriculture and Forestry
- ☐ Air Quality
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Energy
- ☐ Geology/Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards and Hazardous Materials
- ☐ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population/ Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation
- ☐ Tribal Cultural Resources
- ☐ Utilities/Service Systems
- ☐ Wildfire
- ☐ Mandatory Findings of Significance

This project will not have a “Potential Significant Impact” on any of the environmental factors listed above; therefore, no boxes are checked.

DETERMINATION

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Melissa A. Miller-Henson

Melissa Miller-Henson, Executive Director

April 9, 2025

Date

Responses to Initial Study Environmental Checklist

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
I. Aesthetics. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	NI
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	NI
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	NI
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	NI
II. Agriculture And Forestry Resources. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	NI
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	NI
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	NI
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	NI
III. Air Quality. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	NI
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	NI
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	NI
d) Result in any other emissions (such as those leading to odors) affecting a substantial number of people?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
IV. Biological Resources. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	LTS	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	NI
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	NI
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	NI
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	NI
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	NI
V. Cultural Resources. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	NI
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	NI
VI. Energy. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operations?	☐	☐	☐	NI
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	NI
VII. Geology and Soils. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☐	NI
ii) Strong seismic ground shaking?	☐	☐	☐	NI
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	NI
iv) Landslides?	☐	☐	☐	NI
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	NI
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	NI
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	NI
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	NI
VIII. Greenhouse Gas Emissions. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	NI
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	NI
IX. Hazards And Hazardous Materials. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	NI
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	NI
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	NI
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	NI
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	NI
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	NI
X. Hydrology and Water Quality. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☐	NI
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	NI
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	NI
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☐	NI
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☐	NI
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of pollution runoff; or	☐	☐	☐	NI
iv) impede or redirect flood flows?	☐	☐	☐	NI
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	NI
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	NI
XI. Land Use and Planning. Would the project:				

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
a) Physically divide an established community?	☐	☐	☐	NI
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	NI
XII. Mineral Resources. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	NI
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	NI
XIII. Noise. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	NI
b) Generation of excessive ground borne vibration or ground borne noise levels?	☐	☐	☐	NI
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	NI
XIV. Population and Housing.				
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	NI
b) Displace substantial numbers of existing people or housing, necessitating the	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
construction of replacement housing elsewhere?				
XV. Public Services.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	NI
Police protection?	☐	☐	☐	NI
Schools?	☐	☐	☐	NI
Parks?	☐	☐	☐	NI
Other public facilities?	☐	☐	☐	NI
XVI. Recreation.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	LTS	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	NI
XVII. Transportation. Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	NI
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	NI
d) Result in inadequate emergency access?	☐	☐	☐	NI
XVIII. Tribal Cultural Resources.				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	☐	☐	☐	NI
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	NI
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	NI
XIX. Utilities and Service Systems. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	NI
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	NI
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	NI
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	NI
XX. Wildfire. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	NI
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	NI
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	☐	☐	☐	NI
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	NI
XXI. Mandatory Findings Of Significance.				

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact (LTS)	No Impact (NI)
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	NI
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☐	NI
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	NI

Explanation of Responses to Initial Study Environmental Checklist

I. Aesthetics

a) The project will not have an adverse effect on a scenic vista. Such an impact will not occur because the project will not involve any construction, land alternation, or modification of any buildings or structures.

b) The project will not damage scenic resources such as trees, rock outcroppings, and historic buildings. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.

c) The project will not substantially degrade, in nonurbanized areas, the existing visual character or quality of public views of the site and its surroundings. Such an impact will not occur because the project will not involve any construction, land alternation, or modification of any buildings or structures.

d) The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.

II. Agriculture and Forestry Resources

a) The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

b) The project will not conflict with existing zoning for agricultural use or a Williamson Act contract. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

c) The project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timber zoned Timberland Production. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

d) There will be no loss of forest land and the project will not result in the conversion of forest land to non-forest use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

e) The project will not involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

III. Air Quality

a) The project will not conflict with or obstruct implementation of the applicable air quality plan. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

b) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Such an impact will not occur because the project involves no ongoing sources of air pollution.

c) The project will not expose sensitive receptors to substantial pollutant concentrations. Such an impact will not occur because the project will not increase pollutant concentrations.

d) The project will not create objectionable odors affecting a substantial number of people.

