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STATE OF CALIFORNIA

Fish and Game Commission

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of a continuation notice of proposed regulatory action regarding sections 502 and 509, Title 14, California Code of Regulations. Please note the date of the public hearing related to this matter and deadline for receipt of written comments.

Also attached for your review is a copy of the Amended Initial Statement of Reasons with the proposed regulatory language showing changes to the original proposal. Please note that the modified language is show in bold double-underline type.

You may attend the August 10, 2007, meeting and submit written or oral comments. While you have until August 10, 2007, to submit comments, you are encouraged to transmit them to the Commission office by 5:00 p.m. on August 3. Submission by this date provides more time for review by the Commissioners.

Sincerely,

Sherrie Koell

Sherrie Koell
Associate Governmental Program Analyst

Attachments

2007 AUG 11 2:40 PM
BOARD OF SUPERVISORS

TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

(Continuation of California Notice Register 2007, No. 25-Z,
and Meetings of June 8 and July 13, 2007.)

NOTE: The Fish and Game Commission is exercising its powers under sections 202 and 355 of the Fish and Game Code as the following changes to the proposed regulations may not be available to the public for the full public comment period prior to adoption. See the text of this notice – changes are shown in **bold** type.)

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 202 and 355 of the Fish and Game Code and to implement, interpret or make specific sections 202, 355 and 356 of said Code and Part 10, subparts A and B, and Part 20, Title 50, CFR, amended Sept. 18, 1987, 52 Fed. Reg. 35248, proposes to amend sections 502 and 509, Title 14, California Code of Regulations, relating to waterfowl hunting.

Updated Informative Digest/Policy Statement Overview

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and establish daily bag and possession limits. In addition to the **five** proposals contained herein, the U.S. Fish and Wildlife Service, after analysis of waterfowl population survey and other data, may also initiate changes in federal regulations which will require changes in existing and proposed regulations in California. Changes in federal regulations for season opening and closing dates, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. Items 2, 3, **and 5** require changes in the federal regulations and must be approved by the Pacific Flyway Council at their meeting on July 27, 2007. The Service will consider this and other recommendations at their meeting on August 1-2, 2007. Item 4 (including the table) below proposes a range of season dates and bag limits for waterfowl. At this time, the California Breeding Pair Survey has not been conducted and the Service has not established federal regulation "frameworks" which will occur in August after the analysis of current waterfowl population survey, other data, input from the Flyway Councils and the public. Also, minor editorial changes were made to clarify and simplify the regulations and to comply with existing federal frameworks.

The Department's proposals are as follows:

1. Change the name of Humboldt Bay (South) Special Management Area to Humboldt Bay South Spit Special Management Area.
2. Increase the goose daily bag limit in the Northeastern, Southern San Joaquin Valley and Balance of State zones to 6 geese per day.
3. Increase the Small Canada goose daily bag limit in the Southern San Joaquin Valley and Balance of State zones to 6 geese per day.
4. Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days for all hunting methods. A range of daily bag limits is also given

for ducks in all zones and geese in the Northeastern California, Southern San Joaquin Valley, and Balance of State zones. Also, federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone. See the following table for season and bag limit ranges.

5. The Pacific Flyway Council has made a recommendation to the Service to increase the canvasback bag limit to 2 per day based on a record high breeding population estimate. This recommendation was not in the original Initial Statement of Reasons because the Service had not completed the Breeding Pair Survey and results were released in late July.

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
Statewide	Coots & Moorhens	Concurrent w/duck season	25/day. 25 in possession
Northeastern Zone	Ducks	Between 38 & 105 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 105 days	
	Canvasback	Between 0 & 105 days	
	Scaup	Between 0 and 105 days	
	Geese	86-100 days	4-6/ day, up to 4 white geese, up to 4 white-fronts, up to 2 Large Canada geese, only 1 Small Canada goose. Possession limit double the daily bag.
Southern San Joaquin Valley Zone	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
	Scaup	Between 0 & 100 days	
	Geese	86-100 days	4-6/ day, up to 4 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 4-6 Small Canada geese. Possession limit double the daily bag.
Colorado River Zone	Ducks	Between 38 & 101 days	4-7/day, no more than 3-7 mallards, no more than 2 hen mallards or Mexican-like ducks, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 101 days	
	Canvasback	Between 0 & 101 days	
	Scaup	Between 0 & 101 days	
	Geese	101 days	6/ day, up to 4 white geese, up to 3 dark geese. Possession limit double the daily bag.
Southern California Zone	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
	Scaup	Between 0 & 100 days	
	Geese	86-100 days	5/day, up to 4 white geese, up to 3 dark geese. Possession limit double the daily bag.
Balance of State Zone	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
	Scaup	Between 0 & 100 days	
	Geese	86-100 days	4-6/ day, up to 4 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 4-6 Small Canada geese. Possession limit double the daily bag.
SPECIAL AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
North Coast	All Canada Geese	Between 0 & 107 days, except for Large Canada geese which can not exceed 100 days or extend beyond the last Sunday in January.	4-6/day, only 1 may be a Large Canada goose. Possession limit double the daily bag.
Humboldt Bay South Spit	All species	Closed during brant season	
Sacramento Valley (West)	White-fronted geese	Closed after Dec 14	2/day. Possession limit double the daily bag.
Morro Bay	All species	Open in designated areas only	
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	Between 0 & 30 days, must end by Dec 15	2/day. Possession limit double the daily bag.

