



# STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE



3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358

**THURSDAY, April 24, 2014**  
**Meeting Time: 4:00 P.M.**

## AGENDA

### Call Meeting to Order & Introductions:

The Stanislaus County *Fish & Wildlife Committee (F&WC)* encourages public participation and welcomes the public's interest.

Members of the public may be heard on any item of the Fish and Wildlife Committee's agenda. A person addressing the Committee will be limited to five (5) minutes, unless the Chairperson of the Committee grants a longer period of time. The Committee will allow comments by members of the public on an agenda item only during consideration of the item.

### Requests for Funds:

1. Approval of a request for funds from the U.S. Army Corp of Engineers in the amount not to exceed \$2,000 to purchase fish for their *Kids Fishing Fun Day* on Saturday, May 3, 2014.

### Project Updates (Projects which received funds from the Committee):

1. No updates.

### Correspondence:

1. Notice relating to Mammal Hunting Regulations. *Fish and Game Commission, 1/24/2014.*
2. Notice of proposed emergency action – Low flow closures to fishing due to drought conditions. *Fish and Game Commission, 2/10/2014.*
3. Notice of the Townsend's big-eared bat. *California Department of Fish and Wildlife, 1/24/2014.*
4. Notice under the National Policy Act (NEPA), an environmental review. *United States Department of Commerce, 3/20/2014.*

### Agenda Items:

1. Public Comment(s)
2. Approval of January 23, 2014 Meeting Minutes
3. Wildlife Management Report
4. Fishery Report
5. Wildlife Enforcement Report
6. Wood Duck Report
7. Great Valley Museum
8. Old Business
9. Mileage for students
10. Committee Comments

FW Members  
Cristen Langner, DFG  
Steve Tsao, DFG  
Phil McKay, DFG  
Ed Ayers  
Sandra Vanwey

**Adjourn: Next meeting – Thursday, July 24<sup>th</sup>, 2014 at 4:00 p.m.**

*Please notify the Department of Parks and Recreation at 525-6770 to let us know if you will be attending this meeting and/or require special accommodation for access or transportation to the meeting.*

Agendas can also be found online at <http://www.stancounty.com/er/parks/fish-wildlife-committee.shtm> subject to staff's ability to post prior to the meeting. Materials related to an item on this Agenda submitted to the Committee after distribution of the agenda packet are available for public inspection during normal business hours at the main office of the Department of Parks and Recreation, 3800 Cornucopia Way, Suite C, Modesto, CA 95358.



# STANISLAUS COUNTY FISH AND WILDLIFE COMMITTEE



**PARKS AND RECREATION**  
Jami Aggers, Director  
Merry Mayhew, Asst. Director  
Ed Ayers, Chair

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358



## MINUTES

**JANUARY 23, 2014 AT 4:00 P.M.**

**3800 CORNUCOPIA WAY, 2<sup>ND</sup> FLOOR, CONFERENCE ROOM**

(Agendas can be found online at <http://www.stancounty.com/er/parks/fish-wildlife-committee.shtm>)

### COUNTY FISH & WILDLIFE MEMBERS PRESENT:

Ed Ayers  
Red Bartley  
Ken Meidl  
Cody Johnsen  
Ed Channing (ALT)  
Jim Atherstone – tele conference  
Jason Guignard

### STATE FISH & WILDLIFE REPRESENTATIVE:

Phil McKay

### PARKS & RECREATION STAFF PRESENT:

Mae Song  
Cathy Amaral Winchester - DER

### MEMBERS ABSENT:

Don Vanwey (ALT)  
Dave Doubledee  
Sandra Vanwey  
Anthony Maxwell

Joe Mello

### GUESTS PRESENT:

Bill Amundsen-Audubon Society

### A. CALL TO ORDER & INTRODUCTIONS

1. Red Bartley called the meeting to order and those in attendance introduced themselves.

### B. REQUESTS FOR FUNDS/PROJECT UPDATES

1. There was no request for funds received

#### REPORTER & ACTIONS

Ed Ayers

### C. CORRESPONDENCE

The Committee acknowledged the correspondences received, and suggested further action or comment be directed to the corresponding agency.

#### ACTIONS

1. Notice of proposed changes in regulations relative to Enhancement on Private Lands Management. *California Fish and Game Commission, 11/5/13.*
2. Notice of Public Review Period and Additional Public Meeting for the Draft Environmental Impact Report Regarding the Proposed Salmon Conservation and Research Facility. *State of California – Natural Resources Agency – Department of Fish and Wildlife, 11/12/13*
3. Notice of Draft License Application filed with FERC. *Don Pedro Newsletter,*

12/3/13.

4. Notice of proposal to list the Western Yellow-Billed Cuckoo as a Threatened Species. *U.S. Fish and Wildlife Service, 1/6/14.*
5. Notice of Findings regarding the Townsend's big-eared bat, *California Fish and Game Commission, 1/6/14.*
6. Notice Environmental Assessment for Nonessential Experimental Population Designation and Take Provisions for Reintroduction of Central Valley Spring-run Chinook Salmon, *US Dept. of Commerce 1/14/14.*
7. AB 1234 – Local Agencies: Mandatory Ethics Training, The training is mandatory every 2 years for members who receive any reimbursement from Stanislaus County. The County is offering a free training on 3/5/14 @ 6:30-8:30 pm at the CEO Board of Supervisors Basement Chambers. *Stanislaus County Counsel*

**D. PUBLIC COMMENTS****ACTIONS/REPORTER**

No comment was received.

**E. APPROVAL OF MINUTES****ACTIONS**

Minutes for the October 24, 2013, meeting were approved.

*Red Bartley, Cody Johnson, unanimous approval***G. WILDLIFE REPORT****ACTIONS/REPORTER**

1. People have been shooting elk in the Los Banos area. There were four elk shot and killed but not recovered.

*Phil McKay***H. FISHERY REPORT****ACTIONS & REPORTER**

1. The Fall Report: 5,400 fish, Tuolumne had 3,700 fish. No count on Merced but is at capacity (2.4 million eggs). Fish are not moving in the rivers. They are seeing fry movement out of the stand. There are blockages due to hessian (water plants). In 2012 the Salmon count was 42,000 – 4% made it out of the river.
2. There is no information in regards to sturgeon at the Laird Park area - starts in March. The Feds are doing studies regarding the eggs found below the Tuolumne.

*Jason Guignard**Phil McKay***I. WILDLIFE ENFORCEMENT REPORT****REPORTER**

1. The squad (7 people) 750 cases. No fine money coming through on the reports. Running more details on Fish and Wildlife violations.
2. There are two new pollution cases and most have been settled. There is some money coming in.
3. Reviewed funding balance report. Ending balance \$26,104.25. It was recommended to contact Merry Rorabaugh, or Arlene, in regards to the budget.
4. Information in regards to hunting and fishing bags limit forms from counties was passed out to group.

*Phil McKay**Ed Ayers*

**J. WOOD DUCK REPORT**

**ACTIONS & REPORTER**

1. Ann Coolhouse from Stanislaus State University is working with the group to get the students working on the Wood Duck Nesting Project. She has 17 people signed up. Their first meeting is the first week of February. We may go with CWA in the future. We have 200-300 boxes in Stanislaus County.

*Ed Channing*

Bloms: 2013- E/L 237 E/H 184  
 2012- E/L 478 E/H 338  
 Saso: 2013- E/L 262 E/H 203  
 2012- E/L 271 E/H 214  
 Hatfield 2013- E/L 216 E/H 151  
 2012- E/L 198 E/H 149  
 Lynch: 2013- E/L 285 E/H 154  
 2012- E/L 457 E/H 257  
 Trammel 2013- E/L 170 E/H 104  
 2012- E/L 236 E/H 131  
 Severson 2013- E/L 14 E/H 14 Total 2013 E/L 1184 E/H 810  
 2012 -E/L 97 E/H 46 2012 E/L 1654 E/H 1135

There is 100 boxes which are stored on a ranch and will be relocated.

**K. GREAT VALLEY MUSEUM**

**ACTIONS & REPORTER**

- The contractor has the exhibits finished. They may be ready in April 2014 (approx).

