

Proposed Regulatory Language

Section 365, Title 14 CCR, is amended as follows:

§ 365 Bear.

Except as provided in Section 366, bear may be taken only as follows:

(a) Areas:

(1) Northern California: In the counties of Del Norte, Humboldt, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama and Trinity;~~and those portions of Lassen and Modoc counties west of the following line: Beginning at Highway 395 and the Sierra-Lassen county line; north on Highway 395 to the junction of Highway 36; west on Highway 36 to the junction of Highway 139; north on Highway 139 to Highway 299; north on Highway 299 to County Road 87; west on County Road 87 to Lookout Hackamore Road; north on Lookout Hackamore Road to Highway 139; north on Highway 139 to the Modoc-Siskiyou county line; north on the Modoc-Siskiyou county line to the Oregon border.~~

(2) Central California: In the counties of Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Mendocino, Nevada, Placer, Sacramento, Sierra, Sutter, Yolo and Yuba and those portions of Napa and Sonoma counties northeast of Highway 128.

(3) Southern Sierra: That portion of Kern County west of Highway 14 and east of the following line: Beginning at the intersection of Highway 99 and the Kern-Tulare county line; south on Highway 99 to Highway 166; west and south on Highway 166 to the Kern-Santa Barbara county line; and those portions of Fresno, Madera, Mariposa, Merced, Stanislaus, Tulare and Tuolumne counties east of Highway 99.

(4) Southern California: In the counties of Los Angeles, Santa Barbara and Ventura; that portion of Riverside County north of Interstate 10 and west of Highway 62; and that portion of San Bernardino County south and west of the following line: Beginning at the intersection of Highway 18 and the Los Angeles-San Bernardino county line; east along Highway 18 to Highway 247; southeast on Highway 247 to Highway 62; southwest along Highway 62 to the Riverside-San Bernardino county line.

(5) Southeastern Sierra: Those portions of Inyo and Mono counties west of Highway 395; and that portion of Madera County within the following line: Beginning at the junction of the Fresno-Madera-Mono county lines; north and west along the Madera-Mono county line to the boundary of the Inyo-Sierra National Forest; south along the Inyo-Sierra National Forest boundary to the Fresno-Madera county line; north and east on the Fresno-Madera county line to the point of beginning. Also, that portion of Inyo county west of Highway 395; and that portion of Mono county beginning at the intersection of Highway 6 and the Mono county line; north along Highway 6 to the Nevada state line; north along the Nevada state line to the Alpine county line; south

along the Mono-Alpine county line to the Mono-Tuolumne county line and the Inyo National Forest Boundary; south along the Inyo National Forest Boundary to the Inyo-Sierra Forest boundary; south along the Inyo-Sierra Forest boundary to the Fresno-Madera county line; north and east along the Fresno-Madera county line to the junction of the Fresno-Madera-Mono county line; south along the Mono-Fresno county line to the Mono-Inyo County line; east along the Mono-Inyo county line to the point of beginning.

(b) Seasons: Except in the deer hunt areas designated as zones X-1 through X-7b in subsection 360(b), the bear season shall open on the opening day of the general deer season as described in subsections 360(a) and (b) and extend until the last Sunday in December in the areas described in subsections 365(a)(1), (2), (3) (4) and (5) above. In those areas designated as deer hunting zones X-1 through X-7b, the bear season shall open on the second Saturday in October and extend for 79 consecutive days. The bear season shall be closed when the department determines that 1,700 bears have been taken pursuant to the reporting requirement in subsection 708.12(d). The department shall notify the commission, the public via the news media and bear tag holders via the U.S. mail and the news media when implementing this closure.

(c) Daily Bag and Possession-Limit Limits: The daily bag limit is one legal bear per day. The possession limit is twice the daily bag limit. One adult bear per hunting license year. ~~Cubs and females accompanied by cubs may not be taken (cubs are defined as bears less than one year of age or bears weighing less than 50 pounds).~~

(1) A legal bear is any bear, with the exception of cubs and females accompanied by cubs. Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds.

(2) Possession of more than one bear gall bladder is prima facie evidence that bear gall bladders are possessed for sale, as defined in subdivision (b) of Fish and Game Code Section 4758.

(d) No open season for bear in the balance of the state not included in subsection (a) above.