Balance of State Brant	Black Brant	Between 0 & 30 days, must end by Dec 15	2/day, Possession limit double the daily bag.
YOUTH HUNTING DAYS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Southern California Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Colorado River Zone		The Saturday following the closing for waterfowl season.	
Balance of State Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
FALCONRY OF DUCKS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	Between 38 and 105 days	3/ day, possession limit 6
Balance of State Zone		Between 38 and 107 days	
Southern San Joaquin Valley Zone		Between 38 and 107 days	
Southern California Zone		Between 38 and 107 days	
Colorado River Zone	Ducks only	Between 38 and 106 days	

Section 509 of Title 14, CCR, states that the regulations adopted by the United States through its Secretary of Interior under the Migratory Bird Treaty Act, as amended annually in Part 10, subparts A and B, and Part 20, Title 50, Code of Federal Regulations, are hereby adopted and made a part of this Title 14 except where said federal regulations are less restrictive than the provisions of Chapter 7 of this Title 14 (sections 500-509), the provisions of Chapter 7 prevail. This section does not have clear language stating it is a violation to violate the provisions of the Migratory Bird Treaty Act. There needs to be wording added to the section stating it is illegal to violate the provisions of the federal Migratory Bird Treaty Act or the regulations which are adopted.

Currently, Section 509 of Title 14, CCR has no provisions that require a person 16 years or older to purchase a Federal Migratory-Bird Hunting and Conservation Stamp, and have that stamp in possession while hunting migratory waterfowl. Federal law requires the Federal Migratory-Bird Hunting and Conservation Stamp to be in possession as well as have the hunter's signature written in ink across the face of the stamp. Wording needs to be added to this section requiring that any person 16 years or older who is hunting migratory waterfowl possess a Federal Migratory-Bird Hunting and Conservation Stamp and have the hunter's signature written on the face of the stamp.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the County Administration Building, Board of Supervisors Hearing Room, 105 East Anapamu Street, Fourth Floor, Santa Barbara, California, on Friday, August 10, 2007, at 8:30 a.m., or as soon thereafter as the matter may be heard. Written comments may also be submitted to the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 7, 2007.** All comments must be received no later than August 10, 2007, at the hearing in Santa Barbara, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sherrie Koell at the preceding address or phone number. **Dr. Eric Loft, Chief Wildlife Branch, Department of Fish and Game, phone (916) 445-3406, and Assistant Chief Rob Allen, Enforcement Branch, Department of Fish and Game, phone (916) 653-4094, have been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from agency program staff.

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 Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes to Section 502 are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature. The proposed change to Section 509 is to clarify existing Federal requirements.

- (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: None.

(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: None.

(h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Jon K. Fischer
Assistant Executive Director

Date: July 30, 2007

STATE OF CALIFORNIA
FISH AND GAME COMMISSION
AMENDED INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend Section 502
Title 14, California Code of Regulations
Re: Waterfowl, Migratory; American Coot; and
Common Moorhen (Common Gallinule)

- I. Date of Initial Statement of Reasons: May 9, 2007
Date of Amended Initial Statement of Reasons: July 30, 2007
- II. Dates and Locations of Scheduled Hearings:
- (a) Notice Hearing: Date: June 8, 2007
Location: Truckee, CA
- (b) Discussion Hearing: Date: July 13, 2007
Location: Bridgeport, CA
- (c) Adoption Hearing: Date: August 10, 2007
Location: Santa Barbara, CA

III. Description of Regulatory Action:

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

The U.S. Fish and Wildlife Service (Service) annually establishes federal regulation "frameworks" in August after they analyze current waterfowl population data and gather input from the public. These "frameworks" stipulate the earliest waterfowl hunting seasons can open, the maximum number of days hunting can occur, the latest hunting seasons must close, and the maximum daily bag limit, among other things. States must set waterfowl hunting regulations within the federal frameworks.