*Ken Meidl*

**L. OLD BUSINESS**

**ACTIONS & REPORTER**

1. The group was asked to read the new bylaws. They are posted on the website.

*Ed Ayers*

**M. COMMITTEE COMMENTS**

**ACTIONS & REPORTER**

1. There is a Fish and Wildlife Committee in Glenn County looking to get participation in present laws and to see if other groups would like to participate in letters to congressmen. He has not heard back from them.
2. Mileage to students for wood duck project- May be an action item for next meeting. They are looking for volunteers and will reimburse at the County rate. Mae Song gave the group a copy of how to complete the blue reimbursement form and to submit prior to meetings.
3. The question was asked if anyone knew of any persons who might be interested in being an alternate in Area 5. Ed may know of someone.
4. Bill Amundsen, a guest, shared with the group. His group, Audubon Society, has about 300 members in Stanislaus and Merced Counties. The group is active in the Wilms Project (splitting of the land/ hobby farms), leads public tours, count birds, watch birds and The Waterford Trail.

*Red Bartley, Ed Channing*

**N. ADJOURNMENT & NEXT MEETING**

There being no further business, the meeting was adjourned. The next regular meeting of the Fish and Wildlife Committee will be held on:

**Thursday, April 24, 2014 at 4:00 p.m.  
Conference Room, 2<sup>nd</sup> Floor  
3800 Cornucopia Way, Modesto**

*Prepared By: Cathy Winchester, Environmental Resources 209-525-6770*

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# Fund Request Application

Stanislaus County Fish and Wildlife



STANISLAUS COUNTY  
FISH AND WILDLIFE COMMITTEE

3800 CORNUCOPIA WAY, SUITE C, MODESTO, CALIFORNIA 95358

Applicant Name Stanislaus River Parks &  
Agency U.S. Army Corps of Engineers & the Independent Order of Old Fellows  
Mailing Address 17968 Covered Bridge Rd.  
City, State, Zip Oakdale, CA 95361  
Phone 209-201-5857 E-mail \_\_\_\_\_

Requesting Fund Amount \$ 2,000 Funds needed by 30 Apr - 14

Project Performance Period DEC 2013 - MAY 2014

Event Name (if applicable) KFFD Kids Fishing Fun Day

Purpose Teach underprivileged kids how to use proper fishing techniques while teaching them the importance of natural resource conservation & outdoor recreation ethics & water safety.

Fish and Wildlife Code(s) Met (CFG Code Section 13100-13104) 13103.a

Public Benefit provide inner city kids the opportunity to learn how to fish while being exposed to the benefits of the outdoors. All the fish that are not got, go into Horseshoe pond for public access.

Detail Items to be Purchased (include cost per item, and/or attach quote(s). Additional sheets may be attached.)

270 large mouth bass 8"-10" in length \$ 7.50/fish = \$ 2,000

Vendor to be purchased from Golden State Bait

Will you accept partial funding?  YES  NO

This application may be fax to (209) 525-6773 or mailed to:

Stanislaus County Fish & Wildlife Committee  
c/o Stanislaus County Parks and Recreation  
Attn: Parks Administration  
3800 Cornucopia Way, Suite C  
Modesto, CA 95358

I have read and understand the Fund Request Procedures and agree to utilize the funds I am approved for to purchase items listed in this packet for said purposes and in accordance to California Fish and Wildlife Codes and Regulations. I understand I will follow-up with the Committee on the outcome of this fund request by attendance at a Fish and Wildlife Committee meeting within one year.

Signature: James Winchester Date: 3/4/14

OFFICE USE ONLY:  
APPROVED FOR \$ \_\_\_\_\_ DATE: \_\_\_\_\_

STANISLAUS LODGE #170, I.O.O.F.  
P.O. Box 534  
Knights Ferry, Ca. 95361



Independent Order of Odd Fellows  
Stanislaus Lodge # 1.O.O.F  
Knights Ferry, CA 95361

04 March 2014

Army Corps of Engineers  
Stanislaus River Parks  
17968 Covered Bridge Rd  
Oakdale, CA 95361  
(209) 881-3517

Stanislaus County Fish & Wildlife Committee  
3800 Cornucopia Way  
Suite C  
Modesto, Ca 95358

Subject: Donation for Kids Fishing Fun Day.

Dear Committee Chairman,

The Army Corps of Engineers and The Independent Order of Odd fellows Stanislaus Lodge # 170 as co-sponsors would like to thank the Stanislaus County Fish & Wildlife Committee for allowing us to address the committee in regards to a donation for our **Kids Fishing Fun Day on Saturday May 3<sup>rd</sup> 2014.**

The main emphasis of the Kids Fishing Fun Day event is to reach kid's that have never had the opportunity to enjoy the pleasures of outdoor recreation and educate them on the importance of natural resources preservation, proper catch & release fishing techniques and outdoor ethics. The kids will be coming from the Stanislaus County Police Youth Activities League, POC Alfredo Guerra.

Some of the activities will include: a fly casting demonstration; an interactive animal tracks program, fish imprinting art deco (Gyotaku) and a water safety program put on by Army Corps Rangers and of course lots of fun fishing!

I am inquiring if the Fines Committee would be willing to donate \$2,000.00 for the purchase of 270, 8" - 10" Large Mouth Bass to be purchased from Golden State Bait Inc in Merced formally known as Dutchman Creek. Stanislaus River Parks has no checking account for the deposit of donations. If our request is funded, **please direct the funds for payment to the vendor.**

If you have any questions, please contact Ranger Norm Winchester @ (209) 881-3517 ex.24. I look forward to hearing from you. Thank you for your time.

Sincerely,

Park Ranger  
Norm Winchester  
Stanislaus River Parks

STANISLAUS LODGE #170, I.O.O.F.  
P.O. Box 834  
Knights Ferry, Ca. 95361



**STANISLAUS COUNTY FISH AND GAME COMMITTEE**

**APPLICATION FOR FISH AND GAME FINE MONIES**

**FUNDING FOR FISCAL YEAR**

**2013/2014**

**1. NAME & ADDRESS OF APPLICANT.**

Independent Order of Odd Fellows  
Stanislaus Lodge # 1.O.O.F.  
Knights Ferry, CA 95361

U.S Army Corps of Engineers  
Stanislaus River Parks  
17968 Covered Bridge Rd.  
Oakdale, CA 95361

**2. TITLE OF PROJECT.**

Kids Fishing Fun Day.

**3. AMOUNT OF FUNDING REQUESTED. \$2,000.00.**

\$ 2,000.00 for the purchase of fish planting 270 (8" - 10" Large Mouth Bass)

**4. NAME, TITLE ADDRESS & PHONE # OF PROJECT COORDINATOR.**

Park Ranger / Natural Resource Specialist Norm Winchester  
17968 Covered Bridge Rd.  
Oakdale, CA 95361  
(209) 881-3517 ex. 24  
(209) 881-3203 fax

**5. OBJECTIVE OF PROJECT.**

Teach underprivileged kids how to fish, using proper catch & release techniques, while teaching the importance of natural resource conservation and outdoor recreation ethics and water safety.

**6. COMPLETE PROJECT DESCRIPTION.**

The main emphasis of the Kids Fishing Day event is to reach kid's that have never had the opportunity to enjoy the pleasures of outdoor recreation and educate them on the importance of natural resources preservation, proper catch & release fishing techniques and outdoor ethics.



STANISLAUS LODGE #170, I.O.O.F.

P.O. Box 834  
Knights Ferry, Ca. 95361



The kids will be instructed by professional fisherman on the proper techniques used to catch fish. There will be a demonstration put on by Oakdale Rural Fire Department on fire prevention, if available due to fire season. The Bureau of Reclamation will be conducting an interactive animal tracks program. The Army Corps will be doing an art-deco program called Gyo-taco Fish Imprinting and water safety.

7. PROJECT DEVELOPMENT SCHEDULE.

December 2013- May 2014.

8. WHAT OTHER FUNDING SOURCES HAVE BEEN EXPLORED FOR FUNDING OF THIS PROJECT?

Private donations through other Fish farm companies.

