THE MARINE LIFE REFUGES AND RESERVES OF CALIFORNIA

by

EMIL J. SMITH, JR.
and
THOM H. JOHNSON

Revised Edition
with

Notes and Background Information on the
Establishment of Reserves in California

by

DAVE ZEINER

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1979
no.1

MARINE RESOURCES
INFORMATION BULLETIN NO. 1

CALIFORNIA DEPARTMENT OF FISH AND GAME
MARINE RESOURCES INFORMATION BULLETINS

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Marine Resources Information Bulletins are designed to provide information to the general public on specific subjects and on a timely basis. Information Bulletins, because they may contain material subject to change, should be cited only if their date of publication is indicated.

Inquiries concerning this bulletin should be directed to the author, California Department of Fish and Game, Marine Resources Branch, 1416 Ninth Street, Sacramento, California 95814.

Smith, Emil J.

State of California
The Resources Agency

QH91.75.C2S65 1979 no. 1
#21704709

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January 1979

Edmund G. Brown Jr., Governor

Huey D. Johnson, Secretary
The Resources Agency

E. C. Fullerton, Director
Department of Fish and Game

Sherman Chickering, President
Fish and Game Commission

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The Resources Agency
Department of Fish and Game

ERRATA SHEET

Marine Resources Information Bulletin No. 1 by Emil J. Smith, Jr. and Thom H. Johnson.

1. Page 39a add Subsection (b)(32)(E):

   (E) Harvesting of kelp from kelp lease sites within the Santa Barbara Island Ecological Reserve shall be permitted.

2. Page 39a "History" add new section:

   5. Subsection (b)(31)(32) amendment filed 12-8-78, effective thirtieth day thereafter. Register 79, No. 1-A.

INTRODUCTION

A need has developed over the past few years for a publication which clearly delineates the locations of the State's marine life refuges and reserves, and defines the regulations concerning their use. This publication has been designed to fulfill that need. It has been prepared primarily for use by the general public, although its value as an aid to planners and to planning agencies is also apparent.

Included within the regulations is Section 29.05 of the California Administrative Code. The section was initially adopted by the California Fish and Game Commission as Section 51, on March 1, 1972, as a measure to reduce the abuse and waste from recreational harvesting of the State's tide pool resources. In 1972, the Legislature passed a law protecting the intertidal area from commercial fishing activities. Under the law and regulations, anyone harvesting fish or invertebrates must have a license.

New marine life refuges and reserves are created or changed periodically by acts of the Legislature or by action of the Fish and Game Commission. Therefore, data on refuges and reserves contained in this bulletin is current as of the publication date.

This revised publication updates and corrects the May 1974 edition.

NOTES AND BACKGROUND INFORMATION ON THE ESTABLISHMENT OF RESERVES IN CALIFORNIA

The establishment of marine reserves in California to date has been reactive rather than planned. Generally, both Legislative and Fish and Game Commission reserves were established at the request of organizations outside the Department of Fish and Game and have not conformed with any plan designed to locate the reserves in the best location for all interests. Also, a certain amount of confusion exists on the part of the general public because reserves established by the State Legislature and the Fish and Game Commission under the authority delegated it by the Legislature, do not adhere to any particular nomenclature or standards as to restriction on uses.

The Fish and Game Commission has established reserves where the taking of all forms of marine life is prohibited and other reserves where limited consumptive uses are permitted. These Commission reserves are designated as ecological reserves, or simply reserves. Under the authority for establishing ecological reserves, the Fish and Game Commission has approved four ecological reserves in the marine environment. Regulations prohibit the taking of all marine life in two of these reserves and in the other two permit the taking of certain forms of marine life. Ecological reserve regulations affect both commercial and sport fishing activities. Under its authority to set angling regulations, the Fish and Game Commission has also established reserves. In these areas, only the sport taking of all or specified types of marine life is prohibited and commercial harvest is not affected.

The marine reserves established by the State Legislature are:

1. Marine Life Refuge
2. Marine Gardens Fish Refuge
3. Marine Reserve
4. Clam Refuge
5. Game Refuge

Existing legislative marine reserves generally restrict the taking of most invertebrates and marine plants. The Legislature has also established three reserves where only researchers, licensed by specified educational institutions, can remove invertebrates or marine plant life. These are:

1. Hopkins Marine Life Refuge
2. San Diego Marine Life Refuge
3. Bodega Marine Life Refuge

Initially, some of the reserves established by the Legislature were to protect those forms of marine life not protected by Fish and Game Commission regulations; however, the exploitation of areas remaining open continued at a rate that necessitated further action by the State Legislature and the Fish and Game Commission to extend protection to marine invertebrates along the entire California coast between high tide and 1,000 feet offshore. Marine invertebrates may not now be taken except under special collecting permits. Those species, however, for which the Fish and Game Commission has established seasons and bag limits to protect their stocks may be taken within 1,000 feet.

The effect of these new invertebrate laws and regulations is that we now have only minor differences between the regulations for many of the Legislative refuges and their adjacent waters.

Considerable information has been documented on the need for marine reserves, who needs them, how they should be administered, and where the individual interests believe they should be located.[1]

Generally, it is agreed the need for marine reserves can be categorized as follows:

1. Total protection of marine ecosystems from all forms of human consumptive uses and developments.

2. Restricting human use to scientific and educational collections under permit.

3. Protection of specific forms of marine life from human consumptive uses and developments.

Establishment of marine reserves should exclude many uses including, but not limited to, harbor development, fishing, outfalls and pipe lines; hence, we must select the most appropriate sites in order to minimize conflicts with these other uses. In addition, it is necessary that we make the best use of those areas selected.

Under the first category of reserve, scientific, educational, and recreational nonconsumptive uses can be provided in the same reserve. These reserves would be administered as baseline areas where scientists could compare and evaluate the long-term effects of environmental changes against the shorter term effects of utilization. This type of reserve could also support nonconsumptive recreational uses such as underwater observation and photography. It is important that this category receive extensive enforcement to achieve total protection. Areas should be selected which possess outstanding biological

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[1] 1962 Report on Senate Resolution No. 108 by John A. Murdy, DFG & DPR
1971 Establishing Underwater Parks Worldwide, NPS
1972 Marine Resources for California Higher Education, Phase 2

characteristics and include representative examples of each of the various habitat types occurring along the coast.[2]

Scientific research requires the setting aside of the second category of reserve, where responses to controlled manipulations of the environment can be observed without outside human interference. It has been suggested that the location of this type of a reserve adjacent to the totally protected reserve is desirable as a buffer zone to the protected area and for convenience to researchers. This arrangement would also result in the most efficient use of enforcement efforts.

Where only specific forms of marine life need protection from human consumptive use, reserves of the third category can be established that provide protection for selected forms, while permitting harvest of those forms of marine life not requiring complete protection. This kind of reserve does not always require control of the adjacent shoreline and may be located some distance from shore.

The State Senate, by Resolution in 1961, requested the Departments of Fish and Game and Parks and Recreation to undertake a joint study of California's coastal area and submit recommendations on the establishment of appropriate marine reserves. The subsequent report entitled "Report on Senate Resolution No. 108, by Senator Murdy, Relating to the Study of Marine Reserves" recommended appropriate legislation for a statewide marine reserve program, including funding for development and operation. These recommendations are still valid and would result in the best possible marine reserve program for the State, if implemented.

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[2] Ricketts and Calvin, Between Pacific Tides

FISH AND GAME CODE SECTIONS

RELATING TO MARINE LIFE REFUGES

DIVISION 2. DEPARTMENT OF FISH AND GAME

Chapter 5. Fish and Game Management

(Article 4. Ecological Reserves)

1580. For the purpose of protecting rare or endangered wildlife or aquatic organisms or specialized habitat types both terrestrial and aquatic, the department, with the approval of the commission, may obtain by purchase, lease, gift, or otherwise, land and water for the purpose of establishing ecological reserves. Such ecological reserves shall not be classed as wildlife management areas pursuant to Section 1504 and shall be exempt from the provisions of Section 1504.

(Added by Stats. 1968, Ch. 1257)

1581. Any property acquired in fee for ecological reserves shall be acquired in the name of the state, and shall at all times be subject to such rules and regulations as may be prescribed from time to time by the commission for the occupation, use, operation, protection, and administration of such property as ecological reserves.

(Added by Stats. 1968, Ch. 1257)

1582. The department shall do all things necessary to secure a valid title in the state to the property acquired in fee for ecological reserves but no payment shall be made therefor until the title is vested in and satisfactory to the state. No such land will be acquired by eminent domain.

(Added by Stats. 1968, Ch. 1257)

1583. Except in accordance with the regulations of the commission, it is unlawful to enter upon any ecological reserves established under the provisions of this article, or to take therein any bird or the nest or eggs thereof, or any mammal, fish, mollusks, crustaceans, amphibia, reptiles, or any other form of plant or animal life.

(Added by Stats. 1968, Ch. 1257)

1584. As used in this article, "ecological reserve" refers to land or land and water areas preserved in a natural condition for the benefit of the general public to observe native flora and fauna and for scientific study.

(Added by Stats. 1968, Ch. 1257)

DIVISION 4. BIRDS AND MAMMALS

Part 2. BIRDS

Chapter 1. General Provisions

3511. Fully protected birds or parts thereof may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected bird and no such permits or licenses heretofore issued shall have any force or effect for any such purpose; except that the commission may authorize the collecting of such species for necessary scientific research and may authorize the live capture and relocation of such species pursuant to a permit for the protection of livestock. Legally imported fully protected birds or parts thereof may be possessed under a permit issued by the department.

The following are fully protected birds:

(a) American peregrine falcon (Falco peregrinus anatum)
(b) Brown pelican
(c) California black rail (Laterallus jamaicensis coturniculus)
(d) California clapper rail (Rallus longirostris obsoletus)
(e) California least tern (Sterna albifrons browni)
(f) Golden eagle
(g) Light-footed clapper rail (Rallus longirostris levipes)
(h) Southern bald eagle (Haliaeetus leucocephalus leucocephalus)
(Amended by Stats. 1974, Ch. 548.)

Part 3. MAMMALS

Chapter 5. Marine Mammals
(Heading amended by Stats. 1975, Ch. 786.)

4500. (a) It is unlawful to take any marine mammal except in accordance with provisions of the Marine Mammal Protection Act of 1972 (Chapter 31 (commencing with Section 1361) of Title 16 of the United States Code) or provisions of Title 50 of the Code of Federal Regulations, or pursuant to subdivision (b) of this section.
(b) At such time as federal laws or regulations permit the state to assume jurisdiction over marine mammals, the commission may adopt regulations governing marine mammals and the taking thereof.
(c) For purposes of this chapter, "marine mammals" means sea otters, whales, dolphins, porpoises, seals, and sea lions.
(Amended by Stats. 1975, Ch. 786.)

4500.5 (Repealed by Stats. 1975, Ch. 786.)

4501. (Repealed by Stats. 1975, Ch. 786.)