States may make recommendations to change federal framework regulations. These recommendations are made to Flyway Councils during March and July. The Councils may elect to forward these to the Service. The Service may elect to incorporate proposed changes in the "framework" regulations. For most waterfowl hunting season regulations, the Service establishes the "framework" regulations in late July or early August at a public meeting however the

publication of these decisions in the Federal Register does not occur until later in the month. California has made two proposals to change federal frameworks.

Sections 202, 355 and 356 of the Fish and Game Code authorize the Fish and Game Commission to annually adopt regulations pertaining to the hunting of migratory birds that conform with, or further restrict, the regulations prescribed by the Service pursuant to their authority under the Migratory Bird Treaty Act. The Fish and Game Commission selects and establishes in State regulations the specific hunting season dates and daily bag limits within the federal frameworks.

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and daily bag and possession limits. **Five** changes are currently proposed for Section 502. Items 2, 3, **and 5** require Flyway Council and Service approval pursuant to the process described above. Item 4 is proposed to provide notice that other framework regulations may change in 2007.

The five proposed changes are:

1. Change the name of Humboldt Bay (South) Special Management Area to Humboldt Bay South Spit Special Management Area.

The existing name implies that the Special Management Area is Humboldt Bay but the description refers to the spit. The proposed change would clarify and accurately describe the Special Management Area.

2. Increase the goose daily bag limit in the Northeastern, Southern San Joaquin Valley and Balance of State zones from 4 to 6 geese per day.

The existing regulation allows a goose daily bag limit of 4. The proposed change would increase the daily bag limit to 6 geese per day. The proposed change would not increase the species specific bag limits but only the total bag for the day. The white-fronted goose population is currently about 500,000 birds and above the population goal of 300,000 birds established in the Flyway Management Plan. Ross' geese and lesser snow geese populations (considered as white geese in the regulations) in the Pacific Flyway are at or above population goals. The increase in the daily bag limit is intended to increase the harvest of geese and allow additional hunting opportunity.

3. Increase the Small Canada goose daily bag limit in the Southern San Joaquin Valley and Balance of State zones from 4 to 6 geese per day.

The existing regulation allows a Small Canada goose daily bag limit of 4 in the Southern San Joaquin Valley and Balance of State zones. The proposed change would increase the daily bag limit to 6 per day. Aleutian Canada geese are now

feeding primarily on privately-owned pastures in Humboldt and Del Norte counties during the spring. Private landowners are concerned that unimpeded population growth of Aleutian Canada geese is affecting the amount of grass available for livestock. The Aleutian Canada goose population has grown from about 800 birds in 1976 to approximately 118,700 in 2006. The current population exceeds the population goal of 60,000 called for in the Flyway Management Plan. The Aleutian Canada goose was listed as Endangered until 1991 and was removed from the list of Threatened species in 2001. The proposed change is intended to slow or eliminate population growth and reduce depredation on private lands through hunting activity while maintaining existing goose distribution in California.

4. Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days (including 2 youth hunt days) for all hunting methods. A range of daily bag limits is also given for ducks in all zones and geese in the Northeastern California, Southern San Joaquin Valley, and Balance of State zones. Federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone. See table in the Informative Digest for season and bag limit ranges.

The existing waterfowl hunting regulations establish specific season dates and daily bag limits for each zone. This proposal provides ranges for the season dates and daily bag limits. These ranges are necessary as the specific opening and closing dates and daily bag limits can not be proposed until the California Breeding Pair Survey is completed in May and the Service has established federal regulation "frameworks" for the 2007/08 waterfowl hunting season and considered proposals from the Pacific Flyway Council. The Service will establish the frameworks in early August after the analysis of current waterfowl population survey, other data, and input from the Flyway Councils and the public.

5. **The Pacific Flyway Council has made a recommendation to the Service to increase the canvasback bag limit to 2 per day based on a record high breeding population estimate. This recommendation was not in the original Initial Statement of Reasons because the Service had not completed the Breeding Pair Survey and results were released in late July.**

- (b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 202 and 355, Fish and Game Code.

Reference: Sections 202, 355, and 356, Fish and Game Code.

- (c) Specific Technology or Equipment Required by Regulatory Change: None.

(d) Identification of Reports or Documents Supporting Regulation Change:
2007 Draft Environmental Document Migratory Game Bird Hunting

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

No public meetings are being held prior to the notice publication. The 45-day comment period provides adequate time for review of the proposed amendment.

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:
No other alternatives were identified.