9. IF NECESSARY, CAN THE PROJECT BE DIVIDED INTO SEGMENTS FOR FUNDING PURPOSES? NO.

10. JUSTIFICATION FOR PROJECT, INCLUDING DISCUSSION OF ALTERNATIVES FOR ACCOMPLISHING THE PROJECT OBJECTIVES.

We will bring in 55 kids from the Police Youth Activities League that have never recreated on a river or lake and expose them to the fun the outdoors provides. These kids come from low income urban areas that are infested with drugs, guns and violence as part of their everyday life.

11. WHAT ARE THE LONG-RANGE PLANS OF THIS PROJECT?

To make this an annual event for future generations.

12. HOW WILL THE REPORT BE PRESENTED (AUDIO-VISUAL AIDS, CHARTS, MAPS, DISCUSSION, FIELD TRIP)?

A letter describing the results will be mailed after completion of the event.

13. DESCRIBE LAND STATUS, OWNERSHIP, LEGAL DESCRIPTION, VICINITY AND SITE MAPS.

Horseshoe Recreation area, East of 14842 Orange Blossom Rd, Oakdale, Ca 95361. Horseshoe Recreation Area 20 Acre pond.

14. THE HISTORY OF CONDITION AND STATUS OF RESOURCE AND EXPECTED BENEFITS.

Fishing has been a sport for many years for families who have access to fishing areas. We are targeting kids, who have never been to a river or fished before.

15. PUBLIC CONTACTS (ORGANIZATIONS, ELECTED OFFICIALS, AGENCIES).

Agencies involved include: Army Corps of Engineers, Bureau of Reclamation, and Oakdale Rural Fire & California Department of Fish & Game.

STANISLAUS LODGE #170, I.O.O.F.  
P.O. Box 834  
Knights Ferry, Ca. 95361



Stanislaus County  
Department of Parks & Recreation  
February 4, 2014

**Fish & Wildlife Committee**

**Scope of Work:** This proposal is requesting funding to stock the Horseshoe Recreation Area Pond with large mouth bass.

**PROPOSAL**

**Golden State Bait Inc.**

Type of Fish	Quantity	Approximate Cost	Total Cost
Large Mouth Bass	270	\$ 7.50 ea ( 8"-10 )	\$2000.00
Delivery	1	\$ 300.00	\$00.00
		<b>Total</b>	<b>\$ 2,000.00</b>

**Actual Purchase & Amounts**

Type of Fish	Quantity	Approximate Cost	Total Cost
Large Mouth Bass	270	\$ 7.50 ea ( 8"-10 )	\$2000.00
Delivery	1	\$ 300.00	\$00.00
		<b>Total</b>	<b>\$ 2,000.00</b>

**The Army Corps would like to thank the Fish & Wildlife Committee for their contribution to this event.**

STANISLAUS LODGE #170, I.O.O.F.  
P.O. Box 834  
Knights Ferry, Ca. 95361



**COUNTY: STANISLAUS REGISTERED AQUACULTURALISTS**

**Facility Information**

CLAY PA FISH CO. Out of Business

(209) 480-5147

0842

OAKDALE, CA 95381

10841 EATON RD

Bluegill channel catfish common carp

Largemouth bass

---

DONALD SCHMIDT LIVE FOODS Only producing catfish

(209) 846-8625

0762

OAKDALE, CA 95381

7549 PATTERSON RD

C G N

Bullfrog channel catfish golden shiner minnow

Largemouth bass mosquito fish smallmouth bass

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GINDS FISH FARM/ BIG V CORPORATION Only producing catfish

(209) 686-7868

0823

CROWS LANDING, CA 95313

10815 S CARPENTER RD

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KENT KNOX & JOHN LANDERS FISH FARM Only producing catfish

(209) 848-1300

0944

OAKDALE, CA 95381

7591 PATTERSON RD

B C N

Bluegill bullfrog channel catfish

Common carp fathead minnow golden shiner minnow

Largemouth bass mosquito fish red swamp crayfish

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MAY ENTERPRISE INC Out of Business

(209) 481-0808

0780

WATERFORD, CA 95386

4831 TIMBELL RD

---

Golden State Bait Inc. formally know as Dutchman Creek

8554 S. Healy Road

Merced, CA 95348

(209) 384-3474

(209) 385-3474

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**STANISLAUS LODGE #170, I.O.O.F.**  
P.O. Box 834  
Knights Ferry, Ca. 95361



**\*Companies contacted for estimates listed below.**

**Foothill Fisheries**  
**853-2167**

Type of Fish	Quantity	Approximate Cost	Total Cost
Large Mouth Bass	no	\$ a pound ( inch fish =	\$
Blue Gill	no	\$ a fish	\$
Delivery	no	\$	\$
	Sturgeon only	Total	\$

\*Did not meet requirements

**Gino's Fish Farm /Big V Corporation**  
**668-7868**

Type of Fish	Quantity	Approximate Cost	Total Cost
Large Mouth Bass	Adult Black Bass no	\$ a pound ( inch fish =	\$
Blue Gill	no	\$ a fish	\$
Delivery		\$	\$
		Total	\$

Only carrying Catfish

**Kent Knox & John Landers Fish Farm**  
**848-1300**

Type of Fish	Quantity	Approximate Cost	Total Cost
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**STANISLAUS LODGE #170, I.O.O.F.**  
P.O. Box 834  
Knights Ferry, Ca. 95361



<b>Large Mouth Bass</b>	no	\$ a pound ( inch fish =	\$
<b>Blue Gill</b>	no	\$ a fish	\$
<b>Red Ear Sunfish</b>	no	3 inch fish = \$ a piece	\$
<b>Delivery</b>		\$	\$
		<b>Total</b>	\$

**\*Did not meet requirements, ONLY CARRYING CATFISH**

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

Sonke Mastrup, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
www.fgc.ca.gov

**Fish and Game Commission**



**Commissioners**  
Michael Sutton, President  
Monterey  
Richard Rogers, Vice President  
Santa Barbara  
Jim Kellogg, Member  
Discovery Bay  
Jack Baylis, Member  
Los Angeles  
Jacque Hostler-Carmesin, Member  
McKinleyville

BOARD OF SUPERVISORS  
14 JAN 21 A 10:26

January 24, 2014

This is to provide you with a copy of the notice of proposed regulatory action relative to Amending Sections 360, 361, 362, 363 and 364, Title 14, California Code of Regulations, relating to Mammal Hunting Regulations for the 2014-2015 season, which are published in the California Regulatory Notice Register on January 24, 2014.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

Additional information and all associated documents may be found on the Fish and Game Commission website at [www.fgc.ca.gov](http://www.fgc.ca.gov).

Mr. Craig Stowers, Department of Fish and Wildlife, phone (916) 445-3553, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Jon D. Snellstrom  
Associate Governmental Program Analyst

Attachment.

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

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 215, 219, 220, 331, 332, 460, 1050, 1572, 3452, 3453, 4302, 4334, 4902 and 10502; reference sections 200, 201, 202, 203, 203.1, 207, 210, 215, 219, 220, 331, 332, 458, 459, 460, 713, 1050, 1570, 1571, 1572, 1575, 2005, 3452, 3453, 3950, 3951, 4302, 4334, 4902, 10500 and 10502, Fish and Game Code; proposes to Amend Sections 360, 361, 362, 363 and 364, Title 14, California Code of Regulations (CCR), relating to Mammal Hunting Regulations for the 2014-2015 season.

**Informative Digest/Policy Statement Overview**

**Subsection 360(a)**

Existing regulations provide for the number of license tags available for the A, B, C, and D Zones. This regulatory proposal changes the number of tags for all existing zones to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

<b>Deer: § 360(a) A, B, C, and D Zone Hunts Tag Allocations</b>		
<b>Zone</b>	<b>Current</b>	<b>Proposed</b>
A	65,000	30,000-65,000
B	35,000	35,000-65,000
C	8,150	5,000-15,000
D3-5	33,000	30,000-40,000
D-6	10,000	6,000-16,000
D-7	9,000	4,000-10,000
D-8	8,000	5,000-10,000
D-9	2,000	1,000-2,500
D-10	700	400-800
D-11	5,500	2,500-6,000
D-12	950	100-1,500
D-13	4,000	2,000-5,000
D-14	3,000	2,000-3,500
D-15	1,500	500-2,000
D-16	3,000	1,000-3,500
D-17	500	100-800
D-19	1,500	500-2,000

A minor editorial correction to highway nomenclature was also made.