Chapter 8. Fully Protected Mammals

(Chapter 8 added by Stats. 1957, Ch. 1972)

4700. Fully protected mammals or parts thereof may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected mammal and no such permits or licenses heretofore issued shall have any force or effect for any such purpose; except that the commission may authorize the collecting of such species for necessary scientific research. Legally imported fully protected mammals or parts thereof may be possessed under a permit issued by the department.

The following are fully protected mammals:

(a) Morro Bay kangaroo rat (Dipodomys heermanni morroensis)
(b) Northern elephant seal (Mirounga angustirostris)
(c) Guadalupe fur seal (Arctocephalus townsendi)
(d) Pacific right whale (Eubalaena sieboldi)
(e) Salt-marsh harvest mouse (Reithrodontomys raviventris)
(f) Southern sea otter (Enhydra lutris nereis)
(Repealed and added by Stats. 1970, Ch. 1036)

DIVISION 6. FISH

Part 3. Commercial Fishing

Chapter 2. Particular Varieties of Fish

Article 14. Tidal Invertebrates

(Added by Stats. 1972, Ch. 1248)

8500. No mollusks, crustaceans, or other invertebrates may be taken for commercial purposes in any tide pool or tidal area, including tide flats or other areas between the high tidemark and 1,000 feet beyond the low tidemark, without a revocable permit issued by the department. The taking of mollusks, crustaceans, or other invertebrates pursuant to this section, shall be under such regulations as the commission shall prescribe, which shall be consistent with the provisions of this chapter.
(Added by Stats. 1972, Ch. 1248. Effective Dec. 13, 1972)

DIVISION 7. REFUGES

Chapter 1. Refuges and Other Protected Areas

Article 1. General Provisions

10500. Except under a permit or specific authorization, it is unlawful:

(a) To take or possess any bird or mammal, or part thereof, in any game refuge.
(b) To use or have in possession in a game refuge, any firearm, bow and arrow, or any trap or other contrivance designed to be, or capable of being, used to take birds or mammals, or to discharge any firearm or to release any arrow into any game refuge.
(c) To take or possess any species of fish or amphibia, or part thereof, in any fish refuge, or to use or have in possession in such refuge any contrivance designed to be used for catching fish.
(d) To take or possess any bird in, or to discharge any firearm or to release any arrow within or into, any fowl refuge.
(e) To take or possess any quail in a quail refuge.
(f) To take or possess any invertebrate or specimen of marine plant life in a marine life refuge.
(g) To take or possess any clam in a clam refuge or to possess in such a refuge any instrument or apparatus capable of being used to dig clams.

(Stats. 1957, Ch. 456)

10501. Before the commission opens any game refuge for the taking of deer, a public hearing shall be held at which at least one member of the commission shall be in attendance and such officers and employees of the department as are deemed necessary or are requested by interested parties, notice of which has been published at least once and at least 30 days prior to the hearing in a newspaper of general circulation which is printed and published in the county, or one of the counties, in which the area lies. If there is no newspaper of general circulation in any such county, the notice shall be published in such newspaper of general circulation as the commission determines will be most likely to give notice to the inhabitants of the area and such determination by the commission shall be final and conclusive.

10501.5 It is unlawful to fly any aircraft, including any airplane or helicopter, less than 3,000 feet above water or land over the Sespe Condor Sanctuary, and less than 1,000 feet above water or land over the Año Nuevo State Reserve, the Farallon Islands Game Refuge, the Point Lobos State Reserve, the California Sea Otter Game Refuge, and Anacapa, San Miguel, Santa Barbara, San Nicolas Islands, except for rescue operations, in case of any emergency, or for scientific purposes under a permit issued by the department.

This section does not apply to the landing of any aircraft, including any airplane or helicopter, on Anacapa, San Miguel, Santa Barbara, San Nicolas, and Farallon Islands for administrative or operational purposes of the National Park Service, the United States Navy, or the United States Coast Guard.
(Added by Stats. 1973, Ch. 770)

Section 2 of Ch. 770 also provides:

Sec. 2. No appropriation is made by this act, nor is any obligation created thereby under Section 2164.3 of the Revenue and Taxation Code, for the reimbursement of any local agency for any costs that may be incurred by it in carrying on any program or performing any service required to be carried on or performed by it by this act.

10502. The commission may:

(a) Exercise control over all mammals and birds in any game refuge, and exercise control over all fish in any fish refuge.
(b) Authorize the department to issue, under such restrictions as it may deem best, permits which shall authorize the person named therein to carry, use, and possess within any refuge, firearms, traps, or other contrivances for taking birds, mammals, fish, or amphibia.
(c) Authorize the department to issue permits which shall authorize the person named therein to take birds, mammals, fish and amphibia within any refuge.
(d) Make additional regulations not in conflict with any law for the protection of birds, mammals, fish, amphibia, and marine life within any refuge.

(Stats. 1957, Ch. 456)

10503. For the purposes of propagating, feeding, and protecting birds, mammals, fish, and amphibia the commission may:

(a) Accept, on behalf of the state, donations of any interest in lands within any refuge.
(b) Accept, on behalf of the state, from any person owning and in possession of patented lands, except lands which are covered and uncovered by the ordinary daily tide of the Pacific Ocean, the right to preserve and protect all birds, mammals, fish, and amphibia on such patented lands.
(c) Accept, on behalf of the state, donations of birds, mammals, fish, and amphibia, and of money given or appropriated. Such donations shall be used for the purposes for which they are accepted and, as nearly as may be, for any purpose indicated by the donor.
(d) Acquire by purchase, lease, rental, or otherwise, and occupy, develop, maintain, use, and administer land, or land and water, or land and water rights, suitable for state game farms or game refuges.

(Stats. 1957, Ch. 456)

10504. Any property acquired for game refuges shall be acquired in the name of the state, and shall at all times be subject to such regulations as may be prescribed from time to time by the commission for the occupation, use, operation, protection, and administration of such property as game refuges.

(Stats. 1957, Ch. 456)

10505. The department shall do all things necessary to secure a valid title in the state to the property acquired for game refuges, but no payment shall be made therefor until the title is satisfactory to the Attorney General and is vested in the state. The acquisition of the property by the state is not prohibited by reason of rights of way, easements, or reservations which, from their nature, in the opinion of the department, will in no manner interfere with the use of the property for the purpose for which it is acquired.
(Stats. 1957, Ch. 456)

10508. The department and the district attorney, sheriff, and all peace officers of the county in which any refuge or part thereof is situated, shall enforce all of the provisions of this code relating to such refuge, and institute and assist in prosecutions for violations thereof.
(Stats. 1957, Ch. 456)

10510. No specification of an open season in any area authorizes the taking of any bird, mammal, fish or amphibia from any refuge within that area from which the taking is elsewhere in this code prohibited.
(Stats. 1957, Ch. 456)

10512. The department shall cause to be prepared suitable notices to be posted under its direction on each state game refuge, containing a warning to all persons to refrain for the period named therein from violations of the provisions of this chapter relating to state game refuges.
(Stats. 1957, Ch. 456)

10513. Nothing in this chapter shall be construed as prohibiting or preventing any person from taking birds, mammals, fish, or amphibia from or on navigable water in any state game refuge.
(Stats. 1957, Ch. 456)

10514. All state game refuges shall, for all purposes of protecting birds, mammals, fish, or amphibia thereon, be under the control and management of the department, and the officers and employees of the department and all game wardens may at all times enter in and upon such refuges in the performance of their duties.
(Stats. 1957, Ch. 456)

Article 2. Special Provisions for Given Areas

10657. In the Hopkins Marine Life Refuge, licensees of the board of trustees of the Leland Stanford Junior University, licensees of the regents of the University of California, and all officers, employees, and students of such universities, may take for scientific purposes any invertebrate or specimen of marine plant life without a permit from the department.
(Stats. 1957, Ch. 456)

10658. In the San Diego Marine Life Refuge, licensees of the regents of the University of California and all officers, employees, and students of such university may take, for scientific purposes, any invertebrate or specimen of marine plant life without a permit from the department.
(Stats. 1957, Ch. 456)

10659. In the California Sea Otter Game Refuge, the lawful occupant of privately owned land, or the employees of such occupant, may possess firearms and traps and may take on such lands any nonprotected bird or mammal, and no permit is required for such taking.
(Added by Stats. 1959, Ch. 15)

10660. (1) In Area A of the Pacific Grove Marine Gardens Fish Refuge fish, other than mollusks and crustaceans, may be taken under the authority of a sport fishing license as authorized by this code.

(2) In Area B of the Pacific Grove Marine Gardens Fish Refuge fish may be taken as provided in subdivision (1), and abalone and sea urchin may be taken as provided by the commission. The commission may close Area B to the taking of abalone or sea urchin for a specified time when in its opinion there is a depletion of sea urchin or abalone which would endanger the balance of marine life in Area B.

(3) Notwithstanding any other provision of this section, holders of scientific collectors' permits issued by the commission, or students working under their direction, may take marine life for scientific purposes.

(4) In both Area A and Area B, sardines, mackerel, anchovies, squid, and herring may be taken by ring net, lampara net, or bait, as authorized by this code.
(Added by Stats. 1963, Ch. 1043)

10661. In the Bodega Marine Life Refuge, licensees of the regents of the University of California and all officers, employees, and students of such university may take, for scientific purposes, any invertebrate or specimen of marine plant life without a permit from the department.
(Added by Stats. 1965, Ch. 1303)

10664. In the Laguna Beach, Newport Beach, Point Fermin, South Laguna Beach, Dana Point, Niguel, Irvine Coast, and Doheny Beach Marine Life Refuges, the following fish, mollusks, and crustaceans may be taken under the authority of a sport fishing license as authorized by this code: Abalone, lobster, bonito, rockfish (Sebastodes), mackerel, perch, kelp bass, sand bass, spotted bass, corbina, halibut, and croaker. All other fish and forms of aquatic life are protected and may not be taken without a written permit from the department.
(Amended by Stats. 1971, Ch. 492)

10666. In the James V. Fitzgerald Marine Reserve the following fish, mollusks, and crustaceans may be taken under the authority of a sport fishing license as authorized by this code: Abalone, rockfish (Sebastodes), lingcod, perch, eel, croaker, halibut, and surf fish. All other fish and forms of aquatic life are protected and may not be taken without a written permit from the department.

This section shall remain in effect only until January 1, 1978, and as of that date is repealed.
(Amended by Stats. 1972, Ch. 257. See section of same number below.)

10666. In the James V. Fitzgerald Marine Reserve the following fish, mollusks, and crustaceans may be taken under the authority of a sport fishing license as authorized by this code: Abalone, rockfish (Sebastodes), lingcod, perch, croaker, halibut, and surf fish. All other fish and forms of aquatic life are protected and may not be taken without a written permit from the department.

This section shall become operative on January 1, 1978.
(Amended by Stats. 1972, Ch. 257. See section of same number above.)