(b) No Change Alternative:

1. The No Change Alternative would keep the existing name of Humboldt Bay (South) Special Management Area.
2. The No Change Alternative would keep the goose daily bag limit of 4 in the Northeastern, Southern San Joaquin Valley and Balance of State zones. Continuing with the current goose daily bag limit in the Northeastern, Southern San Joaquin Valley and Balance of State zones does not allow for maximum hunting opportunity.
3. The No Change Alternative would keep the Small Canada goose daily bag limit of 4 in the San Joaquin Valley and Balance of State zones. Continuing with the current Small Canada goose daily bag limit in the San Joaquin Valley and Balance of State zones does not allow for maximum hunting opportunity and continues to allow unchecked population growth of Aleutians. This would lead to greater depredation complaints on the northwest coast of California in the spring.
4. The No Change Alternative would keep the existing season lengths and dates and duck daily bag limits in all zones. The California Breeding Pair Survey has not been completed and analyzed and the federal frameworks have not been set. Changes in the existing regulations could result if specific dates and bag limits are proposed before the above items are completed.

5. The No Change Alternative would keep the canvasback bag limit between 0 and 1 in all zones. Continuing with the current bag limit range of canvasback in all zones does not allow for maximum hunting opportunity.

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; 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 action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (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: None.

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

The agency 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: None.
- (h) Effect on Housing Costs: None.

Updated Informative Digest/Policy Statement Overview

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and establish daily bag and possession limits. In addition to the **five** proposals contained herein, the U.S. Fish and Wildlife Service, after analysis of waterfowl population survey and other data, may also initiate changes in federal regulations which will require changes in existing and proposed regulations in California. Changes in federal regulations for season opening and closing dates, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. Items 2, 3, and 5 require changes in the federal regulations and must be approved by the Pacific Flyway Council at their meeting on July 27, 2007. The Service will consider this and other recommendations at their meeting on August 1-2, 2007. Item 4 (including the table) below proposes a range of season dates and bag limits for waterfowl. At this time, the California Breeding Pair Survey has not been conducted and the Service has not established federal regulation "frameworks" which will occur in August after the analysis of current waterfowl population survey, other data, input from the Flyway Councils and the public. Also, minor editorial changes were made to clarify and simplify the regulations and to comply with existing federal frameworks.

The Department's proposals are as follows:

1. Change the name of Humboldt Bay (South) Special Management Area to Humboldt Bay South Spit Special Management Area.
2. Increase the goose daily bag limit in the Northeastern, Southern San Joaquin Valley and Balance of State zones to 6 geese per day.
3. Increase the Small Canada goose daily bag limit in the Southern San Joaquin Valley and Balance of State zones to 6 geese per day.
4. Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days for all hunting methods. A range of daily bag limits is also given for ducks in all zones and geese in the Northeastern California, Southern San Joaquin Valley, and Balance of State zones. Also, federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone. See the following table for season and bag limit ranges.
5. **The Pacific Flyway Council has made a recommendation to the Service to increase the canvasback bag limit to 2 per day based on a record high breeding population estimate. This recommendation**

was not in the original Initial Statement of Reasons because the Service had not completed the Breeding Pair Survey and results were released in late July.