**Subsection 360(b)**

Existing regulations provide for the number of hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

<b>Deer: § 360(b) X-Zone Hunts Tag Allocations</b>		
<b>Zone</b>	<b>Current</b>	<b>Proposed</b>
X-1	935	900-6,000
X-2	180	50-500
X-3a	295	100-1,200
X-3b	835	200-3,000
X-4	395	100-1,200
X-5a	75	25-200
X-5b	55	50-500
X-6a	320	100-1,200
X-6b	310	100-1,200
X-7a	220	50-500
X-7b	130	25-200
X-8	220	100-750
X-9a	650	100-1,200
X-9b	325	100-600
X-9c	325	100-600
X-10	400	100-600
X-12	680	100-1,200

#### **Subsection 360(c)**

Existing regulations provide for the number of hunting tags in the Additional Hunts. The proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the table below. The proposal provides a range of tag numbers for each hunt from which a final number will be determined, based on the post-winter status of each deer herd. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Due to this, the final recommended quotas may fall below the current proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Existing regulations for Additional Hunts G-8 (Fort Hunter Liggett Antlerless Deer Hunt) and J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt) provide for hunting to begin on October 5 and continue for two (2) consecutive days and reopen on October 12 and continue for three (3) consecutive days in order to accommodate for Base operations and other hunt opportunities. The proposal would modify the season to account for the annual calendar shift by changing the season opening dates to October 4 and October 11 (for 2 and 3 consecutive days) respectively, in order to accommodate for Base operations.

<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>		
<b>Hunt Number (and Title)</b>	<b>Current</b>	<b>Proposed</b>
G-1 (Late Season Buck Hunt for Zone C-4)	2,710	500-5,000
G-3 (Goodale Buck Hunt)	35	5-50
G-6 (Kern River Deer Herd Buck Hunt)	50	25-100
G-7 (Beale Either-Sex Deer Hunt)	20 Military*	20 Military*
G-8 (Fort Hunter Liggett Antlerless Deer Hunt)	20 Tags Total* (10 Military and 10 Public)	20 Tags Total* (10 Military and 10 Public)
G-9 (Camp Roberts Antlerless Deer Hunt)	0	0-30 Tags Total* (Military and Public splits 15/15)
G-10 (Camp Pendleton Either-Sex Deer Hunt)	400 Military*	400 Military*



<b>Deer: § 360(c) Additional Hunts Tag Allocations</b>		
<b>Hunt Number (and Title)</b>	<b>Current</b>	<b>Proposed</b>
G-11 (Vandenberg Either-Sex Deer Hunt)	500 Military*, DOD and as Authorized by the Installation Commander**	500 Military*, DOD and as Authorized by the Installation Commander**
G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt)	30	10-50
G-13 (San Diego Antlerless Deer Hunt)	300	50-300
G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt)	25	10-50
G-21 (Ventana Wilderness Buck Hunt)	25	25-100
G-37 (Anderson Flat Buck Hunt)	25	25-50
G-38 (X-10 Late Season Buck Hunt)	300	50-300
G-39 (Round Valley Late Season Buck Hunt)	5	5-150
M-3 (Doyle Muzzleloading Rifle Buck Hunt)	20	10-75
M-4 (Horse Lake Muzzleloading Rifle Buck Hunt)	10	5-50
M-5 (East Lassen Muzzleloading Rifle Buck Hunt)	5	5-50
M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt)	80	25-100
M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt)	150	50-150
M-8 (Bass Hill Muzzleloading Rifle Buck Hunt)	20	5-50
M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt)	15	5-100
M-11 (Northwestern California Muzzleloading Rifle Buck Hunt)	20	20-200
MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt)	150	20-150
MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt)	150	20-150
J-1 Lake Sonoma Apprentice Either-Sex Deer Hunt)	25	10-25
J-3 (Tehama Wildlife Area Apprentice Buck Hunt)	15	15-30
J-4 Shasta-Trinity Apprentice Buck Hunt)	15	15-50
J-7 (Carson River Apprentice Either-Sex Deer Hunt)	15	10-50
J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt)	15	10-20
J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt)	5	5-10
J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt)	85 Tags Total* (20 Military and 65 Public)	85 Tags Total* (20 Military and 65 Public)
J-11 (San Bernardino Apprentice Either-Sex Deer Hunt)	40	10-50
J-12 (Round Valley Apprentice Buck Hunt)	10	10-20
J-13 (Los Angeles Apprentice Either-Sex Deer Hunt)	40	25-100
J-14 (Riverside Apprentice Either-Sex Deer Hunt)	30	15-75
J-15 (Anderson Flat Apprentice Buck Hunt)	10	5-30
J-16 (Bucks Mountain-Nevada City Apprentice Either-Sex Deer Hunt)	75	10-75
J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt)	25	5-25
J-18 (Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt)	75	10-75
J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt)	25	10-40
J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt)	20	5-20
J-21 (East Tehama Apprentice Either-Sex Deer Hunt)	50	20-80

\* Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.

\*\* DOD = Department of Defense and eligible personnel as authorized by the Installation Commander.

[Subsection 360(d) remains unchanged]

**Section 361**

Existing regulations provide for the number of hunting tags for existing area-specific archery hunts. The proposal changes the number of tags for existing hunts to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Minor editorial changes are necessary to provide consistency in subsection numbering, spelling, grammar, and clarification.

<b>Archery Deer Hunting: § 361 Tag Allocations</b>		
<b>Hunt Number (and Title)</b>	<b>Current</b>	<b>Proposed</b>
A-1 (C Zones Archery Only Hunt)	1,945	150-3,000
A-3 (Zone X-1 Archery Hunt)	135	50-1,000
A-4 (Zone X-2 Archery Hunt)	10	5-100
A-5 (Zone X-3a Archery Hunt)	25	10-300
A-6 (Zone X-3b Archery Hunt)	90	25-400
A-7 (Zone X-4 Archery Hunt)	110	25-400
A-8 (Zone X-5a Archery Hunt)	15	15-100
A-9 (Zone X-5b Archery Hunt)	5	5-100
A-11 (Zone X-6a Archery Hunt)	50	10-200
A-12 (Zone X-6b Archery Hunt)	100	10-200
A-13 (Zone X-7a Archery Hunt)	45	10-200
A-14 (Zone X-7b Archery Hunt)	25	5-100
A-15 (Zone X-8 Archery Hunt)	40	5-100
A-16 (Zone X-9a Archery Hunt)	140	50-500
A-17 (Zone X-9b Archery Hunt)	300	50-500
A-18 (Zone X-9c Archery Hunt)	350	50-500
A-19 (Zone X-10 Archery Hunt)	100	25-200
A-20 (Zone X-12 Archery Hunt)	100	50-500
A-21 (Anderson Flat Archery Buck Hunt)	25	25-100
A-22 (San Diego Archery Either-Sex Deer Hunt)	1,000	200-1,500
A-24 (Monterey Archery Either-Sex Deer Hunt)	100	25-200
A-25 (Lake Sonoma Archery Either-Sex Deer Hunt)	35	20-75
A-26 (Bass Hill Archery Buck Hunt)	30	10-100
A-27 (Devil's Garden Archery Buck Hunt)	5	5-75
A-30 (Covelo Archery Buck Hunt)	40	20-100
A-31 (Los Angeles Archery Either-Sex Deer Hunt)	1,000	200-1,500
A-32 (Ventura/Los Angeles Archery Late Season Either-Sex Deer Hunt)	250	50-300
A-33 (Fort Hunter Liggett Late Season Archery Either-Sex Deer Hunt)	50 Tags Total* (25 Military and 25 Public)	50 Tags Total* (25 Military and 25 Public)

\* Specific numbers of tags are provided for military hunts through a system which restricts

*hunter access to desired levels and ensures biologically conservative hunting programs.*

### **Section 362**

The existing regulation provides for limited hunting of 23 Nelson bighorn rams in specified areas of the State. The proposed change is intended to adjust the number of tags based on Department's annual estimate of the population in the management unit. The number of tags allocated for each of the nine hunt zones is based on the results of the Department's 2013 estimate of the bighorn sheep population in each zone. Tags are proposed to ensure the take of no more than 15 percent of the mature rams estimated in each zone. Final tag quota determinations will be completed by February of 2014 pending completion of analyses.