Article 4. Clam Refuges

10711. The commission may close for the taking of clams not less than eight land miles of pismo clam bearing beaches within or offshore from San Luis Obispo County as a clam refuge, but not more than 50 percent of any individual pismo clam bearing beach or beaches may be so closed at any time. The commission may from time to time vary the location of the closed and open portions of such beaches.

Before the commission closes, opens, or varies the location of the closed and open portions of pismo clam bearing beaches, one or more members of the commission shall hold in the county to be affected a public hearing, notice of which has been published at least once in a newspaper of general circulation, printed, and published in that county. The commission may determine which newspaper will be most likely to give notice to the inhabitants of the county, and its determination shall be final and conclusive. The commission may authorize any employee of the department in its place to hold the hearings, in which event a copy of a transcript of all proceedings taken or had at the hearing shall be furnished to each commissioner at least five days before any regulation is made by the commission.
(Amended by Stats. 1965, Ch. 99.)

Chapter 2. Specific Refuge Boundaries

Article 2. Fish Refuges

10801. The following constitutes the Pacific Grove Marine Gardens Fish Refuge:

All that area within the following boundaries as they existed April 1, 1963, not within the Hopkins Marine Life Refuge: Beginning at the point of intersection of the southeasterly corporate limit line of the city of Pacific Grove produced, and the line of mean high tide of the Bay of Monterey; thence northwesterly along said line of mean high tide to the intersection with the westerly corporate limit line of said City (Asilomar Avenue produced); thence N. 19° 22' E. along said westerly corporate limit line produced, to the point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from the level of mean low tide; thence southeasterly along the line in said bay which line is at a constant depth of sixty (60) feet measured from the level of mean low tide,

to the intersection with the southeasterly corporate limit line of said city produced; thence S. 58° 58' W. along said southeasterly corporate limit line produced, to the point of beginning.

Area A is described as follows:

Beginning at the intersection of the southeasterly corporate limit line of the City of Pacific Grove (produced) and the line of mean high tide of the Bay of Monterey; thence northwesterly along said line of mean high tide to the intersection with the easterly line of 17th Street (produced), thence N. 19° 23' 45" E. along said easterly line of 17th Street (produced), to the point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from the level of mean low tide; thence southwesterly along the line in said bay which line is at a constant depth of sixty (60) feet measured from the level of mean low tide, to the intersection with the southeasterly corporate limit line of said City (produced); thence S. 58° 58' W. along said southeasterly corporate limit line (produced), to the point of beginning.

Area B is described as follows:

Beginning at the intersection of the easterly line of 17th Street in Pacific Grove (produced) and the line of mean high tide of the Bay of Monterey; thence northwesterly along said line of mean high tide to the intersection with the westerly corporate limit line of said City (Asilomar Avenue produced); thence N. 19° 22' E. along said westerly corporate limit line (produced), to the point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from the level of mean low tide; thence southeasterly along the line in said bay which line is at a constant depth of sixty (60) feet measured from the level of mean low tide to the intersection with the easterly line of 17th Street (produced); thence S. 19° 23' 45" W. along said easterly line of 17th Street (produced) to the point of beginning.

(Added by Stats. 1963, Ch. 1043)

Article 3. Game Refuges

10840. The California Sea Otter Game Refuge consists of and includes the following:

All that portion of Monterey and San Luis Obispo Counties between Carmel River on the north and Santa Rosa Creek on the south, lying west of the Monterey-Cambria Pines Highway, also known as California Highway No. 1.

(Amended by Stats. 1959, Ch. 15)

10843. The following constitutes the Farallon Islands Game Refuge: The Southeast Farallons, including Maintop Island, Middle Farallon, the North Farallons, Noonday Rock, and the waters lying around each island within one nautical mile from the coastline of each island.

Section 10513 shall have no application in this refuge. Notwithstanding the provisions of Section 10500, persons on commercial vessels may possess unloaded firearms when traveling through the navigable waters of this refuge. Fishermen, however, may not take any seal or sea lion while in this refuge, notwithstanding the provisions of Section 4500.
(Added by Stats. 1971, Ch. 143)

Article 6. Marine Life Refuges

10900. The refuges described in the following sections are marine life refuges.

10901. The following constitutes a marine life refuge and shall be designated the Hopkins Marine Life Refuge:

> That portion of District 16 consisting of the land and ocean waters from the highest tide line on the south to a distance of 1,000 feet northerly from said high tide line and bounded on the east by the northerly extension of the west side of Eardley Avenue and on the west by the northerly extension of the west side of Third Street in the City of Pacific Grove.
> (Stats. 1957, Ch. 456)

10902. The following constitutes a marine life refuge and shall be designated the San Diego Marine Life Refuge:

> That portion of District 19 consisting of that certain strip of land lying between the westerly edge of Pueblo Lot No. 1298 of the pueblo lands of the City of San Diego, according to the official map of said pueblo lands as made by James Pascoe, and filed in the Office of the County Recorder of said County of San Diego, and the lowest tide line opposite to and west of said pueblo lot, which said strip of land is bounded on the north by the northerly boundary line of said pueblo lot extended westerly and on the south by the southerly line of said pueblo lot extended westerly; together with the state waters of the State of California adjacent thereto, being those state waters which lie between said extended northerly and southerly boundaries of said pueblo lot and extend westerly from said lowest low tide line for a distance of 1,000 feet.
> (Stats. 1957, Ch. 456)

10903. The following constitutes a marine life refuge and shall be designated the Bodega Marine Life Refuge:

> That portion of District 10 consisting of that certain parcel of land bounded by the line of mean high tide of the Pacific Ocean lying between the northern boundary extended northwesterly and the southern boundary extended southwesterly

of the lands of the regents of the University of California according to the final order of condemnation in Case No. 47,617 in the Superior Court of the State of California in and for the County of Sonoma, recorded in Book 1930, at pages 656 and 659, inclusive, Official Records, Sonoma County, California, and extending into and including the state waters of the State of California for a distance of 1,000 feet into the Pacific Ocean from the line of mean high tide.
(Added by Stats. 1965, Ch. 1303)

10904. The following constitutes a marine life refuge and shall be designated as the Laguna Beach Marine Life Refuge:

That portion of District 19 consisting of that certain parcel of land bounded by a line commencing at the mean high tide of the Pacific Ocean lying on the boundary of the City of Laguna Beach and running for a distance of 600 feet into the Pacific Ocean along such boundary, and thence generally eastward for a distance of 5,725 feet, and thence generally northward for a distance of 700 feet, and thence generally westward along the line of mean high tide to the point of beginning.
(Added by Stats. 1968, Ch. 136)

10905. The following constitutes a marine life refuge and shall be designated as the Newport Beach Marine Life Refuge:

That portion of District 19 consisting of that certain parcel of land bounded by the line of mean high tide of the Pacific Ocean between the eastern boundary of the City of Newport Beach and Poppy Avenue in the City of Newport Beach, and extending into and including the state waters of the State of California for a distance of 200 feet into the Pacific Ocean from the line of mean high tide.
(Added by Stats. 1968, Ch. 136)

10906. The following constitutes a marine life refuge and shall be designated as the South Laguna Beach Marine Life Refuge:

That portion of District 19 consisting of land and ocean waters bounded by a line commencing at the intersection of the line of mean high tide of the Pacific Ocean and a line which bears south 48° 50' 00" west from the most westerly point of Lot 75 of Tract No. 702, as said Tract is shown on a map recorded in Book 21, pages 1 to 3, Miscellaneous Maps, on file in the Office of the County Recorder of Orange County; thence running south 48° 50' 00" west approximately 600 feet to the minus 20 foot (Mean Lower Low Water) contour; thence southeasterly and generally parallel to the shore line 2,700 feet more or less along the said minus 20 foot contour to a line which bears south 35° 57' 06" west from the southerly terminus of that

certain course in the southeasterly boundary of said Tract No. 702 designated north 35° 57' 06" E. 284.25 feet; thence north 35° 57' 06" east to the line of mean high tide of the Pacific Ocean; thence northwesterly along the line of mean high tide of the Pacific Ocean to the point of beginning.
(added by Stats. 1968, Ch. 136)

10907. The following constitutes a marine life refuge and shall be designated as the Dana Point Marine Life Refuge:

That portion of District 19 consisting of land and ocean waters bounded by a line commencing at Station 70 of the mean high tide line as shown on Document No. 25208 recorded in Book 7651, page 69 of Official Records on file in the Office of County Recorder of Orange County; thence along the mean high tide line westerly and northerly 3,500 feet more or less to intersection with a line which is 2,440 feet south of and parallel to the north line of Fractional Section 21, R. 8 W, T. 8 S., S.B.M.'; thence west 1,200 feet; thence southerly and easterly 1,200 feet from and parallel to the shore line to an intersection with a line which bears S. 40° 00' E. from said Station 70; thence N. 40° 00' W. 1,200 feet more or less to the point of beginning.
(Added by Stats. 1969, Ch. 56)

10908. The following constitutes a marine life refuge and shall be designated as the Doheny Beach Marine Life Refuge:

All that area lying 600 feet seaward of and below the mean high tide line of the Pacific Ocean between the prolongation of the line common to Blocks A and B of Tract No. 797, Capistrano Beach #3, in the County of Orange, State of California, as per map recorded in Book 25, pages 10 to 15, inclusive, of Miscellaneous Maps in the Office of the County Recorder of such county, such line also being the prolongation of the easterly line of Doheny State Beach, a unit of the State Park System acquired by deed dated April 29, 1957, from the Union Oil Company of California, recorded on October 9, 1957, in Book 4063 of Official Records at page 88, Orange County, California, and the east breakwater of the Dana Point Harbor, a project of the Orange County Harbor District, a political subdivision of the State of California.
(Added by Stats. 1969, Ch. 56)

10909. The following constitutes a marine life refuge and shall be designated the James V. Fitzgerald Marine Reserve:

That portion of District 10 consisting of that certain parcel of land bounded by a line commencing at the mean high tide of the Pacific Ocean lying on a line beginning at the northeasterly corner of Lot 8, Block 42 as said Lot and Block are shown on "Map of Moss Beach Heights, San Mateo County, Cal.,"

recorded May 4, 1908, in Volume 6 of Maps on page 8, records of San Mateo County; thence north 88° 49' west along the northerly line of said Lot 8 and its northwesterly prolongation to the intersection thereof with the westerly line of that certain tract of land (Parcel No. 1) conveyed to the County of San Mateo for a marine reserve, recorded August 8, 1967, in Volume 5346 Official Records of San Mateo County at page 62 (70483-AA) last mentioned intersection being the shoreline of the Pacific Ocean (ordinary high water) and the true Point of Beginning along the prolongation of the northerly line of said Lot 8, north 88° 49' west, 1,000 feet, into the Pacific Ocean and thence generally southerly and generally parallel to the shoreline for a distance of approximately three statute miles to the extension of a line beginning at the most southerly terminus of Course No. 15 of the survey of the Rancho Corral de Tierra as shown on a plat thereof on file in the Office of the Bureau of Land Management, U. S. Department of the Interior; said most southerly terminus also being distant on said Course No. 15, south 28° 30' east 269.91 feet from the most southerly corner of that certain 10.380 acre tract of land conveyed to the United States of America by Deed dated June 18, 1940, recorded October 28, 1940 in Book 918 of Official Records at Page 373; running thence from said point of beginning along a line that is the southwesterly prolongation of Course No. 14 of said survey, south 74° 45' west to the shoreline of the Pacific Ocean (ordinary high water) and the true point of beginning of the least area herein described; thence from said true point of beginning along the prolongation of said Course No. 14 south 74° 45' west, 1,000 feet into the Pacific Ocean thence easterly along said line to the mean high tide, thence generally northerly along the line of the mean high tide to the point of beginning.
(Added by Stats. 1969, Ch. 675)