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
Statewide	Coots & Moorhens	Concurrent w/duck season	25/day. 25 in possession
Northeastern Zone	Ducks	Between 38 & 105 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 105 days	
	Canvasback	Between 0 & 105 days	
	Scaup	Between 0 and 105 days	
Southern San Joaquin Valley Zone	Geese	86-100 days	4-6/ day, up to 4 white geese, up to 4 white-fronts, up to 2 Large Canada geese, only 1 Small Canada goose. Possession limit double the daily bag.
	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
Scaup	Between 0 & 100 days		
Colorado River Zone	Geese	86-100 days	4-6/ day, up to 4 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 4-6 Small Canada geese. Possession limit double the daily bag.
	Ducks	Between 38 & 101 days	4-7/day, no more than 3-7 mallards, no more than 2 hen mallards or Mexican-like ducks, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 101 days	
	Canvasback	Between 0 & 101 days	
Scaup	Between 0 & 101 days		
Southern California Zone	Geese	101 days	6/ day, up to 4 white geese, up to 3 dark geese. Possession limit double the daily bag.
	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
Scaup	Between 0 & 100 days		
Balance of State Zone	Geese	86-100 days	5/day, up to 4 white geese, up to 3 dark geese. Possession limit double the daily bag.
	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
Scaup	Between 0 & 100 days		
Balance of State Zone	Geese	86-100 days	4-6/ day, up to 4 white geese, up to 4 white-fronts, up to 4 Large Canada geese, up to 4-6 Small Canada geese. Possession limit double the daily bag.
	Ducks	Between 38 & 100 days	4-7/day, no more than 3-7 mallards, no more than 1-2 hen mallards, 0-3 pintail, 0-2 canvasback, 2 redheads, 0-4 scaup. Possession limit double the daily bag.
	Pintail	Between 0 & 100 days	
	Canvasback	Between 0 & 100 days	
Scaup	Between 0 & 100 days		
SPECIAL AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
North Coast	All Canada Geese	Between 0 & 107 days, except for Large Canada geese which can not exceed 100 days or extend beyond the last Sunday in January.	4-6/day, only 1 may be a Large Canada goose. Possession limit double the daily bag.
Humboldt Bay South Spit	All species	Closed during brant season	
Sacramento Valley (West)	White-fronted geese	Closed after Dec 14	2/day. Possession limit double the daily bag.
Morro Bay	All species	Open in designated areas only	
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	Between 0 & 30 days, must end by Dec 15	2/day. Possession limit double the daily bag.
Balance of State Brant	Black Brant	Between 0 & 30 days, must end by Dec 15	2/day. Possession limit double the daily bag.
YOUTH HUNTING DAYS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Southern California Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Colorado River Zone		The Saturday following the closing for waterfowl season.	
Balance of State Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
FALCONRY OF DUCKS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	Between 38 and 105 days	3/ day, possession limit 6
Balance of State Zone		Between 38 and 107 days	
Southern San Joaquin Valley Zone		Between 38 and 107 days	
Southern California Zone		Between 38 and 107 days	
Colorado River Zone		Ducks only	

502. Waterfowl, Migratory; American Coot and Common Moorhen (Common Gallinule).

(a) Definitions.

(1) Dark geese. Dark geese include Canada geese, cackling geese, Aleutian geese and white-fronted geese ("specklebelly").

(2) Large Canada geese. Large Canada geese include western Canada geese ("honker") and lesser Canada geese ("lessers").

(3) Small Canada geese. Small (about the size of a mallard) Canada geese include cackling geese and Aleutian geese. Both are white-cheeked geese nearly identical in appearance to Large Canada geese. Aleutian geese have a thin white neck ring and Cackling geese have dark breasts. Both species have a high-pitched cackle as opposed to the deeper "honking".

(4) White geese. White geese include Ross' geese and snow geese.

(b) Waterfowl Hunting Zones.

(1) Northeastern California Zone: In that portion of California lying east and north of a line beginning at the intersection of Interstate 5 with the California-Oregon line; south along Interstate 5 to its junction with Walters Lane south of the town of Yreka; west along Walters Lane to its junction with Easy Street; south along Easy Street to the junction with Old Highway 99; south along Old Highway 99 to the point of intersection with Interstate 5 north of the town of Weed; south along Interstate 5 to its junction with Highway 89; east and south along Highway 89 to Main Street in Greenville; north and east to its junction with North Valley Road; south to its junction of Diamond Mountain Road; north and east to its junction with North Arm Road; south and west to the junction of North Valley Road; south to the junction with Arlington Road (A22); west to the junction of Highway 89; south and west to the junction of Highway 70; east on Highway 70 to Highway 395; south and east on Highway 395 to the point of intersection with the California-Nevada state line; north along the California-Nevada state line to the junction of the California-Nevada-Oregon state lines west along the California-Oregon line state to the point of origin.

(2) Southern San Joaquin Valley Zone: All of Kings and Tulare counties and that portion of Kern County north of the Southern California Zone.

(3) Southern California Zone: In that portion of southern California (but excluding the Colorado River zone) lying south and east of a line beginning at the mouth of the Santa Maria River at the Pacific Ocean; east along the Santa Maria River to where it crosses Highway 166 near the City of Santa Maria; east on Highway 166 to the junction with Highway 99; south on Highway 99 to the crest of the Tehachapi Mountains at Tejon Pass; east and north along the crest of the Tehachapi Mountains to where it intersects Highway 178 at Walker Pass; east on Highway 178 to the junction of Highway 395 at the town of Inyokern; south on Highway 395 to the junction of Highway 58; east on Highway 58 to the junction of Interstate 15; east on Interstate 15 to the junction with Highway 127; north on Highway 127 to the point of intersection with the California-Nevada state line.