The following proposed number of tags was determined using the procedure described in Fish and Game Code Section 4902:

<b>HUNT ZONE</b>	<b>Current Tag Allocation</b>	<b>Proposed Tag Allocation</b>
Zone 1 - Marble/Clipper Mountains	4	0-4
Zone 2 - Kelso Peak/Old Dad Mountains	3	0-4
Zone 3 - Clark/Kingston Mountain Ranges	2	0-2
Zone 4 - Orocopia Mountains	1	0-2
Zone 5 - San Gorgonio Wilderness	1	0-3
Zone 6 - Sheep Hole Mountains	1	0-2
Zone 7 - White Mountains	3	0-5
Zone 8 - South Bristol Mountains	2	0-3
Zone 9 - Cady Mountains	3	0-4
Open Zone Fund-raising Tag	1	0-1
Marble/Clipper/South Bristol Mountains Fund-raising Tag	1	0-1
Kelso Peak/Old Dad Mountains Fund-raising Tag	1	0-1
<b>TOTAL</b>	<b>23</b>	<b>0-32</b>

### **Section 363**

Existing regulations provide for the number of pronghorn antelope hunting tags for each hunt zone. This proposed regulatory action would provide for tag allocation ranges for most hunt zones pending final tag quota determinations based on winter survey results that should be completed by March of 2014. The final tag quotas will provide for a biologically appropriate harvest of bucks and does in specific populations, while allowing for adequate hunting opportunities. The proposed 2014 tag allocation ranges for the hunt zones are as set forth below.

2014 Pronghorn Antelope Tag Allocation Ranges						
Hunt Area	Archery-Only Season		General Season			
	Buck	Doe	Period 1		Period 2	
			Buck	Doe	Buck	Doe
Zone 1 – Mount Dome	0-10	0-3	0-60	0-20	0	0
Zone 2 – Clear Lake	0-10	0-3	0-80	0-25	0	0
Zone 3 – Likely Tables	0-20	0-7	0-150	0-50	0-130	0-50
Zone 4 – Lassen	0-20	0-7	0-150	0-50	0-150	0-50
Zone 5 – Big Valley	0-15	0-5	0-150	0-50	0	0
Zone 6 – Surprise Valley	0-10	0	0-25	0-7	0	0
Likely Tables Apprentice Hunt	N/A		0-5 Either-Sex		0	
Lassen Apprentice Hunt	N/A		0-15 Either-Sex		0	
Big Valley Apprentice Hunt	N/A		0-15 Either-Sex		0	
Surprise Valley Apprentice Hunt	N/A		0-4 Either-Sex		0	
Fund-Raising Hunt	N/A		0-10 Buck			

### Section 364

Existing regulations specify elk license tag quotas for each hunt. In order to maintain hunting quality in accordance with elk herd management goals and objectives, it is periodically necessary to adjust quotas in response to dynamic environmental and biological conditions. This proposed amendment modifies elk tag numbers to ranges of tags to adjust for fluctuations in population numbers. Final tag allocations will be made in accordance with elk management goals and objectives based on the results of survey data collected in January – March 2014.

Periodic quota changes are necessary to maintain hunting quality in accordance with management goals and objectives. The proposed quota ranges of elk tags for 2014 are as follows:

2014 Proposed Elk Tag Allocation				
Hunt Name and Type	Bull	Antlerless	Either-Sex	Spike
<b>General Roosevelt Elk Hunts</b>				
Siskiyou	0-30	0-30		
Big Lagoon	0-10	0-10		
Northwestern California			0-30	
Klamath	0-20	0-20		
Del Norte	0-15	0-20		
Marble Mountains	0-70	0-30		
<b>General Rocky Mountain Elk Hunts</b>				
Northeastern California	0-30	0-10		
<b>General Roosevelt/Tule Elk Hunts</b>				
Mendocino	0-4	0-4		
<b>General Tule Elk Hunts</b>				
Cache Creek	0-4	0-4		
La Panza Period 1	0-12	0-10		
La Panza Period 2	0-12	0-12		
Bishop Period 3	0-10	0-30		

2014 Proposed Elk Tag Allocation				
Hunt Name and Type	Bull	Antlerless	Either-Sex	Spike
Bishop Period 4	0-10	0-30		
Bishop Period 5	0-10	0-30		
Independence Period 2	0-10	0-30		
Independence Period 3	0-10	0-30		
Independence Period 4	0-10	0-30		
Independence Period 5	0-10	0-30		
Lone Pine Period 2	0-10	0-30		
Lone Pine Period 3	0-10	0-30		
Lone Pine Period 4	0-10	0-30		
Lone Pine Period 5	0-10	0-30		
Tinemaha Period 2	0-10	0-30		
Tinemaha Period 3	0-10	0-30		
Tinemaha Period 4	0-10	0-30		
Tinemaha Period 5	0-10	0-30		
West Tinemaha Period 1	0-10	0-30		
West Tinemaha Period 2	0-10	0-30		
West Tinemaha Period 3	0-10	0-30		
West Tinemaha Period 4	0-10	0-30		
West Tinemaha Period 5	0-10	0-30		
Tinemaha Mountain Period 1	0-8			
Tinemaha Mountain Period 2	0-8			
Tinemaha Mountain Period 3	0-8			
Tinemaha Mountain Period 4	0-8			
Tinemaha Mountain Period 5	0-8			
Whitney Period 2	0-4	0-10		
Whitney Period 3	0-4	0-10		
Whitney Period 4	0-4	0-10		
Whitney Period 5	0-4	0-10		
Grizzly Island Period 1	0-3	0-12		0-6
Grizzly Island Period 2	0-3	0-12		0-6
Grizzly Island Period 3	0-3	0-12		0-6
Grizzly Island Period 4	0-2	0-12		0-6
Grizzly Island Period 5	0-2	0-12		0-6
Fort Hunter Liggett Period 1		0-16		
Fort Hunter Liggett Period 2		0-14		
Fort Hunter Liggett Period 3	0-14			
East Park Reservoir	0-4	0-8		
San Luis Reservoir	0-10	0-10	0-10	
Bear Valley	0-4	0-2		
Lake Pillsbury	0-4	0-4		
Santa Clara	0-4			
Alameda	0-4			
<b>Apprentice Hunts</b>				
Marble Mountains			0-4	
Northeastern CA			0-4	
Cache Creek	0-2			
La Panza Period 1	0-2	0-2		
Bishop Period 2	0-10	0-30		
Grizzly Island Period 1		0-2		0-2
Grizzly Island Period 2				0-2

<b>2014 Proposed Elk Tag Allocation</b>				
<b>Hunt Name and Type</b>	<b>Bull</b>	<b>Antlerless</b>	<b>Either-Sex</b>	<b>Spike</b>
Fort Hunter Liggett Period 1		0-4		
Fort Hunter Liggett Period 2		0-4		
Fort Hunter Liggett Period 3	0-2			
<b>Archery Only Hunts</b>				
Northeastern California Archery Only			0-20	
Owens Valley Multiple Zone Archery Only	0-10	0-10		
Lone Pine Archery Only Period 1	0-10	0-30		
Tinemaha Archery Only Period 1	0-10	0-30		
Whitney Archery Only Period 1	0-10	0-30		
Fort Hunter Liggett Archery Only		0-10	0-6	
<b>Muzzleloader Only Hunts</b>				
Bishop Muzzleloader Only Period 1	0-10	0-30		
Independence Muzzleloader Only Period 1	0-10	0-10		
Fort Hunter Liggett Muzzleloader Only	0-6			
<b>Muzzleloader/Archery Only Hunts</b>				
Marble Mountains Muzzleloader/Archery Only			0-10	
<b>Fund Raising Tags</b>				
Multi-zone	1			
Grizzly Island	1			
Owens Valley	1			
<b>Military Only Elk Tags</b>				
Fort Hunter Liggett Military Early Season	0-2	0-2		
Fort Hunter Liggett Military Period 1		0-16		
Fort Hunter Liggett Military Period 2		0-14		
Fort Hunter Liggett Military Period 3	0-14			
Fort Hunter Liggett Military Apprentice Period 1		0-4		
Fort Hunter Liggett Military Apprentice Period 2		0-4		
Fort Hunter Liggett Military Apprentice Period 3	0-2			
Fort Hunter Liggett Military Archery Only		0-10	0-6	
Fort Hunter Liggett Military Muzzleloader Only	0-6			

### Benefits of the Regulation

Hunting provides outdoor recreational opportunities for not only the hunters, but for family and friends who are non-hunting members of the group, and are able to participate in hiking, fishing and other outdoor activities.