IV. Biological Resources

a) The project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the Department, NMFS or U. S. Fish and Wildlife Service (USFWS).

Less than Significant: The proposed sport fishing regulations for the Klamath and Trinity rivers *may*:

(1) increase or decrease KRFC and KRSC bag and possession limits;

(2) increase or decrease the size limit for adult KRFC between to greater than 20 to 24 inches total length; or

(3) close all KRFC and KRSC fishing in the Klamath and Trinity rivers and all associated tributaries, or specific areas/bodies of water, as specified by river reach(es) in subsection 7.40(b)(50) to provide protection to these fisheries.

The proposed sport fishing regulations for the Klamath and Trinity rivers *will*:

(1) set a Klamath River Basin quota between 0 and 67,600 adult KRFC and subquotas based on that quota.

The KRFC in-river sport fishery is currently closed. Commission adoption of Option 1 would result in the reopening of the fishery in 2025 and would establish new bag and possession limits for KRFC and a harvest quota for adult KRFC in the Klamath River Basin based on adult KRFC harvest allocations and natural-area spawning escapement goals established by PFMC.

An open sport fishery with new daily bag and possession limits for KRFC would not result in significant impacts to KRFC. The Department conducts annual creel

surveys to monitor harvest of KRFC and closes the fishery to the harvest of adult KRFC when it is anticipated that the adult KRFC quota will be met. Typically, grilse KRFC fisheries continue after the adult KRFC quota has been met. Annually, the Department considers a grilse salmon size limit cutoff range of less than or equal to 20 inches (50.8 cm) to 24 inches (58.4 cm) total length. This allows for annual variation in size cutoffs, as informed by previous year(s) data to more effectively manage the harvest of the adult KRFC quota. This flexibility in setting limits will aid in minimizing fishery impacts during stressful environmental conditions such as low flows or low adult returns. These limits are designed to avoid adverse effects to the target species. Therefore, the project will have no significant impacts to KRFC.

The KRSC in-river sport fishery is currently closed. Commission adoption of Option 1 would result in the reopening of the fishery in 2025 and would establish new bag and possession limits for KRSC in the Klamath River Basin. An open sport fishery with new daily bag and possession limits for KRSC would not result in a significant impact to KRSC. Presently, KRSC stocks are not managed or allocated by PFMC. This in-river sport fishery is managed by general basin seasons, daily bag limit, and possession limit regulations. The KRSC sport fishery has been closed multiple times in the recent past through the emergency rulemaking process. The current stock status and the need to compensate for large-scale changes in fishery effort have necessitated the Commission to consider regulations for this fishery annually. Historically, KRSC daily bag and possession limits were 1 and 2 fish, respectively. The Department is proposing an annual daily bag limit range of 0-1 KRSC and possession limit of 0-2 KRSC. Therefore, the proposed project will not result in an increase in allowable take of KRSC and will have no significant impacts to KRSC.

Upper Klamath Trinity River spring Chinook Salmon (UKTSCS) is listed as threatened under CESA. Only UKTR Chinook Salmon that possess homozygous alleles associated with the spring return are classified as UKTSCS under CEQA. Homozygous spring fish most clearly exhibit the early (spring) run-timing. UKTSCS co-occurs in the project area, however, existing regulations prohibit take of UKTSCS and current sport fishing regulations, including seasonal and area closures, minimize angler contact with this species. Therefore, the proposed project will have no significant impacts on UKTSCS.