10910. The following constitutes a marine life refuge and shall be designated as the Point Fermin Marine Life Refuge:

That portion of District 19 consisting of land and ocean waters bounded by the line of mean high tide of the Pacific Ocean extending into and including the state waters of the State of California for a distance of 600 feet below low-tide mark, in the San Pedro area of the City of Los Angeles in an area generally parallel to the shoreline lying between the easterly extension of 40th Street, westerly to the southerly extension of Gaffey Street at Point Fermin.
(Added by Stats. 1969, Ch. 693)

10911. The following constitutes a marine life refuge and shall be designated as the Niguel Marine Life Refuge:

That portion of California state tide and submerged lands bounded by a line commencing at a point which is

the intersection of the line of mean tide and a line which is 2,440 feet south of and parallel to the north line of Fractional Section 21, R. 8 W., T. 8 S., S.B.M., such point also being on the north boundary of the Dana Point Marine Life Refuge, thence along the mean high tide line northerly and westerly 12,000 feet more or less to its intersection with the westerly prolongation of the most northerly boundary line of Lot 101 of "Three Arches Palisades No. 1," as shown on a map filed in Book 3, page 3, Records of Surveys in the Office of the County Recorder, Orange County; thence S. 89° 54' W. 1,200 feet from such point of intersection along the westerly prolongation of such northerly boundary line; thence, south and west, and east parallel to and 1,200 feet from the line of mean high tide to a point on the north line of Dana Point Marine Life Refuge and also being 1,200 feet west of the Point of Beginning; thence, east 1,200 feet along the northerly boundary of Dana Point Marine Life Refuge to the point of beginning.
(Added by Stats. 1971, Ch. 492)

10912. The following constitutes a marine life refuge and shall be designated as the Irvine Coast Marine Life Refuge:

That portion of California state tide and submerged lands adjoining the Newport Beach Marine Life Refuge as described in Section 10905 and bounded by a line beginning at the intersection of the southwesterly extension of Lot 141, Tract No. 3357, as shown on a map recorded in Book 107, page 1 of Miscellaneous Maps on file in the Office of the County Recorder, Orange County and the line of ordinary high tide; thence southeasterly along the line of ordinary high tide approximately 20,000 feet to its intersection with the southwesterly extension of the northwesterly boundary line of the City of Laguna Beach; thence, southwesterly along such southwesterly extension 600 feet; thence, northwesterly along a line parallel to and 600 feet southwesterly of the line of ordinary high tide to the southwesterly extension of said Lot 141; thence, northeasterly 600 feet along such southwesterly extension to the point of beginning.
(Added by Stats. 1971, Ch. 492)

Division 9. Fines and Penalties

Chapter 1. General Provisions

12000. The violation of any provision of this code, other than Sections 3009 and 12001, or of any rule, regulation, or order made or adopted under this code, is a misdemeanor.
(Amended by Stats. 1961, Ch. 1815.)

12002. The maximum punishment for a violation constituting a misdemeanor is a fine of five hundred dollars ($500) or imprisonment in the county jail for six months, or both, except that the maximum punishment for violation of any of the following provisions is a fine of one thousand dollars ($1,000) or imprisonment in the county jail for one year, or both:

(c) Sections 3511, 4700.
(f) Section 10500.

(Repealed and added by Stats. 1974, Ch. 770.)

FISH AND GAME COMMISSION REGULATIONS
RELATING TO MARINE LIFE RESERVES

Title 14. Natural Resources

Division 1. Fish and Game Commission
Department of Fish and Game

Part 1. Fish, Amphibians, and Reptiles

Chapter 4. Ocean Fishing

Article 1. OCEAN AND SAN FRANCISCO BAY DISTRICT

Ocean Waters with Restricted Fishing

27.20. **Duxbury Reef Reserve.** In the Duxbury Reef area in Marin County no fish except abalone, Dungeness crabs, rock crabs, rockfish, lingcod, cabezon, surfperch, halibut, flounder, sole turbot, salmon, kelp greenling, striped bass, steelhead, monkeyface-eel, wolf-eel, smelt and silversides may be taken between the high tide mark and 1,000 feet beyond the low tide mark at any place on the coastline or any reef or rock situated between the westerly extension of the southerly boundary of the Pt. Reyes National Seashore and the southerly extension of the centerline of Kale Road in Bolinas Beach. All other fish and forms of aquatic life are protected and may not be taken without a written permit from the department.

27.25. **Gerstle Cove Reserve.** No form of marine life may be taken within 600 feet of the high water line in the most northerly portion of Gerstle Cove, Sonoma Co., without a written permit from the department.

27.30. **Point Reyes Headlands Reserve (Marin Co.).** No form of marine life may be taken from the ocean area within 1,000 feet of the high tide mark in the Pt. Reyes Headlands bounded on the west by a line extending due west (true) from Pt. Reyes Lighthouse and on the east by a line extending due east (true) from Chimney Rock, without a written permit from the department.

27.35. **Estero de Limantour Reserve (Marin Co.).** No form of marine life may be taken below the high water mark in Estero de Limantour without a written permit from the department. Estero de Limantour includes all tideland waters to high water mark in an easterly direction from a line drawn due north (true) from the extreme westerly point of Limantour Spit.

27.40. **Lover's Cove Reserve, Santa Catalina Island (Los Angeles Co.).** No form of marine life may be taken in those waters adjacent to Catalina Island beginning at the most southeasterly corner of the Cabrillo Wharf (the wharf for ocean-going vessels on the seaward side of the peninsula), then extending a line seaward, perpendicular to the seaward face of the wharf, to a point approximately 100 yards from the mean tide line, then turning in a southeasterly direction and following the alignment of the mean tide line at a distance of 100 yards from the mean tide line continuing through Lover's Cove, around Abalone Point, and continuing to

a point approximately 430 feet easterly of Abalone Point, commonly known as "Ring Rock", then returning to shore on a line perpendicular to the Pebbly Beach Road.

27.42 **Pismo Invertebrate Reserve (San Luis Obispo Co.).** No invertebrate may be taken between the high tide mark and 1,000 feet beyond the low tide mark in that portion of a beach commonly known as Pismo-Oceano Beach lying between the Grand Avenue ramp and a point .3 mile north of the Grand Avenue ramp.

Note: Authority cited: Sections 200-221 and 10711, Fish and Game Code.
Reference: Sections 200-211 and 10711, Fish and Game Code.

History: 1. New section filed 12-20-76; designated effective 3-1-77 (Register 76, No. 52).

27.45 **Point Cabrillo Reserve (Mendocino Co.).** No form of marine life may be taken from the ocean area within 1,000 feet of the high tide mark in the vicinity of Point Cabrillo U.S. Coast Guard Lighthouse, bounded by the lines extending due west (true) 1,000 feet north and south of the lighthouse. (Public access to reserve not permitted through U.S. Coast Guard Lighthouse property.

27.50 **Point Loma Reserve (San Diego Co.).** Between a point approximately 300 yards easterly from the Point Loma Light and a point approximately one-half mile northwesterly of the light, no plant or invertebrate marine life may be taken between the high tide mark and 150 feet beyond the mean lower low tide mark.

Invertebrates

29.05 **General.** (a) Except as provided in this article there are no closed seasons, bag limits, or minimum size limits for any invertebrate whose take is authorized in this article, and they may be taken at any time of day or night. In San Francisco and San Pablo bays and saltwater tributaries east of the Golden Gate Bridge invertebrates may not be taken at night except from the shore.

(b) Tidal invertebrates may not be taken in any tidepool or other areas between the high tide mark and 1,000 feet beyond the low tide mark except as follows:

(1) In state parks, state beaches, state recreation areas, state underwater parks, state reserves, national parks, national monuments or national seashores: Abalones, chiones, clams, cockles, crabs, lobsters, scallops, ghost shrimp and sea urchins may be taken. Mussels may be taken only in Point Reyes National Seashore. Worms may be taken except that no worms may be taken in any mussel bed, nor may any person disturb or damage mussels while taking worms.

(2) In all other areas, except where prohibited within marine life refuges or other special closures: Abalones, chiones, clams, cockles, crabs, limpets, lobsters, moon snails, mussels, sand dollars, octopi, shrimp, scallops, sea urchins, turban snails, squid and worms may be taken.

(3) **Special Closure.** No invertebrates shall be taken on the mainland shore within the boundaries of Año Nuevo State Reserve between the high tide mark and 100 feet beyond the low tide mark between November 30 and March 16.

(c) **Measuring Devices.** Every person while taking invertebrates which have a size limit shall carry a device which is capable of accurately measuring the size of the species taken.

(d) In all ocean waters skin and scuba divers may take invertebrates as provided in this article except that in all ocean waters north of Yankee Point (Monterey Co.), self-contained underwater breathing apparatus (SCUBA) may be used only to take sea urchins and rock scallops. For the purpose of this section, breathing tubes are not underwater artificial breathing devices.

History: 1. Amendment of subsection (b)(2), and new subsections (b)(3) and (d) filed 12-24-75; designated effective 3-1-76 (Register 75, No. 52).

29.40 **Pismo Clams.** (a) **Open Season:** May be taken in Santa Cruz and Monterey counties September 1 through April 30. In all other counties, except in clam preserves and marine life refuges, Pismo clams may be taken at any time of the year.

(b) **Limit:** Ten.

(c) **Minimum Size:** Five inches in greatest shell diameter north of the boundary between San Luis Obispo and Monterey counties; four and one-half inches in greatest shell diameter south of the boundary between San Luis Obispo and Monterey Counties.

(d) **Clam preserves:** No clams shall be taken within or offshore from San Luis Obispo County in the following described Pismo clam-bearing beaches which are hereby established as clam preserves, and which are closed for the taking of clams:

(1) All that portion of a beach commonly known as Pismo-Oceano Beach lying between the San Luis Obispo-Santa Barbara county line and the mouth of Oso Flaco Creek--approximately 4.6 miles.

(2) All that portion of Atascadero Beach lying between Morro Rock and Azure Street--approximately 1.5 miles.

(3) That portion of Morro Beach between Hazard Canyon and the southern tip of Morro Bay--approximately 1.9 miles.