It is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the state's wildlife 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 California hunting in harmony with federal law respecting the conservation of the living resources of the state. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use, taking into consideration the necessity of regulating individual tag quotas to the quantity that is sufficient to provide satisfying hunting opportunities. Adoption of scientifically-based seasons, zones, and tag quotas provides for the maintenance of sufficient populations of big-game species to ensure their continued existence.

Adoption of scientifically-based seasons, zones and tag quotas provides for the maintenance of

sufficient populations of big game to ensure their continued existence and future sport hunting opportunities. Under a normal season state big game hunters contribute about \$202,390,334 in direct revenues to the State's business sector. This is based on California Department of Fish and Wildlife data and the US Fish and Wildlife Service's 2011 national survey data on fishing, hunting, and wildlife associated recreation for California. Adding the indirect and induced effects of this initial revenue contribution and the total benefit to California's economy is estimated to be \$263,702,757 per year. This is equivalent to about \$51,947,191 in total wage earnings to Californians, or as many as 1,170 jobs in the state.

#### Consistency and Compatibility with Existing State Regulations

After conducting a review for any related regulations, the agency has determined that these are the only regulations dealing with public use of California Department of Fish and Wildlife Lands. Therefore, the proposed regulations in this rulemaking action are neither inconsistent nor incompatible with existing state regulations. The primary purpose of the proposed regulations is an annual review of tag quotas in existing regulations.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 5, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be at the Crowne Plaza Hotel, 450 E. Harbor Blvd. Ventura Beach, California, on Wednesday, April 16, 2014, at 8:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 4, 2014 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 11, 2014. All comments must be received no later than April 16, 2014 at the hearing in Ventura. 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, Sonke Mastrup, 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 Sonke Mastrup or Jon Snellstrom at the preceding address or phone number. **Craig Stowers, Wildlife Branch, phone (916) 445-3553, has 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 the agency program staff.

**Impact of Regulatory Action/Results of the Economic Impact Analysis**

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and 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 action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

**(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:**

Sections 360, 361 and 364

None. The proposed action will not have significant impacts on jobs or business within California. The proposed action adjusts tag quotas for existing hunts based on herd performance criteria. Given the number of tags historically available, the minimal adjustments in tag numbers that are anticipated for the 2014 hunting season, and the area over which they are distributed (entire State of California), these proposals are economically neutral to jobs or business within California.

Sections 362 and 363

None. It is unlikely that the proposed regulation will result in the creation or elimination of jobs within the state, cause the creation of new businesses or the elimination of existing businesses or result in the expansion of businesses in California because the overall number of tags issued is small and the resulting hunting effort is spread over a large geographic area.

**(c) Cost Impacts on Private Persons:**



The Commission is not aware of any cost impacts that a representative private person 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) Other 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. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

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, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Sonke Mastrup  
Executive Director

Dated: January 7, 2014

**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Jack Bayliss**, Vice President  
Los Angeles  
**Jim Kellogg**, Member  
Discovery Bay  
**Richard Rogers**, Member  
Santa Barbara  
**Jacque Hostler-Carmesin**, Member  
McKinleyville

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

**Sonke Mastrup**, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
www.fgc.ca.gov

**Fish and Game Commission** BOARD OF SUPERVISORS



2014 FEB 10 A 10:54

February 6, 2014

**NOTICE OF PROPOSED EMERGENCY ACTION**  
**Low Flow Closures to Fishing Due to Drought Conditions**

Pursuant to the requirements of Government Code section 11346.1(a)(1), the Fish and Game Commission (FGC) is providing notice of proposed emergency action with regards to the above-entitled emergency regulation.

**SUBMISSION OF COMMENTS**

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a Notice of the Proposed Emergency Action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the OAL, the OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed emergency regulatory action. Written comments submitted via U.S. mail, e-mail or fax must be received at the OAL within five days after FGC submits the emergency regulations to the OAL for review.

Please reference submitted comments as regarding "Low Flow Closures to Fishing Due to Drought Conditions" addressed to:

**Mailing Address:** Reference Attorney  
Office of Administrative Law  
300 Capitol Mall, Suite 1250  
Sacramento, CA 95814

California State  
Fish and Game Commission  
Attn: Jon Snellstrom  
1416 Ninth Street, Rm. 1320  
Sacramento, CA 95814

**E-mail Address:** [staff@oal.ca.gov](mailto:staff@oal.ca.gov)  
**Fax No.:** 916-323-6826

[fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)  
916-653-5040

For the status of the FGC submittal to the OAL for review, and the end of the five-day written submittal period, please consult the Web site of the OAL at <http://www.oal.ca.gov> under the heading "Emergency Regulations."

**CALIFORNIA FISH AND GAME COMMISSION  
STATEMENT OF PROPOSED EMERGENCY REGULATORY ACTION**

Emergency Action to  
Amend Subsection (e)(2) of Section 7.00,  
Subsections (b)(5) and (b)(155) of Section 7.50,  
and Subsections (a) and (b) of Section 8.00  
Title 14, California Code of Regulations  
Re: Low Flow Closures to Fishing Due to Drought Conditions

**I. Statement of Facts Constituting the Need for Emergency Regulatory Action**

The long range precipitation forecast for most of California predicts below normal rainfall through at least April 30, 2014. California and parts of western Oregon witnessed their driest year on record in 2013, according to statistics from the National Weather Service. As a result, 85 percent of California was categorized in severe drought. According to the California Department of Water Resources, many lakes and reservoirs are less than 40 percent capacity as of December 31, including Lake Shasta (37 percent), Folsom Lake (19 percent), Lake Oroville (36 percent) and San Luis Reservoir (30 percent).

Many coastal streams from Point Conception to the California/Oregon Border remain in extreme low flow conditions with their current low flow fishing restrictions ending soon. The low flow conditions have prevented steelhead and threatened and endangered salmon from migrating beyond the estuary and lower reaches, causing them to congregate in any available large body of water. These fish will be subject to lawful and unlawful fishing techniques, if the current low flow fishing restrictions are lifted. These low flow conditions have also resulted in many estuaries being blocked by sand bars effectively stopping any fish from leaving the river system.

The Department of Fish and Wildlife (Department) has made observations on the American River of newly hatched Chinook salmon fry emerging from moist gravel with no surrounding water, massive predation by birds on newly hatched fry and young-of-the-year, and large areas of exposed gravel and disconnected tributaries due to reduced releases from Nimbus Dam. Many of the tributaries to the Russian River have serious fish passage concerns due to reduced releases from the Coyote Dam. There have been multiple announcements from water districts and local municipalities within the American and Russian river watersheds of mandatory water restrictions due to these low river flows and no rain predicted in the foreseeable future.

On January 16, 2014, the U.S. Department of Agriculture (USDA) designated portions of 11 drought-ridden western and central states as primary natural disaster areas, highlighting the financial strain the lack of rain is likely to bring to farmers in those regions. The federal disaster declaration includes counties in Colorado, New Mexico, Nevada, Kansas, Texas, Utah, Arkansas, Hawaii, Idaho, Oklahoma and California. While storms have dumped rain and snow in the East,

The following proposed regulatory changes would implement the emergency closure until April 30, 2014 of selected streams to increase survival of adult wild steelhead by reducing hooking-related mortality.