Coho Salmon, which is federally- and state-listed, co-occurs in the project area. Existing regulations prohibit take of Coho Salmon and current sport fishing regulations, including seasonal and area closures, minimize angler contact with this species. Therefore, the proposed project will have no significant impacts on Coho Salmon.

b) The project will not have an adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies and regulations, or by the Department or the USFWS. Such an impact will not occur because the project will not involve any construction, land alternation, or land use changes.

c) The project will not have a substantial adverse effect on state or federally protected

wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

d) The project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

e) The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Such an impact will not occur because the project will not result in any construction, land alteration, or land use changes.

f) The project will not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

V. Cultural Resources

a) The project will not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. There is no ground disturbing work or work permanently modifying any existing structure or resource and thus no potential to affect historical resources.

b) The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. There is no ground disturbing work and thus no potential to affect archaeological resources.

c) The project will not disturb any human remains, including those interred outside of formal cemeteries. There is no ground disturbing work and thus no potential to affect human remains.

VI. Energy

a) The project would not result in a potentially significant environmental impact due to wasteful inefficient, or unnecessary consumption of energy resources, during project construction or operations. Such an impact will not occur because the project will not use energy resources.

b) The project will not affect nor obstruct any state or local plan for renewable energy or energy efficiency.

VII. Geology and Soils

a i) The project will not directly or indirectly cause potential substantial adverse effects,

including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the state geologist for the area, or based on other substantial evidence of a known fault. Such an impact will not occur because the project will not involve any construction or create any structures for human habitation.

a ii) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Such an impact will not occur because the project will not involve any construction or create any structures for human habitation.

a iii) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Such an impact will not occur because the project will not involve any construction or create any structures for human habitation.

a iv) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Such an impact will not occur because the project will not involve any construction, ground disturbing work, or the creation of any structures for human habitation.

b) The project will not result in substantial soil erosion or the loss of topsoil. Such an impact will not occur because the project will not involve ground disturbing work.

c) The project will not be located on a geologic unit or soil that is unstable, or that would become unstable and potentially result in on- or off- site landslides, lateral spreading, subsidence, liquefaction, or collapse. Such an impact will not occur because the project will not involve ground disturbing work.

d) The project will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. Such an impact will not occur because the project will not involve ground disturbing work.

e) The project will not create any sources of waste water requiring a septic system.

f) The project will not indirectly destroy a unique paleontological resource or site or unique geologic feature. Such an impact will not occur because the project will not involve or indirectly result in any ground disturbing work.

VIII. Greenhouse Gas Emissions

a) The project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The project will not involve construction, land alteration, or land use changes.

b) The project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG. The Project is expected to result in a small amount of GHG via the use of fuel in vehicles used to transport anglers to and from the designated fishing areas. Despite the brief closures to KRFC and

KRSC sport fisheries, the Project has been in effect for 80 years, and the proposed changes will not result in a significant increase in GHG emissions above the existing baseline.

IX. Hazards and Hazardous Materials

a) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project will not involve the transport, use, or disposal of hazardous materials.

b) The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The project will not involve the transport, use, or disposal of hazardous materials.

c) The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The project will not involve the transport, use, or emission of any hazardous materials.

d) The project will not be located on any site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

e) The project will not be located within an airport land use plan area.

f) The project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The project will not involve any construction, land alteration, or land use changes.

g) The project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. The project will not involve any construction, land alteration, or land use changes.

X. Hydrology and Water Quality

a) The project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The project will not involve any construction, land alteration, water use, or water discharge.

b) The project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The project will not involve any construction, land alteration, or groundwater use.

c i) The project will not substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would result in substantial erosion or siltation on- or off-site because the project will not involve any construction or land alteration.

c ii) The project will not substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would result in flooding on- or off-site because the project will not involve any construction or land alteration.

c iii) The project will not create or contribute runoff water that would exceed the capacity of existing or planned storm-water drainage systems, or provide substantial additional sources of polluted runoff because the project will not involve any construction or land alteration.

c iv) The project will not impede or redirect flood flows because the project will not involve any construction or land alteration.

d) In flood hazard, tsunami, or seiche zones, the project would not risk release of pollutants due to project inundation because the project would not involve any construction or land alteration.

e) The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The project will not involve any construction, land alteration, or groundwater use.