History: 1. Amendment of subsection (d) filed 12-24-75; designated effective 3-1-76 (Register 75, No. 52).

Chapter 6. Fish Commercial

123. **Tidal Invertebrates.** To take mollusks, crustaceans, or other invertebrates for commercial purposes in any tide pool or tidal area, including tide flats or other areas between the high tide mark and 1,000 feet beyond the low tide mark, revocable permits may be issued by the department in accordance with the following regulations:

(a) **Qualifications of Permittee.** The applicant must be a licensed commercial fisherman. If a vessel is used in taking or transporting tidal invertebrates for commercial purposes, the vessel must be currently registered and all fishermen on the vessel must possess a permit.

(b) **Limitation of Permit.** Not more than one permit shall be issued to any one person. Permits shall not be assigned or transferred from person to person.

(c) **Duration of Permit.** Any permit issued pursuant to these regulations shall be in force from April 1 to March 31 of the following year, or, if issued after the beginning of such term for the remainder thereof.

(d) **Abalone and Lobster Exemption.** Commercial fishermen taking only lobster or abalone need not possess the permit as required in this section but must have the appropriate permits to take lobster or abalone according to the Fish and Game Code, and regulations adopted pursuant thereto.

(e) Provisions of this section do not apply to commercial fishermen taking freshwater clams or crayfish in inland waters.

(f) **Permit Conditions.**

(1) Under the terms of the permit, only the following invertebrates may be taken for commercial purposes: barnacles, chiones, clams, cockles, crabs, limpets, mussels, sand dollars, octopuses, shrimp, scallops, sea urchins, starfish, worms and squid.

(2) No mollusks, crustaceans or other invertebrates may be taken in marine life refuges, Duxbury Reef Reserve, Point Lobos State Reserve, Gerstle Cove Reserve, Point Reyes Headlands Reserve, Estero de Limantour Reserve, San Diego-La Jolla Ecological Reserve, Del Mar Landing Ecological Reserve, Point Cabrillo Reserve, Point Loma Reserve, and Abalone Cove Ecological Reserve.

(3) In Farnsworth Bank Ecological Reserve all invertebrates may be harvested except purple coral.

(4) In and offshore of all other state ecological reserves, state parks, state reserves, national parks, national monuments, or national seashores, only the following invertebrates may be taken: sand crabs, ghost shrimp, jackknife clams, and worms, except that no worms may be taken in any mussel bed, or may any person disturb or damage mussels while taking worms.

Note: Authority cited: Section 8500, Fish and Game Code.

History: 1. New section filed 1-17-73 as an emergency; effective upon filing (Register 73, No. 3).

2. Certificate of compliance filed 3-7-73 (Register 73, No. 10).

3. Amendment of subsection (f)(1) filed 12-14-76 as an emergency; effective upon filing (Register 76, No. 51).

4. Certificate of Compliance filed 1-21-77 (Register 77, No. 4).

Chapter 8. Wildlife and Public Shooting Areas

Section 550. **WILDLIFE AREAS GENERAL.** The following rules promulgated pursuant to the Fish and Game Code shall govern use of State Wildlife Areas.

(a) State Wildlife Areas

(21) San Pablo Bay Wildlife Area:

The following constitutes the San Pablo Bay Wildlife Area:

That area of state marsh land, tidal flat and open water area at the western extremity of San Pablo Bay, Marin County, which is bounded approximately as follows:

Beginning at a point on the levee near the mouth of Novato Creek which is an extension of the centerline of the navigation channel between the mouth of Novato Creek and the mouth of the Petaluma River; thence, northeasterly along the line of the navigation channel to a point midway on a line between black navigation markers 17 and 19 on the southerly edge of the Petaluma River Channel; thence, continuing from marker to marker through the center of markers "15", "13", "11", "9", "7", "5", "3", to the center of flashing green marker "1" at the entrance to the Petaluma River Navigation Channel; thence, from marker "1" southerly on

a direct line approximately three miles to the point north of China Camp; thence, northwesterly approximately 2.6 miles generally along the channel of Galinas Creek to a point opposite the levee on the north side of Galinas Creek; thence, northerly along the levee to the point of beginning.

(b) Area Regulations:

(1) The Regional Manager shall have the authority to regulate public use of State Wildlife Areas where such use is not provided for in these regulations or in Section 551 of this Title.

(2) **Motor Driven Vehicles.** No person shall drive, operate, leave, place or stop any motor driven vehicle on any State Wildlife Area except on public or established roads or on designated jeep trails and such other areas as designated by the department. No person shall drive a vehicle carelessly in willful disregard of the rights of safety of others, or without due caution and at a speed or in a manner likely to endanger any person or property.

(3) **Road Closures.** Any road within a wildlife area, except county, state or federal highways or roads, may be closed by posting or erection of a physical barrier at any time by the department for the protection of life or property. No person shall break down, remove, injure or destroy any barrier or signboard erected or placed on any road, jeep trail or unimproved road. Drivers of motor driven vehicles operated within the areas shall comply with the directions of traffic signs posted in the area by the department.

(4) **Litter.** No person shall leave, deposit, drop, bury or scatter bottles, broken glass, feathers, hides, waste paper, cans or other rubbish in any State Wildlife Area except in a receptable or area designated for that purpose, and no person shall import and deposit any rubbish into State Wildlife Areas from other places. Where no designated receptacles are provided, any refuse resulting from a person's use of the area must be removed from the area by such person.

(5) **Firearms Use.**

(A) No person shall discharge a firearm in any State Wildlife Area except:

1. During the period September 1 to January 31;
2. In areas designated by the department during the period February 1 through August 31.

(B) No glass or porcelain targets shall be used for firearms practice on these areas.

(7) **Trees.** No person shall dig up, cut, damage or remove from the area any trees, shrubs, vines, plants or wood, except that vegetation may be cut and used as directed by the Area Manager for the purpose of building blinds during the waterfowl season. This shall not preclude the collecting of dead wood for immediate use. No person shall dig up or remove any humus, soil, sand, gravel or rock except with written permission of the Area Manager. This shall not preclude the collection of bait or recreational gold panning.

(8) **Bottle and Artifact Collecting.** No person shall dig or otherwise disturb the soil to locate or remove bottles or artifacts except by permit from the Regional Manager. Such permit shall prescribe the conditions under which bottle and artifact collecting may be done, including the provision that the area must be substantially restored to its natural condition.

(9) **Camping.** No person shall camp in any part of a State Wildlife Area except in areas designated by the department. Camping on the area shall be limited to not more than seven consecutive days.

(10) **Fires.** From April 30 through October 30, no person shall build or maintain fires except in portable gas stoves or in fire places at sites developed by the department. No fire shall be left unattended and shall be extinguished with water before leaving.

(11) **Field Trials.** State Wildlife Areas may be used for field trials when authorized by the department.

(12) **Game Species Hunting.** Hunting shall be allowed on State Wildlife Areas during the regular open seasons for all game species subject to subsections (b)(5) above. The department may limit the number of persons hunting on the area during any period for safety reasons or close the area entirely to hunting to protect a species. In the event that the department elects to limit the number of hunters, permits will be issued on a first-come, first-served basis.

(13) **Fish and Frogs.** Frogs may not be taken for commercial purposes. Access for taking of fish and frogs on State Wildlife Areas shall be permitted as determined by the Regional Manager.

(14) **Pesticides Use.** No person, other than authorized federal, state or local employees conducting an approved pest control program, shall operate any power driven pesticide fogging device in any State Wildlife Area.

(15) **Livestock.** No person shall permit livestock including but not limited to cattle, horses, sheep, goats and hogs to browse, graze, bed, cross or otherwise trespass on any State Wildlife Area of this section except under an authorized grazing permit issued by the department. This shall not prohibit the recreational use of horses. Persons who willfully fail to remove their livestock from any State Wildlife Area within seven days after receiving official notice by the Regional Manager through certified mail, shall be in violation of this section.

(16) **User Permits.** User permits other than as provided for in Sections 551 and 552 are required in all wildlife areas unless waived by the director of the department.

(17) **Ejection.** The department is hereby authorized to eject any person from a State Wildlife Area for violation of any of these rules or regulations or for disorderly conduct, intoxication or for any reason when it appears that the general safety or welfare of the area or persons thereon is endangered. The decision, in such respect, of any department employee assigned management or enforcement responsibilities for the area shall be final.

(18) No person shall violate any of the provisions of this section or any order or directive issued pursuant thereto.

Note: Authority cited: Sections 1526 through 1530 and 10504, Fish and Game Code, and the 1962 U.S. Statutes at large, page 238, and existing agreements with the United States relating to the administration of federally owned or leased areas. Reference: Sections 1526-1530, and 10504, Fish and Game Code.

History: 1. Amendment filed 8-27-76; effective thirtieth day thereafter (Register 76, No. 35). For prior history, see Register 75, No. 36.

2. Amendment of subsection (b)(5)(A) filed 9-7-77; effective thirtieth day thereafter (Register 77, No. 37).

3. Amendment filed 12-15-77; effective thirtieth day thereafter (Register 77, No. 51).

Chapter 11. Ecological Reserves

630. **Ecological Reserves.** The areas specified in this chapter have been declared by the Fish and Game Commission to be ecological reserves. A legal description of the boundaries of each ecological reserve is on file at the department's headquarters, 1416 Ninth Street, Sacramento. Ecological reserves are established to provide protection for rare or endangered wildlife aquatic organism and specialized terrestrial or aquatic habitat types. Public entry and use of ecological reserves shall be compatible with the primary purposes of such reserves, and subject to the following applicable general rules and regulations, except as otherwise provided for the special area regulations:

(a) **General Rules and Regulations:**

(1) **Protection of Resources.** No person shall disturb geological formations or archeological artifacts or take or disturb any bird or nets, or eggs thereof, or any plant, mammal, fish, mollusk, crustacean, amphibian, reptile, or any other form of plant or animal life in an ecological reserve. The department may implement enhancement and protective measures to assure proper utilization and maintenance of ecological reserves.

(2) **Fishing.** Fishing shall be allowed in accordance with the general fishing regulations of the commission except that the method of taking fish shall be limited to angling from shore. No person shall take fish for commercial purposes in any ecological reserve except by permit from the commission.

(3) **Collecting.** No collecting shall be done in an ecological reserve except by permit from the commission. Any person applying for a permit must have a valid scientific collecting permit issued pursuant to part 3 of this title.

(4) **Motor Vehicles.** No person shall drive, operate, leave, or stop any motor vehicle, bicycle, tractor, or other type of vehicle

in an ecological reserve except on designated access roads and marking areas.

(5) **Swimming.** No person shall swim, wade, dive, or use any diving equipment within an ecological reserve except as authorized under the terms of a permit issued pursuant to subsection (3).

(6) **Boating.** No person shall launch or operate a boat or other floating device within an ecological reserve except by permit from the commission.