Amend American River, subsections (b)(5)(A)-(C) of Section 7.50, Title 14, CCR. Closure of the American River from Nimbus Dam to the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park until April 30.

Amend Russian River, (b)(155)(A) of Section 7.50, Title 14, CCR. Closure of the Russian River main stem below the confluence of the East Branch of the Russian River until April 30.

Amend Low Flow Restrictions, subsections (a) and (b) of Section 8.00, Title 14, CCR. Extension of the low flow fishing restrictions ending date for the North Coast and Central Coast areas (above San Francisco Bay) until April 30.

Amend South Central District Regulations, subsection (e)(2) of Section 7.00, Title 14, CCR. Close all portions of any coastal stream in Monterey, San Francisco, San Luis Obispo, San Mateo, Santa Clara and Santa Cruz counties, west of any Highway 1 bridge until April 30.

Additional streams closures are currently being evaluated by the Department for future actions as needed.

## **II. 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 determinations relative to the required statutory categories have been made:

- (a) **Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:**

There may be a reduction in Steelhead report cards that provide revenue specific to the monitoring and study of the fishery. For the period of the closure, estimates of loss range from 3,750 to 15,000 cards which could result in a revenue loss to the Department of Fish and Wildlife of \$24,375 to \$97,500.

- (b) **Nondiscretionary Costs/Savings to Local Agencies:**

None.

### Informative Digest (Plain English Overview)

On January 16, 2014, the U.S. Department of Agriculture (USDA) designated portions of 11 drought-ridden western and central states as primary natural disaster areas, highlighting the financial strain the lack of rain is likely to bring to farmers in those regions. The federal disaster declaration includes counties in Colorado, New Mexico, Nevada, Kansas, Texas, Utah, Arkansas, Hawaii, Idaho, Oklahoma and California. Poor snowpack is threatening regions dependent on major western rivers.

On January 17, 2014, Governor Edmund G. Brown Jr. proclaimed a State of Emergency for California and directed state officials to take all necessary actions to prepare for drought conditions with California facing water shortfalls in the driest year in recorded state history. The Department of Fish and Wildlife (Department) was ordered to evaluate and manage the changing impacts of drought on threatened and endangered species and species of special concern, and develop contingency plans for state Wildlife Areas and Ecological Reserves to manage reduced water resources in the public interest. The Department was also ordered to work with the Fish and Game Commission, using the best available science, to determine whether restricting fishing in certain areas will become necessary and prudent as drought conditions persist.

In response to the above federal and state actions, the Department has determined that the historically low stream flows will prevent the movement of migrating anadromous fish, primarily wild steelhead trout. Stream flows in many systems are inadequate to allow passage of spawning adults, increasing their vulnerability to mortality from predation, physiological stress, and fishing. Furthermore, survival of eggs and juvenile fish in these systems over the coming months is likely to be extremely low as the current drought conditions continue. The Department believes that, under these extreme conditions, it is prudent to temporarily close these streams in order to eliminate angling as an additional stressor on steelhead populations. Stream closures will also serve to deter poaching and snagging activity since all angling will be prohibited. These actions are necessary to conserve wild steelhead populations by protecting as many adult fish as possible.

Subsection 7.00(e) provides the seasons, size, and bag and possession limits for trout and salmon for waters in the South Central District which are not otherwise specified in Section 7.50. Subsections 7.50(b)(5) and (b)(155) provide the season, size, bag and possession limits for trout and salmon in the American River and Russian River, respectively. Section 8.00 provides fishing restrictions (closures) for specified rivers and streams during low flow conditions.

The following proposed regulatory changes would implement the emergency closure until April 30, 2014 of selected streams to increase survival of adult wild steelhead by reducing hooking-related mortality.

Amend American River, subsections (b)(5)(A)-(C) of Section 7.50, Title 14, CCR. Closure of the American River from Nimbus Dam to the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park until April 30.

## Regulatory Language

Subsection (e)(2) of Section 7.00, Title 14, CCR is amended to read:

### §7.00. District General Regulations.

Unless otherwise provided, waters shown as open to trout and salmon fishing in subsections (a) through (g) below, are open to fishing for other species. Gear restrictions listed in this section apply to the take of all species of fish unless otherwise noted. Every body of water listed in subsections (a) through (g) of Section 7.00 (below) is closed to all fishing, except during the open season as shown. Unless otherwise provided, waters closed to trout and salmon fishing are closed to fishing for all other species, except that these closures do not apply to fishing for amphibians (see Section 5.05), freshwater clams (see Section 5.20), crayfish (see Section 5.35), and lamprey (see Section 5.40), using legal fishing methods other than hook-and-line fishing, and saltwater clams, crabs, ghost shrimp, and blue mud shrimp (see Ocean Regulations Booklet Sections 29.20 to 29.87). Crabs may only be taken using hoop nets or by hand, and Dungeness crab may only be taken within the North Coast District and Sonoma and Mendocino counties.

Daily bag and possession limits, unless otherwise provided, mean the total number of trout and salmon in combination. Unless otherwise provided, no more than one daily bag limit may be possessed. Coho (silver) salmon may not be taken in any of the waters of the State, except in Lake Oroville and Oroville-Thermalito Complex (Diversion Pool, Forebay, and Afterbay) and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam. Incidentally hooked Coho (silver) salmon, except those in Lake Oroville and Oroville-Thermalito Complex (Diversion Pool, Forebay, and Afterbay) and the Feather River from the Diversion Pool Dam to the Fish Barrier Dam, must be immediately released unharmed to the waters where they are hooked. In waters where the bag limit for trout or salmon is zero, fish for which the bag limit is zero must be released unharmed, and should not be removed from the water.

These waters may also be subject to restrictions on fishing methods and gear (sections 2.00 through 2.45), fishing hours (section 3.00), and the use of bait (sections 4.00 through 4.30).

District/Water	Open Season	Daily Bag and Possession Limit
<i>[text for subsections (a) through (d) unchanged]</i>		
(e) South Central District		
(1) All lakes and reservoirs except those listed by name in the Special Regulations.	All year	5
(2) That portion of any stream west of any Highway 1 bridge except those listed by name in the special regulations.	Dec. 1 through Mar. 7 [OAL to insert the day before the effective date], but only on Sat., Sun.,	2 hatchery trout or hatchery steelhead*  4 hatchery trout or hatchery

Subsections (b)(5) and (b)(155) of Section 7.50, Title 14, CCR are amended to read:

**§7.50. Alphabetical List of Waters with Special Fishing Regulations.**

*[Subsection (a) unchanged]*

(b)

**Daily Bag  
and  
Possession  
Limit**

**Body of Water**

**Open Season and Special Regulations**

*[subsections (b)(1) through (4) unchanged]*

(5) American River (Sacramento Co.)		
(A) From Nimbus Dam to the Hazel Avenue bridge piers.	<u>Closed to all fishing from [OAL to insert effective date] through April 30.</u>	
	Jan. 1 to [OAL to insert the day before the effective date] and May 1 through July 15.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead**
		in possession
	July 16 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession 2 Chinook salmon
(B) From Hazel Avenue bridge piers to the U.S. Geological Survey gauging station cable crossing about 300 yards downstream from the Nimbus Hatchery fish rack site.	<u>Closed to all fishing from [OAL to insert effective date] through April 30.</u>	
	Jan. 1 to [OAL to insert the day before the effective date] and May 1 through July 15. Only barbless hooks may be used.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	July 16 through Aug. 15. Only barbless hooks may be used.	2 hatchery trout or hatchery

<b>Body of Water</b>	<b>Open Season and Special Regulations</b>	<b>Daily Bag and Possession Limit</b>
		hatchery steelhead** in possession 2 Chinook salmon
(E) From the Jibboom Street bridge to the mouth.	Jan. 1 through July 15.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	July 16 through Dec. 16.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
		2 Chinook salmon
	Dec. 17 through Dec. 31.	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession

*[subsections (b)(6) through (154) unchanged]*

(155) Russian River and tributaries (Sonoma and Mendocino Cos.). Also see Section 8.00(b).		
(A) Russian River main stem below the confluence of the East Branch Russian River. (See also Mendocino Lake tributaries (7.50(b)(116)).	All year. Only artificial lures with barbless hooks may be used from Apr. 1 <del>May 1</del> through Oct. 31. Only barbless hooks may be used from Nov. 1 through Mar. 31 <u>[OAL to insert the day before the effective date]</u> .	2 hatchery trout or hatchery steelhead** 4 hatchery trout or hatchery steelhead** in possession
	Closed to all fishing from <u>[OAL to insert effective date]</u> through Apr. 30.	