(4) Colorado River Zone: In those portions of San Bernardino, Riverside, and Imperial counties lying east of the following lines: Beginning at the intersection of Highway 95 with the California-Nevada state line; south along Highway 95 to Vidal Junction; south through the town of Rice to the San Bernardino-Riverside county line on a road known as "Aqueduct Road" in San Bernardino County; south from the San Bernardino-Riverside county line on road known in Riverside County as the "Desert Center to Rice Road" to the town of Desert Center; east 31 miles on Interstate 10 to its intersection with the Wiley Well Road; south on this road to Wiley Well; southeast along the Army-Milpitas Road to the Blythe, Brawley, Davis Lake intersections; south on the Blythe-Brawley paved road to its intersection with the Ogilby and Tumco Mine Road; south on this road to Highway 80; east seven miles on Highway 80 to its intersection with the Andrade-Algodones Road; south on this paved road to the intersection of the Mexican boundary line at Algodones, Mexico.

(5) Balance of State Zone: That portion of the state not included in Northeastern California, Southern California, Colorado River or the Southern San Joaquin Valley zones.

(A) Special Management Areas

1. North Coast. All of Del Norte and Humboldt counties

2. Humboldt Bay (~~South~~) South Spit. Beginning at the intersection of the north boundary of Table Bluff County Park and the South Jetty Road; north along the South Jetty Road to the South Jetty;

west along the South Jetty to the mean low water line of the Pacific Ocean; south along the mean low water line to its intersection with the north boundary of the Table Bluff County Park; east along the north boundary of the Table Bluff County Park to the point of origin.

3. Sacramento Valley (West). Beginning at the town of Willows; south on Interstate 5 to the junction with Hahn Road; east on Hahn Road and the Grimes-Arbuckle Road to the town of Grimes; north on Highway 45 to its junction with Highway 162; north on Highway 45-162 to the town of Glenn; west on Highway 162 to the point of beginning.

4. Morro Bay. Beginning at a point where the high tide line intersects the State Park boundary west of Cuesta by the Sea; northeasterly to a point 200 yards offshore of the high tide line at the end of Mitchell Drive in Baywood Park; northeasterly to a point 200 yards offshore of the high tide line west of the Morro Bay State Park Boundary, adjacent to Baywood Park; north to a point 300 yards south of the high tide line at the end of White Point; north along a line 400 yards offshore of the south boundary of the Morro Bay City limit to a point adjacent to Fairbanks Point; northwesterly to the high tide line on the sand spit; southerly along the high tide line of the sand spit to the south end of Morro Bay; easterly along the Park boundary at the high tide line to the beginning point.

5. Martis Creek Lake. The waters and shoreline of Martis Creek Lake, Placer and Nevada counties.

6. Northern Brant. Del Norte, Humboldt and Mendocino Counties.

7. Balance of State Brant. That portion of the state not included in the Northern Brant Special Management Area.

(c) Statewide Seasons and Bag and Possession Limits for American Coots, and Common Moorhens.

(1) Species	(2) Season	(3) Daily Bag and Possession Limits
American Coot and Common Moorhen	Concurrent with duck season(s)	25 per day, 25 in possession, either all of one species or a mixture of these species.

(d) Seasons and Bag and Possession Limits for Ducks and Geese by Zone.

(1) Northeastern California Zone (NOTE: SEE SUBSECTION (5)(D) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers)	<p>From <u>between the first and fourth Saturday in October extending for between 38 and 105 days which may be split.</u></p> <p><u>Pintails: between 0 and 105 days which may be split.</u></p> <p><u>Canvasbacks: between 0 and 105 days which may be split.</u></p> <p><u>Scaup: between 0 and 105 days which may be split.</u></p>	<p>Daily bag limit: <u>4-7</u> Daily bag limit may include:</p> <ul style="list-style-type: none"> • <u>Up to 3-7</u> mallards, but not more than <u>1 or 2</u> females. • <u>4 0-3</u> pintail (either sex). • <u>0-12</u> canvasback (either sex). • <u>2</u> redheads (either sex). • <u>3 0-4</u> scaup. <p>Possession limit: double the daily bag limit.</p>
Geese	<p>From <u>between the first and fourth Saturday in October extending between for 86 and 100 days.</u></p>	<p>Daily bag limit: <u>4-6</u> Daily bag limit may include:</p> <ul style="list-style-type: none"> • <u>4</u> white geese. • <u>4</u> white-fronted geese • <u>2</u> Large Canada geese (see definitions: 502(a)). • <u>1</u> Small Canada goose (see definitions: 502(a)).