(7) **Trails.** The department may designate areas within an ecological reserve where added protection of plant or animal life is desirable, and may establish equestrian or walking trails or paths within such designated areas. No person shall walk or ride horseback in such areas except upon the established trails or paths.

(8) **Firearms.** No person, except as provided in subsection (a)(10), shall possess, fire or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within or into an ecological reserve.

(9) **Ejection.** Employees of the department may eject any person from an ecological reserve for violation of any of these rules or regulations or for any reason when it appears that the general safety or welfare of the ecological reserve or persons thereon is endangered.

(10) **Public Entry.** Public entry may be restricted on any area at the discretion of the department to protect the wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, may enter any ecological reserve, or portion thereof, which is closed to public entry.

(11) **Introduction of Species.** Unless quthorized by the commission, the release of any fish or wildlife species, including domestic or domesticated species, or the introduction of any plant species, is prohibited.

(12) **Feeding of Wildlife.** The feeding of wildlife is prohibited.

(13) **Pesticides.** The use of pesticides is prohibited on any ecological reserve unless authorized by the commission.

(14) **Litter.** No person shall deposit, drop, or scatter any debris on any ecological reserve except in a receptacle or area designated for that purpose. Where no designated receptacles are provided, any refuse resulting from a person's use of an area must be removed from that area by such person.

(15) **Grazing.** The grazing of livestock is prohibited on any ecological reserve.

(16) **Falconry.** The sport falconry is prohibited.

(17) **Aircraft.** No person shall operate any aircraft or hovercraft within a reserve, except as authorized by a permit from the commission.

(18) **Pets.** Pets, including dogs and cats, are prohibited from entering a reserve unless they are retained on a leash of less than ten feet or are inside a motor vehicle.

(b) **Areas and Special Regulations for Use:**

(1) **Bolsa Chica Ecological Reserve (Orange County):**

The Bolsa Chica Ecological Reserve includes an area of approximately 563 acres adjacent to Bolsa Chica State Beach, Orange County, and described in those leases approved by the State Lands Commission on January 26, 1973 and February 22, 1973. For purposes of these regulations two drill sites for oil production purposes totalling 12.5 acres and those lands underlying the Pacific Coast Highway and Warner Avenue are excluded from the above described area. The boundaries of the above described ecological reserve and drill sites are marked with signs signifying said boundaries.

Special Regulations for Use:

(A) No person, except as provided in subsection (a)(10), or employees of Signal Corporation and its invitees, for the purposes of carrying out oil and gas operations, shall enter this reserve.

(B) All fishing is prohibited.

(5) **Del Mar Landing Ecological Reserve (Sonoma County):**

The Del Mar Landing Ecological Reserve includes those tide and submerged lands of Sonoma County, State of California, within the following described boundaries:

Beginning at a point conincident with the mean high tide line of the Pacific Ocean and the southern boundary of the Sea Ranch Subdivision No. 35-C; thence, seaward 217° true 1,000 feet; thence, northwesterly 255° true 710 feet; thence, northwesterly 287° true 1,560 feet; thence, northeasterly 41° true 1,000 feet to the mean high tide line at Del Mar Point coincident with a projection of the northerly right-of-way of the private road designated as Helm on Subdivision Map No. 35-C of the Sea Ranch; thence, southeasterly along the mean high tide line approximately 2,600 feet to the point of beginning.

Special Regulations for Use:

(A) Fishing is permitted for fin fish (those having vertebrae) only. Spear guns may be used for the taking of fin fish.

(B) Swimming, boating skin and SCUBA diving are permitted.

(6) **Farnsworth Bank Ecological Reserve (Los Angeles County):**

The Farnsworth Bank Ecological Reserve is located 1.6 nautical miles southwest of Ben Weston Point, Catalina Island, on a bearing of 240° true. The Bank is composed of sheer rocky pinnacles rising from the sandy ocean floor 250 feet deep to within 50 feet of the surface. The Bank occupies an area approximately 575 yards long by 200 yards wide.

Special Regulations for Use:

(A) No purple coral (**Allopora californica**) or geological specimens may be taken.

(B) Subsections (a)(1) through (a)(18) do not apply.

(8) **Heisler Park Ecological Reserve (Orange County):**

The following constitutes the Heisler Oark Ecological Reserve:

Beginning at the intersection of the line of mean high tide with the westerly boundary line of Heisler Park, as described in a deed to the City of Laguna Beach, recorded in Book 1666, page 144, Official Records of Orange County, California; thence, south 16° 21' west 800 feet more or less to the line of the Laguna Beach Marine Life Refuge, as per Division 7, Chapter 1, Article 2, Section 10904, State of California Fish and Game Code; thence, along said marine life refuge line south 73° 39' east, 2400 feet more or less to the easterly boundary of said refuge; thence, along said easterly boundary north 14° 58' west, 700 feet more or less to the line of mean high tide; thence, along said line of mean high tide in a westerly direction to the point of beginning.

Special Regulations for Use:

(A) All fishing is prohibited.

(B) Swimming, boating and other aquatic sports are permitted. Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.

(12) **Morro Rock Ecological Reserve (San Luis Obispo County):**

The following constitutes the Morro Rock Ecological Reserve: that 29.87 acre portion of Morro Bay State Park known as Morro Rock lying within the limits of the City of Morro Bay and within Sections 26 and 35 in Township 29 South, Range 10 East, M.D.B. & M., San Luis Obispo County. The reserve is bordered on the south by the Embarcadero which extends to the breakwater at the entrance to Morro Bay; on the west and north by the Pacific Ocean; and on the east by a parking lot owned by the City of Morro Bay.

Special Regulations for Use:

(A) No person shall enter into or upon this reserve for any purpose except as follows:

1. For the purpose of fishing and sightseeing, persons may enter that portion of Morro Rock between the low tide mark and a point ten (10) feet in elevation above the mean high tide mark.

2. Those persons provided for in subsection (a)(10), and employees of the Department of Parks and Recreation may enter the reserve in the performance of their official duties.

(13) **Point Lobos Ecological Reserve (Monterey County):**

The Point Lobos Ecological Reserve includes those tide and submerged lands of Monterey County, State of California, within the following described boundaries:

All that certain tide and submerged land held by the State of California, by virtue of its sovereignty, whether filled or unfilled, situate in Monterey County, State of California, being portions of protracted Sections 21, 22, 23, 26, 27, and 28 Township 16 South, Range 1 West M.D.B. and M. as said sections have been surveyed under special instructions dated September 6, 1939 and approved by the Department of the Interior, General Land Office and accepted April 2, 1943, being more particularly bounded and described as follows:

Commencing at United States Coast and Geodetic Survey Triangulation Station "Whalers Knoll 2-1932" as said station is described in List 359 of "Descriptions of Triangulation Stations" at pages 3 and 24, and having grid coordinates of X = 1,134,697.18' and Y = 445,435.26' as referenced to the California Coordinate System Zone IV; thence on grid bearing and distance north 66° 15' 53" west 4,499.74 feet to a point having grid coordinates X=1,130,578.05' and Y = 447,246.46' and the true point of beginning; thence, from said true point of beginning on grid bearings and distances south 24° 38' 54" west 4,551.14 feet to a point having grid coordinates of X = 1,128,680.00' and Y = 443,110.00'; thence, south 63° 28' 17" east 7,007.84 feet to a point having grid coordinates X = 1,134,950.00' and Y = 439,980.00'; thence, easterly in a direct line 1,650 feet more or less to the point of intersection of the southerly boundary of Point Lobos Reserve State Park with the line of mean high tide of the Pacific Ocean, said boundary being course No. 16 of the lands conveyed to the State of California by Nathaniel A. Owings and Margaret W. Owings by deed recorded December 10, 1958 in Book 1919 Official Records of said County at page 361, said course being described in said deed as "South 48° 00' west, 26 feet more or less to the shoreline of the Pacific Ocean"; thence northerly, westerly and easterly along the mean high tide line of the Pacific Ocean to a point of intersection with the northeasterly boundary of Point

Lobos Reserve State Park, said boundary being the easterly line of Tract 3 of the lands conveyed to the State of California by Florence McCrae Allan, guardian of Alexander M. Allan, a minor, by deed recorded February 8, 1933 in Book 357, Official Records of said County at page 204, said easterly line being described in said deed as "a line drawn north 21° 37' 15" west through Station 519" of the U.S. Patent Survey of Rancho San Jose Y Sur Chiquito; thence, northwesterly in a direct line 1200 feet more or less to a point having grid coordinates X = 1,137,210.00', Y = 447,600.00'; thence, on grid bearing and distance, south 86° 56' 55" west 6,641.37 feet to the true point of beginning and containing 775 ± acres of tide and submerged land.

Special Regulations for Use:

(A) All fishing is prohibited.

(B) Swimming, boating, and other aquatic sports are permitted. Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.

(16) **San Diego-La Jolla Ecological Reserve (San Diego County):**

The following constitutes the San Diego-La Jolla Ecological Reserve:

All that portion of District 19 consisting of the Pacific Ocean and tide and submerged lands lying within the boundaries of the City of San Diego, County of San Diego, State of California, as follows: Beginning at the most northerly point of Goldfish Point as shown on La Jolla Park Map No. 352 filed in the Office of the County Recorder of said County; thence, in a northerly direction to a point being the intersection of longitude 117° 16' 15" west with the easterly prolongation of the southerly line of Pueblo Lot 1298 as shown on the map of Pueblo Lands of San Diego, made by James Pascoe, known as Miscellaneous Map No. 36 filed in the Office of the County Recorder of said County; thence, easterly along said prolongation of the southerly line of Pueblo Lot 1298 to the intersection with the mean high tide line; thence in a generally southerly direction along said mean high tide line to the point of beginning.

Special Regulations for Use:

(A) All fishing is prohibited.

(B) Swimming, boating, and other aquatic sports are permitted. Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.

(17) **Tomales Bay Ecological Reserve (Marin County):**

The following constitutes the Tomales Bay Ecological Reserve:

That marsh land and tidal flat at the southern extremity of Tomales Bay, Marin County, which is bounded approximately as follows:

On the northeast by the shoreline nearest State Highway 1, on the east by the first rise of hills above the marsh, on the southeast by the levees separating marsh land from wet meadow, on the southwest by the marsh edge near Sir Francis Drake Boulevard, and on the northwest by a line drawn from Willow Point in a northeasterly direction to the mouth of a small unnamed creek approximately one mile south of Millerton Creek on the opposite shore. These are described as parcels one, two, and three in that certain deed to the State of California, dated December 14, 1970 and recorded April 16, 1973 in Book 2676 at page 171, Document No. 14189, Official Records of the County of Marin. (Register 73, No. 41, 10-13-73)

Special Regulations for Use:

(A) Waterfowl may be taken in accordance with the general waterfowl regulations.

(B) Fishing shall be permitted from boats as well as from shore; only lightweight, hand-carried boats may be launched and operated.

(C) Swimming, wading, and diving shall be allowed within the reserve.