XI. Land Use and Planning

a) The project will not physically divide an established community. The project will not involve any construction, land alteration, or land use changes.

b) The project will not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The project will not involve any construction, land alteration, or land use changes.

XII. Mineral Resources

a) The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

b) The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

XIII. Noise

a) The project will not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The project will not involve construction or physical alteration of

land, and its implementation will not generate noise levels in excess of agency standards.

b) The project will not result in generation of excessive ground-borne vibration or ground-borne noise levels. The project will not involve construction or physical alteration of land.

c) The project will not be located within the vicinity of a private airstrip or an airport use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

XIV. Population and Housing

a) The project will not induce substantial unplanned population growth in an area, either directly or indirectly. Such an impact will not occur because the project will not construct any new homes, businesses, roads, or other human infrastructure.

b) The project will not displace any existing people or housing and will not necessitate the construction of replacement housing elsewhere.

XV. Public Services

a) The project will not have any significant environmental impacts associated with new or physically altered governmental facilities. The project will not involve any construction, land alteration, or land use changes.

XVI. Recreation

a) The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

Less Than Significant: The KRFC and KRSC in river sport fisheries are currently closed. Adoption of a KRFC adult quota and new bag and possession limits for KRFC and KRSC fisheries in the Klamath River Basin will have minimal to no impact on recreational facilities. The Project has been in effect for nearly 80 years and despite the relatively brief closures to the KRFC and KRSC sport fisheries, the Project is not expected to result in an increase in new anglers or in the use of existing neighborhood and regional parks, or other recreational facilities.

b) The project does not require construction or expansion of recreational facilities.

XVII. Transportation

a) The project will not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The project involves no land use or transportation system modifications.

b) The project will not conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b), which pertains to vehicle miles traveled. The amount and distance of

vehicle miles traveled by recreational anglers should not change substantially under the proposed regulations.

c) The project will not increase hazards due to a geometric design feature or incompatible uses with equipment. The project involves no land use or transportation system modifications.

d) The project will not result in inadequate emergency access. The project involves no land use or transportation system modifications.

XVIII. Tribal and Cultural Resources

a) The project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe. Further:

a i) The project will not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). The project does not involve ground disturbing work and does not have the potential to affect tribal cultural resources.

a ii) The project will not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. The project does not involve ground disturbing work and does not have the potential to affect tribal cultural resources.

XIX. Utilities and Service Systems

a) The project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities. The project does not involve any construction or land alteration.

b) The project requires no new water supplies.

c) The project will not produce wastewater.

d) The project will not generate solid waste. Thus, the project will be in compliance with state and local standards for solid waste.

e) The project will not create solid waste. Thus, the project will be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

XX. Wildfire

a) The project will not impair an adopted emergency response plan or emergency evacuation plan.

b) The project will not exacerbate wildfire risks due to slope, prevailing winds, and other factors.

c) The project will not require the installation or maintenance of any infrastructure.

d) The project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fir slope instability, or drainage changes.

XXI. Mandatory Findings and Significance

a) The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a

fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The project is consistent with the Department's mission to manage California's diverse fisheries resources for their ecological value, their use and for the public's enjoyment.

b) The project does not have adverse impacts that are individually limited, but cumulatively considerable. Cumulative adverse impacts will not occur because there are no potential adverse impacts due to project implementation.

c) The project does not have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly. The project will not involve any construction, land alteration, or the creation of new infrastructure.