(e) Bait: No feed, bait or other materials capable of attracting a bear shall be placed or used for the purpose of taking or pursuing a bear. No bear shall be taken over such bait. No person may take a bear within a 400-yard radius of a garbage dump or bait.

NOTE: Authority cited: Section 200, 203 and 265, Fish and Game Code.

Reference: Sections 110, 200, 203, 203.1, ~~and 265, 4758, and 4759,~~ Fish and Game Code.

Proposed Regulatory Language

Section 366, Title 14 CCR, is amended as follows:

§ 366 Archery Bear Hunting

Bear may be taken with bow and arrow during the bear season as specified in Section 365 and as follows:

(a) Areas: Those portions of the state as described in subsection 365(a).

(b) Season: The archery bear season shall open on the third Saturday in August and extend for 23 consecutive days. There is no open season for taking bear with bow and arrow in the balance of the state.

(c) Daily Bag and Possession Limit-Limits: The daily bag limit is one legal bear per day. The possession limit is twice the daily bag limit. One adult bear per hunting license year. Cubs and female accompanied by cubs may not be taken. (Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds).

(1) A legal bear is any bear, with the exception of cubs and females accompanied by cubs. Cubs are defined as bears less than one year of age or bears weighing less than 50 pounds.

(2) Possession of more than one bear gall bladder is prima facie evidence that bear gall bladders are possessed for sale, as defined in subdivision (b) of Fish and Game Code Section 4758.

(d) The use of dogs is prohibited during the archery season for bear.

(e) Bait. No feed, bait or other materials capable of attracting a bear to a feeding area shall be placed or used for the purpose of taking or pursuing a bear. No bear shall be taken over such bait. No person may take a bear within a 400 yard radius of a garbage dump or bait.

Note: Authority cited: Sections 200, 203 and 265, Fish and Game Code.

Reference: Sections 110, 200, 203, 203.1, ~~and 265,~~ and 4758, Fish and Game Code.

Proposed Regulatory Language

Section 708.12, Title 14 CCR, is amended as follows:

§ 708.12 Bear License Tags

(a) Bear License Tags:

(1) With the exception of permits and tags issued pursuant to section 4181 of the Fish and Game Code, all bear license tags shall be available to the public through the department's Automated License Data System terminals at any department license agent or department license sales office.

(2) The department shall require that the specified fee provided for in section 4751 of the Fish and Game Code for such bear license tags be paid as a prerequisite to obtaining a bear license tag.

(3) The department shall charge a nonrefundable processing fee, as specified in Section 702, for each bear license tag.

(4) Applicants may purchase up to two ~~only one~~ bear license tag ~~tags~~ during any one license year. ~~Any person who purchases more than one bear license tag may be denied bear license tags for the current license year.~~

(5) Upon the killing of any bear, that person shall immediately fill out all portions of the tag including the report card completely, legibly, and permanently, and cut out or punch out and completely remove notches or punch holes for the month and date of the kill. The bear license tag shall be attached to the ear of the bear and kept attached during the open season and for 15 days thereafter.

(b) Use of Guides: Any holder of a bear license tag who utilizes the services of a guide or guides shall verify that the guide is in possession of a valid guide's license and shall place the guide's license number on the bear license tag in the space provided.

(c) Validation of Bear Tags:

Only department employees may validate bear license tags (This provision supersedes section 4755 of the Fish and Game Code). Bear license tags shall be countersigned by a department employee before transporting such bear except for the purpose of taking it to the nearest department employee authorized to countersign the bear license tag. If department offices are closed, the bear tag shall be validated within one (1) business day of transporting the bear from the point where taken.

(d) Return of Bear License Tags:

(1) Every person who takes a bear shall immediately return the report card portion of the bear license tag, after having the tag countersigned as required in (c) above. The

tag may be presented to a department office/officer or returned through the United States Mail.

(2) Every person who is unsuccessful in taking bear shall return the report card portion of the bear license tags by February 1 of the current license year. The tag may be presented to a department office/officer or returned through the United States Mail.

Note: Authority cited: Sections 200, 203, 219, 265, 270, 275, 1050, 1572, 3960 and 10502, Fish and Game Code.

Reference: Sections 110, 200, 201, 203, 203.1, 219, 255, 265, 270, 275, 1050, 1570, 1571, 1572, 3950, 3960, 4750, 4751, 4752, 4753, 4754, 4755, 10500 and 10502, Fish and Game Code