(D) The land area only of the reserve shall be closed to all entry from March 1 through June 30.

(18) Upper Newport Bay Ecological Reserve (Orange County):

The Upper Newport Bay Ecological Reserve consists of 741 acres located in Orange County and comprises:

All the lands presently owned by the Department of Fish and Game or to be acquired, located within the following general description: Beginning at the southern end of Shellmaker Island and proceeding easterly on Back Bay Drive; following Back Bay Drive northerly and easterly to its intersection with East Bluff Drive; easterly along East Bluff Drive to its intersection with Jamboree Road; northerly along Jamboree Road to its intersection with the 10-foot contour line on the north side of the Upper Bay. Generally following the 10-foot contour westerly and southerly to North Star Beach, then along the easterly shore of North Star Beach to its southern boundary; from the southern boundary of North Star Beach easterly to the point of beginning.

Excluded from the ecological reserve are those areas leased to the University of California, Irvine, and the Shellmaker Corporation, located at the southern end of Shellmaker Island.

Special Regulations for Use:

(A) Fishing shall be permitted from boats as well as from shore. Wading is permitted for clamming.

(B) Swimming is permitted only in that area bayward from North Star Beach to mid-channel.

(C) Boating is permitted, except boats are limited to five miles per hour.

(D) No person shall walk, or ride horseback except on established trails, paths, or other designated areas.

(19) **Redwood Shores Ecological Reserve (San Mateo County):**

The Redwood Shores Ecological Reserve includes all that state-owned marsh and levee habitat bordering Redwood Shores Peninsula, Redwood City, San Mateo County, extending from approximately the County airport on Steinberger Slough to the lands formerly occupied by the San Mateo Scavenger Company on Belmont Slough.

Special Regulations for Use:

(A) Fishing shall be permitted from boats as well as from shore; only lightweight, hand-carried boats may be launched and operated.

(B) Swimming, wading and diving shall be allowed within the ecological reserve.

(C) Bicycles are allowed along levee-top road systems.

Note: Authority cited: Sections 1580-1584, Fish and Game Code.
Reference: Sections 1580-1584, Fish and Game Code.

History: 1. Repealer of Chapter 11 (Sections 630-649) and new Chapter 11 (Section 630) filed 10-19-76; effective thirtieth day thereafter (Register 76, No. 43).

(21) **Abalone Cove Ecological Reserve (Los Angeles County):**

That portion of Lot H, Rancho Los Palos Verdes, in the City of Rancho Palos Verdes, County of Los Angeles, State of California, as shown on partition map filed in Case No. 2373 of the District Court of the 17th Judicial District of the State of California in and for the County of Los Angeles, within the following described boundaries:

Beginning at the intersection of the mean high tide line of the Pacific Ocean (as same existed on February 14, 1944*), as shown on County Surveyor's Map No. B-1858, on file in the office of the County Engineer of the County of Los Angeles, with the southerly prolongation of that certain course of North 11° 15' 30" West 298.68 feet in the westerly boundary of that certain parcel of land described as Parcel 1 in deed to Filiorum Corporation, recorded as Document No. 1258, on August 15, 1930, in Book 10227, page 170, of Official Records, in the office of the Recorder of said County; thence, North 11° 15' 30" West along said certain course 294.44 feet, more

* last date of recorded mean high tide line

or less, to the northerly terminus thereof; thence, North 76° 38' 14" East 533.60 feet; thence South 59° 37' 54" East 1626.04 feet, more or less, to a line which bears North 51° 55' 51" West from the westerly terminus of that certain course of South 79° 20' 45" West 259.39 feet in the southerly boundary of said certain parcel of land described as Parcel 1; thence South 51° 55' 51" East 192.26 feet, more or less, to said westerly terminus; thence South 50° 36' 40" East 293.33 feet, thence South 37° 13' 06" East 405.84 feet; thence South 16° 00' 00" East 240.00 feet; thence South 8° 52' 00" East 244.84 feet; thence North 43° 54' 46" East 335.81 feet; thence North 57° 55' 12" East 456.68 feet, more or less, to the westerly terminus of that certain course of North 72° 59' 50" West 744.38 feet in the northerly boundary of Parcel 125 as shown on Los Angeles County Assessor's Map No. 51, filed in Book 1, page 1, of Assessor's Maps, in the office of said Recorder; thence South 72° 59' 50" East along said last mentioned certain course 744.38 feet to the easterly terminus thereof; thence South 32° 10' 29" East 482.97 feet, more or less, to that certain course of South 5° 21' 50" West in the westerly boundary of that certain parcel of land described in deed to Palos Verdes Corporation, recorded as Document No. 1292, on July 18, 1941, in Book 18518, page 280, of said Official Records, thence along said westerly boundary South 3° 54' 50" West 130.05 feet, more or less, and South 5° 21' 50" West 523.32 feet to the mean high tide line of the Pacific Ocean (as same existed on February 11, 1944*), as shown on said County Surveyor's Map; thence following the mean high tide line as shown on said County Surveyor's Map to the point of beginning.

Boundary Description of Tide and Submerged Lands at Abalone Cove Wildlife Refuge.

ABALONE COVE BEACH TIDE AND SUBMERGED LANDS

Portion of the tideland and submerged lands offshore from Lot H, Rancho Los Palos Verdes, in the City of Rancho Palos Verdes, County of Los Angeles, State of California, as shown on partition map filed in Case No. 2373 of the District Court of the 17th Judicial District of the State of California in and for the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the mean high tide line of the Pacific Ocean (as same existed on February 11, 1944*), as shown on County Surveyor's Map No. B-1858, on file in the office of the County Engineer of the County of Los Angeles, with that certain course of South 5° 21' 50" West in the westerly boundary of that certain parcel of land described in deed to Palos Verdes Corporation, recorded as Document No. 1292, on July 18, 1941, in Book 18518, page 280, of Official Records, in the office of the Recorder of said County; thence South 5° 21' 50" West along the southerly prolongation of said certain course 300.00 feet; thence

* last date of recorded mean high tide line

North 79° 38' 44" West 2070.80 feet; thence North 45° 56' 28" West 2782.44 feet, more or less, to the southerly prolongation of that certain course of North 11° 15' 30" West 298.68 feet in the westerly boundary of that certain parcel of land described as Parcel 1 in deed to Filiorum Corporation, recorded as Document No. 1258, on August 15, 1930, in Book 10226, page 170, of said Official Records; thence North 11° 15' 30" West along said last mentioned southerly prolongation 300.00 feet, more or less, to the mean high tide line (as same existed on February 14, 1944*), as shown on said County Surveyor's Map; thence following the mean high tide line as shown on said County Surveyor's Map, to point of beginning.

Special Regulations for Use:

(A) Fishing is permitted for fin fish (those having vertebrae) only, from boats as well as from shore. Spear guns may be used for the taking of fin fish.

(B) Swimming, surfing, boating, skin and SCUBA diving are permitted.

(25) **Corte Madera Marsh Ecological Reserve (Marin County):**

The following constitutes the Corte Madera Marsh Ecological Reserve: That area of marsh and tidal flat lying south of the mouth of Corte Madera Creek, Marin County lying generally within the following boundaries:

Beginning at a point on the easterly right-of-way of the Northwestern Pacific Railroad approximately 400 feet south of Corte Madera Creek; thence easterly and paralleling the Creek approximately 400 feet south of the high tide line 1,000 feet; thence eastward along the walkway easement which lies approximately 200 feet south of the high tide line of the creek approximately 1000 feet; thence north approximately 200 feet to the high tide line of the creek; thence easterly along the high tide line of Corte Madera Creek 800 feet to station Post No. 699 on the boundary line of the Rancho Corte Madera Del Presidio; thence south along the high tide line approximately 2000 feet; thence westerly along the line of a drain channel approximately 2300 feet to the easterly right-of-way of the Northwestern Pacific Railroad; thence northerly 350 feet; thence easterly 500 feet; thence northerly 450 feet; thence westerly 500 feet to the railroad right-of-way; thence northerly along the Northwestern Pacific Railroad right-of-way, 1200 feet to the point of beginning.

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* last date of recorded mean high tide line

Special Regulations for Use:

(A) Boating is permitted, except only lightweight, hand-carried boats may be launched within the reserve.

(26) Carmel Bay Ecological Reserve (Monterey County):

The Carmel Bay Ecological Reserve includes all of the ungranted tide and submerged lands of Monterey County, State of California, within the following described boundaries:

Commencing at a point on the shoreline of the Pacific Ocean which is the intersection of the northeasterly boundary of Point Lobos Reserve State Park, said boundary being the easterly line of Tract No. 3 of the lands conveyed to the State of California by Florence McRee Allen, Guardian of Alexander M. Allen, a minor, by deed recorded February 8, 1933, in Book 357, Official Records of Monterey County, at page 204, said easterly line being described in said deed as "a line drawn North 21° 37' 15" West through Station 519" of the U.S. Patent Survey of Rancho San Jose Y Sur Chiquito; thence northwesterly in a direct line 1200 feet, more or less, along the boundary of Point Lobos Ecological Reserve to a point having grid coordinates X = 1,137,210.00, Y= 447,600.00; thence on grid bearings and distance, 344° true approximately 2.2 nautical miles to the mean high tide line of Pescadero Point; thence easterly, southerly and westerly along the mean high tide line of the Pacific Ocean approximately 5.5 statute miles more or less to the point of beginning and containing 1,553± acres of tide and submerged land. Also that area known as the Pinnacles located approximately 0.6 miles south of Sunset Point in water less than 15 fathoms (90 feet deep).

Special Regulations for Use:

(A) Sport fishing with hook-and-line, spear gun or hand-held implements shall be permitted from boats, as well as from shore. No invertebrates may be taken, possessed or destroyed.

(B) Swimming, boating, surfing, skin and SCUBA diving are permitted.

(C) Within Stillwater Cove kelp may be removed at any time to allow the passage and mooring of boats between Pescadero Rocks and Arrowhead Point.

(D) If, at any time, the director of the department finds that the harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or tend to impair or destroy the supply of any food for fish or wildlife, the director shall serve on every person licensed to harvest kelp a 48-hour advance, written notice that the kelp bed, or a part thereof, will be closed to the harvesting of kelp for a period not to

exceed one year. After service of such a notice, the person upon whom notice is served may appeal to the commission for a hearing to reopen the kelp bed or part thereof.

(E) Not more than five percent (5%) of the total weight of kelp harvested in any one day shall consist of Nereocystis (bull kelp).

(F) Any licensed person or company intending to harvest kelp within the ecological reserve shall give the department's regional manager of the Marine Resources Region, or his designee, at least 48 hours oral notice of the intention to harvest. At the option of the department, an observer selected by the department may accompany the harvester during such a harvesting.

(G) Not more than 50 percent of the kelp within Bed 219 shall be harvested in any four-month period.