	Possession limit: double the daily bag limit.
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(2) Southern San Joaquin Valley Zone (NOTE: SEE SUBSECTION (5)(D) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers)	<p>A split season from the first Saturday in October extending for a period of 23 days and from the second Saturday in November extending for a period of 79 days. From between the first and last Saturday in October extending between 38 and 100 days which may be split.</p> <p><u>Pintails: between 0 and 100 days which may be split.</u></p> <p><u>Canvasbacks: between 0 and 100 days which may be split.</u></p> <p><u>Scaup: between 0 and 100 days which may be split.</u></p>	<p>Daily bag limit: <u>4-7</u> Daily bag limit may include:</p> <ul style="list-style-type: none"> • up to 3-7 mallards, but not more than 1 or 2 females. • 4 0-3 pintail (either sex). • <u>0-12</u> canvasback (either sex). • 2 redheads (either sex). • 3 <u>0-4</u> scaup. <p>Possession limit: double the daily bag limit.</p>
Geese	<p>From between the second third Saturday in October and the first Saturday in November extending between for 86 and 100 days.</p>	<p>Daily bag limit: <u>4-6</u> Daily bag limit may include:</p> <ul style="list-style-type: none"> • 4 white geese. • 4 white-fronted geese. • 4 Large Canada geese (see definitions: 502(a)). • <u>4-6</u> Small Canada geese (see definitions: 502(a)). <p>Possession limit: double the daily bag limit.</p>

(3) Southern California Zone (NOTE: SEE SUBSECTION (5)(D) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers)	<p>From between the second third Saturday in October and the first Saturday in November extending between 38 and for 100 days which may be split.</p> <p><u>Pintails: between 0 and 100 days which may be split.</u></p> <p><u>Canvasbacks: between 0 and 100 days which may be split.</u></p>	<p>Daily bag limit: <u>4-7</u> Daily bag limit may include:</p> <ul style="list-style-type: none"> • up to 3-7 mallards, but not more than 1 or 2 females. • 4 0-3 pintail (either sex). • <u>0-12</u> canvasback (either sex). • 2 redheads (either sex). • 3 <u>0-4</u> scaup. <p>Possession limit: double the daily bag limit.</p>

	<u>Scaup: between 0 and 100 days which may be split.</u>	
Geese	From <u>between the second third Saturday in October and the first Saturday in November extending between for 86 and 100 days.</u>	Daily bag limit: 5 Daily bag limit may include: <ul style="list-style-type: none"> • 4 white geese. • 3 dark geese (see definitions: 502(a)). <p>Possession limit: double the daily bag limit.</p>

(4) Colorado River Zone (NOTE: SEE SUBSECTION (5)(D) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers).	From the Friday after the <u>third second Sunday in October extending for between 38 and 101 days.</u> <u>Pintails: between 0 and 101 days.</u> <u>Canvasbacks: between 0 and 101 days.</u> <u>Scaup: between 0 and 101 days.</u>	Daily bag limit: <u>4-7</u> Daily bag limit may include: <ul style="list-style-type: none"> • 3-7 mallards, but not more than 2 females or Mexican-like ducks. • 4 0-3 pintail (either sex). • <u>0-12</u> canvasback (either sex). • 2 redheads (either sex). • 3 <u>0-4</u> scaup <p>Possession limit: double the daily bag limit.</p>
Geese	From October <u>19 20</u> extending for <u>between 38 and 101 days.</u>	Daily bag limit: 6 Daily bag limit may include: <ul style="list-style-type: none"> • 4 white geese. • 3 dark geese (see definitions: 502(a)). <p>Possession limit: double the daily bag limit.</p>

(5) Balance of State Zone (NOTE: SEE SUBSECTION (D) BELOW FOR SPECIAL SEASONS AND CLOSURES.)

(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers).	From <u>between the third second Saturday in October and the first Saturday in November extending for between 38 and 100 days which may be split.</u> <u>Pintails: between 0 and 100 days which may be split.</u> <u>Canvasbacks: between 0 and 100 days which may be split.</u> <u>Scaup: between 0 and 100</u>	Daily bag limit: <u>4-7</u> Daily bag limit may include: <ul style="list-style-type: none"> • up to <u>3-7</u> mallards, but not more than 1 or 2 females. • 4 0-3 pintail (either sex). • <u>0-12</u> canvasback (either sex). • 2 redheads (either sex). • 3 <u>0-4</u> scaup. <p>Possession limit: double the daily bag limit.</p>