Photo Credit: CDFW

KLAMATH RIVER BASIN CHINOOK SALMON SPORT FISHING REGULATIONS

Updates for 2025

PRESENTATION TO THE CALIFORNIA FISH AND GAME COMMISSION

May 14, 2025 | Colby Hause

Chinook Salmon Sport Fish Coordinator, Fisheries Branch

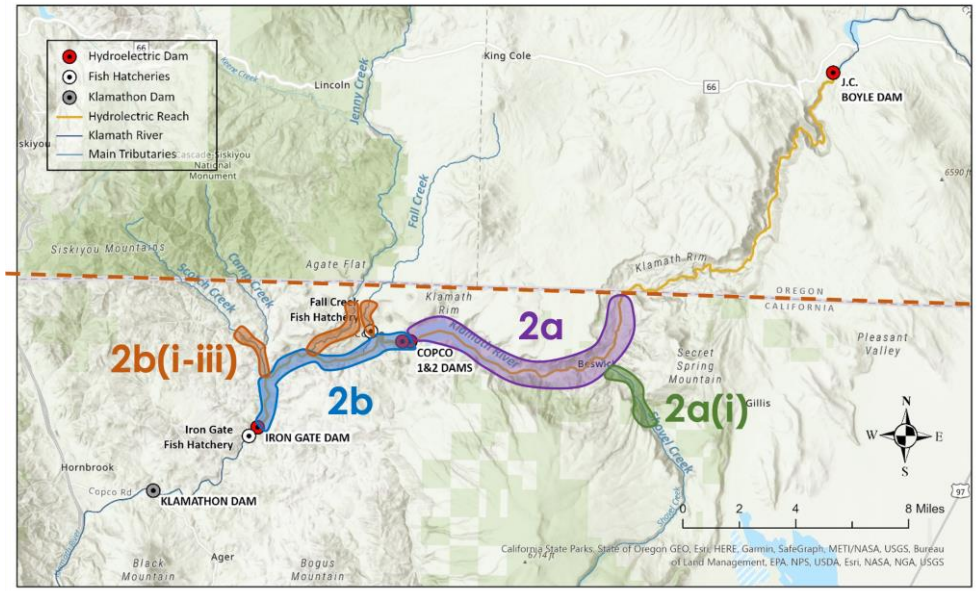
Presentation Overview

- Management of Klamath River Fall Chinook Salmon (KRFC) and Klamath River Basin sub-quota areas
- 2024 Klamath River Basin KRFC sport fishing regulations
- **2025 Regulatory options**
- 2025 Pacific Fisheries Management Council (PFMC) and **CDFW Recommendations**
- **Justification of CDFW Recommendations**
- Timeline

Proposals discussed at the February 12th Notice Hearing

1. Anadromous waters above Iron Gate Dam
   - CA-OR state line to Lakeview Road Bridge near Iron Gate [7.40(b)(50)(2a-b)]
     - **2a**: ***Closed to take and possession of Chinook Salmon***
     - **2a(i)**, **2b**,and **2b(i-iii)**: ***Closed to fishing all year***

Note: These sections will continue to be evaluated on an annual basis



2. Move Klamath River Spring Chinook (**KRSC**) regulations under the Klamath River Sportfish Package to be evaluated on an annual basis
   - Incorporate a range of bag and possession limits across all sections of the Klamath and Trinity Rivers where take of KRSC is permitted
     - Option 1: 0-1 bag limit; 0-2 possession limit
     - Option 2: Closed to take and possession of KRSC

CDFW 2025 KRFC and KRSC Recommendations

- CDFW recommends full closure of the 2025 KRFC and KRSC in-river recreational fishery
  - KRSC:
    - Klamath and Trinity rivers July 1 through August 31
  - KRFC:
    - Klamath and Trinity rivers August 15 through December 31
    - Allocate the sport fishery quota to spawner escapement
    - Includes closure to fishing for adults *and* grilse in-river

Note: These recommendations do not apply to federally managed tribal fisheries

Justification for 2025 KRSC Recommendations

- While the KRSC stocks are not directly managed or allocated by PFMC, KRSC overlap in ocean distribution with KRFC and share similar marine and freshwater habitat challenges
  - Drought, in-river stressors, ocean conditions
- KRFC stocks in decline, resulting in conservative measures for 2025
- KRSC are CESA-listed, further necessitating a conservative management approach

Credits | Questions | Contact

Photo credit: CDFW

Colby Hause

Chinook Salmon Sport Fish Coordinator

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