PUBLIC NOTICE

BOARD OF SUPERVISORS

January 24, 2014

14 FEB -5 A 10:36

**TO WHOM IT MAY CONCERN:**

**NOTICE IS HEREBY GIVEN** that the California Department of Fish and Wildlife has initiated a status review of the Townsend's big-eared bat (*Corynorhinus townsendii*) pursuant to Fish and Game Code section 2074.6, and is providing this notice pursuant to Fish and Game Code section 2074.4 to solicit data and comments on the petitioned action from interested and affected parties.

The Department has initiated status review following related action by the Fish and Game Commission. Having provided notice, the Townsend's big-eared bat is now a candidate species under the California Endangered Species Act (Cal. Reg. Notice Reg. 2013, No. 52-Z, page 2092; see also Fish & G. Code, §§ 2074.2, 2085).

The Department has 12 months to review the petition, evaluate the available information, and report back to the Commission whether or not the petitioned action is warranted (Fish & G. Code, § 2074.6). The Department's recommendation must be based on the best scientific information available to the Department.

Therefore, **NOTICE IS FURTHER GIVEN** that anyone with data or comments on the taxonomic status, ecology, biology, life history, management recommendations, distribution, abundance, threats, habitat that may be essential for the species, or other factors related to the status of the above species, is hereby requested to provide such data or comments to:

California Department of Fish and Wildlife  
Nongame Wildlife Program  
Attn: Scott Osborn  
1812 9<sup>th</sup> Street  
Sacramento, California 95811

Please submit two hard copies and a digital/electronic copy if submitting by surface mail. Comments may also be sent via email to: [wildlifemgt@wildlife.ca.gov](mailto:wildlifemgt@wildlife.ca.gov). If submitting by email, please include "Townsend's big-eared bat" in the subject heading.

Responses and information received by **May 1, 2014** will be evaluated for possible incorporation in the Department's final report to the Fish and Game Commission. The Department's written report will indicate, based on the best scientific information available, whether the Department concludes that the petitioned action is warranted or not warranted. Receipt of the report will be placed on the agenda for the next available meeting of the Commission after delivery. The report will be made available to the public at that time. Following receipt of the Department's report, the Commission will allow a 30-day public comment period prior to taking any action on the Department's recommendation.

If you have any questions, please contact Scott Osborn at (916) 324-3564 or the Department via email at [wildlifemgt@wildlife.ca.gov](mailto:wildlifemgt@wildlife.ca.gov) or at the address above.

As a candidate species, the Townsend's big-eared bat receives the same legal protection afforded to an endangered or threatened species (Fish & G. Code, § 2085). Research on Townsend's big-eared bat requires appropriate permits issued pursuant to Fish and Game Code Section 2081(a). Interested researchers should contact Esther Burkett at [Esther.Burkett@wildlife.ca.gov](mailto:Esther.Burkett@wildlife.ca.gov) for more information. Detection data on Townsend's big-eared bat should be sent to the California Natural Diversity Database. Information on submitting such data may be found at: <http://www.dfg.ca.gov/biogeodata/cnddb/>.



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
PROGRAM PLANNING AND INTEGRATION  
Silver Spring, Maryland 20910

CHIEF EXECUTIVE OFFICE

2014 APR 14 A 10:52

MAR 20 2014

To All Interested Government Agencies and Public Groups:

Under the National Environmental Policy Act (NEPA), an environmental review has been performed on the following action.

**TITLE:** Final Environmental Assessment for 10(a)(1)(A), Enhancement of the Species Permit Issuance for the Collection, Transport, and Release of Spring-run Chinook for the San Joaquin River Restoration Program

**LOCATION:** Sacramento River and San Joaquin River basins of California. More specifically, the Feather River Fish Hatchery (FRFH) in the Feather River sub-basin of the Sacramento River and the SCARF (including the interim and full-scale facilities) located on the San Joaquin River, and the San Joaquin River below Friant Dam and above the confluence of the Merced River.

**SUMMARY:**

The National Marine Fisheries Service (NMFS) is issuing a permit to the United States Fish and Wildlife Service (USFWS) an Endangered Species Act section 10(a)(1)(A) permit. The section 10(a)(1)(A) permit application requested the following: 1) collection and transport of spring-run Chinook juveniles or eggs from the Feather River Fish Hatchery (FRFH) for release into the San Joaquin River; 2) collection, transport, rearing, and release of spring-run Chinook from FRFH; 3) release of spring-run Chinook which were produced or reared at the Salmon Conservation and Research Facility (SCARF) from broodstock collected under Permit #14868 into the San Joaquin River; and 4) monitor the survival and returns of these fish to the San Joaquin River. As permitted collection, transport, rearing, and imprinting of up to 54,400 FRFH spring-run juvenile fingerlings or 80,000 FRFH spring-run eggs will occur annually. In addition, up to 300 ancillary broodstock yearlings during years 2-3 and between 800-2000 ancillary broodstock in years 4-5 from SCARF are authorized for release into the San Joaquin River. Up to 100 adult broodstock are authorized for release directly into the San Joaquin River, only in years 4 and 5 of this permit. Up to 50,000 eggs or juveniles from SCARF are authorized to be placed in streamside incubators/net pens, tagged, ad clipped and released into the San Joaquin River. Up to 434,700 juveniles either from FRFH, SCARF, or the stream side incubators will be calcein marked prior to release.



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UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
PROGRAM PLANNING AND INTEGRATION  
Silver Spring, Maryland 20910

RESPONSIBLE

OFFICIAL: Rhonda Reed  
Supervisor San Joaquin Branch  
National Marine Fisheries Service, National Oceanic and Atmospheric  
Administration (NOAA)  
650 Capitol Mall, Suite 500  
Sacramento, CA  
(916) 930-3600

The environmental review process led us to conclude that this action will not have a significant impact on the environment. Therefore, an environmental impact statement was not prepared. A copy of the finding of no significant impact (FONSI), including the environmental assessment, is enclosed for your information.

Although NOAA is not soliciting comments on this completed EA/FONSI we will consider any comments submitted that would assist us in preparing future NEPA documents. Please submit any written comments to the Responsible Official named above.

Sincerely,

for

Patricia Montanio  
NEPA Coordinator

Enclosure





**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
West Coast Region  
7600 Sand Point Way N.E.  
Seattle, Washington 98115

March 14, 2014

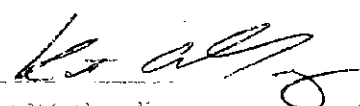
MEMORANDUM FOR: Patricia Montanio  
NOAA NEPA Coordinator

FROM: William W. Stelle, Jr.  
Regional Administrator

SUBJECT: Final Environmental Assessment for 10(a) B(A) Enhancement of  
the Species Permit Issuance for the Collection, Transport, and  
Release of Spring-run Chinook for the San Joaquin River  
Restoration Program

The attached subject environmental assessment (EA) and Finding of No Significant Impact (FONSI) are forwarded for your review. The EA and FONSI have been prepared in accordance with the provisions of: (1) NOAA Administrative Order 216-6, Environmental Review Procedures for Implementing the National Environmental Policy Act, and (2) the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR Parts 1500-1508).

Based on the environmental impact analysis within the attached EA, I have determined that no significant environmental impacts will result from the proposed action. I therefore have approved the FONSI for this proposed action. I request your concurrence with the EA and its FONSI. I also recommend, subject to a request from the public, that you release the documents for public review.

1. I concur.  for Patricia Montanio 5/20/14  
NOAA NEPA Coordinator Date

2. I do not concur. \_\_\_\_\_  
NOAA NEPA Coordinator Date