<p>Geese</p>	<p><u>days which may be split.</u> From <u>between the third second Saturday in October and the first Saturday in November</u> extending <u>between for 86 and 100 days EXCEPT</u> in the Sacramento Valley (West) Special Management Area where the white-fronted goose season will be open from the last Saturday in October through December 14.</p>	<p>Daily bag limit: 4-6 . Daily bag limit may include:</p> <ul style="list-style-type: none"> • 4 white geese. • 4 white-fronted geese EXCEPT in the Sacramento Valley (West) Special Management Area where only 2 may be taken. • 4 Large Canada geese (see definitions: 502(a)). • 4-6 Small Canada geese (see definitions: 502(a)). <p>Possession limit: double the daily bag limit.</p>
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(D) Special Management Areas		
Area	Species	Season
<p>1. North Coast</p>	<p>All Canada Geese</p>	<p>From the last Tuesday in October <u>or the third Tuesday in November</u> extending <u>for between a period of 69 and 90 days</u> (Regular Season) and from the fourth Saturday in February extending for 15 days (Late Season). During the Late Season, hunting is not permitted on public areas.</p> <p>Daily bag limit: 4-6 Canada Geese of which only 1 may be a Large Canada goose (see definitions: 502(a)), EXCEPT during the Late Season the bag limit on Large Canada geese is zero.</p> <p>Possession limit: double the daily bag limit.</p>
<p>2. South Humboldt Bay <u>South Spit</u></p>	<p>All species</p>	<p>Closed during brant season.</p>
<p>3. Sacramento Valley (West)</p>	<p>White-Fronted Geese</p>	<p>Open from the last Saturday in October through December 14, and during Youth Hunting Days. Daily bag limit: 2 white-fronted geese.</p> <p>Possession limit: double the daily bag limit.</p>
<p>4. Morro Bay</p>	<p>All species</p>	<p>Open in designated area only.</p>
<p>5. Martis Creek Lake</p>	<p>All species</p>	<p>Closed until November 16.</p>
<p>6. Northern Brant</p>	<p>Black Brant</p>	<p>From the first Saturday in</p>

		November extending for between 0 and 30 days. Daily bag limit: 2 Possession limit: double the daily bag limit.
7. Balance of State Brant	Black Brant	From the second Sunday in November extending for between 0 and 30 days. Daily bag limit: 2 Possession limit: double the daily bag limit.

(e) Youth Hunting Days Regulations (NOTE: Youth hunters must be 15 years of age or younger and must be accompanied by a non-hunting adult 18 years of age or older.)

(1) Statewide Provisions.

(A) Species	(B) Season	(C) Daily Bag Limit
Ducks (including Mergansers), American Coot, Common Moorhen, Black Brant, Geese	<p>1. Northeastern California Zone: The Saturday fourteen days before the opening of waterfowl season extending for 2 days.</p> <p>2. Southern San Joaquin Valley Zone: The Saturday following the closing of waterfowl season extending for 2 days.</p> <p>3. Southern California Zone: The Saturday following the closing of waterfowl season extending for 2 days.</p> <p>4. Colorado River Zone: The Saturday following the closing of waterfowl season.</p> <p>5. Balance of State Zone: The Saturday following the closing of waterfowl season extending for 2 days.</p>	Same as regular season.

(f) Falconry Take of Ducks (including Mergansers), Geese, American Coots, and Common Moorhens.

(1) Statewide Provisions

(A) Species	(B) Season	(C) Daily Bag and Possession Limits
Ducks (including Mergansers), Geese, American Coot and Common Moorhen	<p>1. Northeastern California Zone. Open concurrently with duck season extending for between 38 and 105 days.</p> <p>2. Balance of State Zone. Open concurrently with duck season extending for between</p>	<p>Daily bag limit: 3 Daily bag limit makeup:</p> <ul style="list-style-type: none"> • Either all of 1 species or a mixture of species allowed for take. <p>Possession limit: 6</p>

	<p><u>38 and 107 days</u>, except in the North Coast Special Management Area where the falconry season for geese runs concurrently with the season for Small Canada geese (see <u>502(d)(5)(D)(1) 502(d)(5)(D)1</u>).</p> <p>3. Southern San Joaquin Valley Zone. Open concurrently with duck season and January 29-31<u>28-30, 20072008</u>. Goose hunting in this zone by means of falconry is not permitted.</p> <p>4. Southern California Zone. Open concurrently with duck season extending for <u>between 38 and 107 days</u>.</p> <p>5. Colorado River Zone. Concurrent with duck season and from January 28 29 February 1 2, 20072008. Goose hunting in this zone by means of falconry is not permitted. Federal regulations require that California's hunting regulations conform to those of Arizona, where goose hunting by means of falconry is not permitted.</p>	
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Note: Authority cited: Sections 202 and 355, Fish and Game Code. Reference: Sections 202, 355 and 356, Fish and Game Code.