(28) **San Miguel Island Ecological Reserve (Santa Barbara County):**

The San Miguel Island Ecological Reserve is found in the waters of Santa Barbara County, lying adjacent to San Miguel Island, the outermost of the Channel Islands. San Miguel Island is located offshore 23 nautical miles south by east of Point Conception Lighthouse (34° 26.9' N., 120° 28.2' W.) and 2.7 nautical miles northwesterly of Sandy Point, Santa Rosa Island. The reserve includes all of the ungranted tide and submerged lands lying offshore of San Miguel Island from the mean high tide line seaward one nautical mile, and containing 17,933± acres of tide and submerged land.

Special Regulations for Use:

(A) Fishing is not permitted from shore or areas closed to boating. Recreational fishing is permitted from boats i in other reserve waters. Commercial fishermen possessing abalone, lobster or sea urchin permits or using hook-and-line gear may fish in the reserve in areas open to boating. Commercial fishermen desiring to use other gear or seeking species not authorized by their permit must apply and obtain a permit in compliance with Section 630(a)(2) of this title.

(B) Swimming, skin and SCUBA diving are permitted in all areas where boating is authorized.

(C) Boating is permitted except between Judith Rock and Castle Rock where boats are prohibited closer than 300 yards from shore. Boats may be anchored overnight in the reserve only at Tyler Bight and Cuyler Harbor. Landing is allowed on San Miguel Island by permit only at the designated landing beach in Cuyler Harbor. No person, except as provided in subsection (a)(10) shall have access to all other offshore rocks and islands in the reserve.

(31) **Anacapa Island Ecological Reserve (Ventura County):**

The following constitutes the Anacapa Island Ecological Reserve:

The Anacapa Island Ecological Reserve is located in the waters of Ventura County adjacent to Anacapa Island. Anacapa Island is located offshore 10.6 nautical miles southwest of Port Hueneme on a bearing of 224° true and 3.8 nautical miles east of San Pedro Point on Santa Cruz Island on a bearing of 108° true. The reserve includes all of the ocean waters and submerged lands lying offshore and seaward of Anacapa Island for one (1) nautical mile.

Special Regulations for Use:

(A) Except as specifically prohibited under this section, boating, sport and commercial fishing, spearfishing, swimming and diving with underwater breathing apparatus are permitted within the ecological reserve which extends one mile from the nearest point of land of east, middle and west island(s) commonly referred to as Anacapa Island.

(B) A natural area is hereby established from the mean high tide mark seaward to a water depth of 10 fathoms (60 feet) on the north side of East Anacapa Island between a line extending 345° magnetic off the westernmost point and a line extending 75° magnetic off the easternmost point. It is unlawful to take or possess any native plant, fish, wildlife, aquatic organism or disturb any natural geological feature within the described natural area.

(C) No invertebrates may be taken from within the following areas:

1. The mean high tide mark to a water depth of 20 feet on the south side of West Anacapa Island between a line extending 145° magnetic off the National Park Service Monument at the southernmost point, adjacent to and excluding Cat Rock, and a line extending 220° magnetic off the National Park Service Monument at the easternmost point near Frenchy's Cove.

2. The mean high tide mark to a water depth of 20 feet on the north side of Middle Anacapa Island between a line extending 345° magnetic off the National Park Service Monument at Bat Ray Point to a line extending 345° off the westernmost point of East Anacapa Island at the western boundary of the natural area off Anacapa Island.

(D) No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands commonly referred to as Anacapa Island.

(E) A brown pelican fledging area is designated from the mean high tide mark seaward to a water depth of 20 fathoms (120 feet) on the north side of West Anacapa Island between a line extending 345° magnetic off the westernmost point and a line extending 345° off Portuguese Point, a distance of approximately 7,000 feet. No person, except as provided in subsection (a)(10), and employees of the National Park Service in the performance of their official duties shall enter this area during the period March 1 to May 31.

(F) No person shall fire or discharge any firearm or explosive devices, air or gas gun within the ecological reserve.

(G) Harvesting of kelp from within this reserve shall be prohibited except under a permit issued by the department.

(32) **Santa Barbara Island Ecological Reserve (Santa Barbara County):**

The following constitutes the Santa Barbara Ecological Reserve:

The Santa Barbara Island Ecological Reserve is located in the ocean waters of Santa Barbara County adjacent to Santa Barbara Island. Santa Barbara Island is located 37.2 nautical miles offshore, south of Pt. Mugu on a bearing 177° true.

The reserve includes all of the ocean waters and submerged lands lying offshore and seaward of Santa Barbara Island for one (1) nautical mile.

Special Regulations for Use:

(A) Boating, sport and commercial fishing, spearfishing, swimming and diving with underwater breathing apparatus are permitted within the ecological reserve which extends one mile from the nearest point of the principal island of Santa Barbara.

(B) No invertebrates may be taken from the mean high tide mark seaward to a water depth of 20 feet on the eastern side of the island between a line extending 345° magnetic off the northernmost point of Arch Rock and a line extending 165° magnetic off the southernmost point.

(C) No net or trap may be used in waters less than 20 feet in depth off the eastern side of the island between a line extending 345° magnetic off the northernmost point of Arch Rock and a line extending 165° magnetic off the southernmost point of Santa Barbara Island.

(D) No person shall fire or discharge any firearm or explosive devices, air or gas gun within this reserve.

Note: Authority cited: Sections 1580-1584, Fish and Game Code. Reference: Sections 1580-1584, Fish and Game Code.

History:

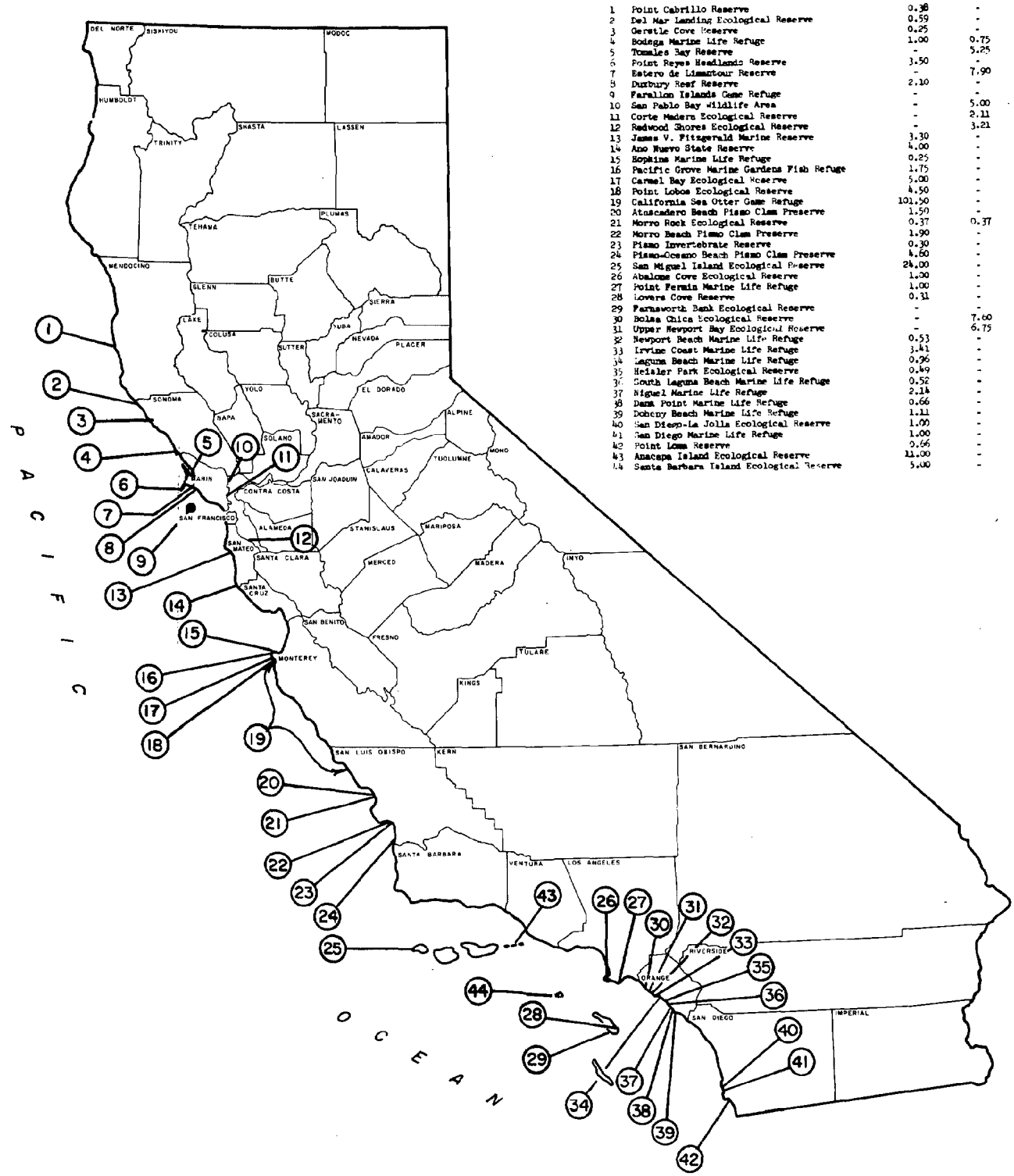
1. New subsection (b)(28) filed 10-21-77; effective thirtieth day thereafter (Register 77, No. 43). For prior history, see Register 77, No. 35.

2. New subsection (b)(29) filed 12-15-77; effective thirtieth day thereafter (Register 77, No. 51).

3. New subsection (b)(30) filed 3-17-78; effective thirtieth day thereafter (Register 78, No. 11).

4. New subsections (b)(31)(32) filed 6-23-78; effective thirtieth day thereafter (Register 78, No. 28).

MARINE LIFE REFUGES & RESERVES



	DESIGNATION	FRONTAGE IN MILES Ocean	Bay
1	Point Cabrillo Reserve	0.38	-
2	Del Mar Landing Ecological Reserve	0.59	-
3	Gerstle Cove Reserve	0.25	-
4	Bodega Marine Life Refuge	1.00	0.75
5	Tomales Bay Reserve	-	5.25
6	Point Reyes Headlands Reserve	3.50	-
7	Estero de Limantour Reserve	-	7.90
8	Duxbury Reef Reserve	2.10	-
9	Farallon Islands Game Refuge	-	-
10	San Pablo Bay Wildlife Area	-	5.00
11	Corte Madera Ecological Reserve	-	2.11
12	Redwood Shores Ecological Reserve	-	3.21
13	James V. Fitzgerald Marine Reserve	3.30	-
14	Año Nuevo State Reserve	4.00	-
15	Hopkins Marine Life Refuge	0.25	-
16	Pacific Grove Marine Gardens Fish Refuge	1.75	-
17	Carmel Bay Ecological Reserve	5.00	-
18	Point Lobos Ecological Reserve	4.50	-
19	California Sea Otter Game Refuge	101.50	-
20	Atascadero Beach Pismo Clam Preserve	1.50	-
21	Morro Rock Ecological Reserve	0.37	0.37
22	Morro Beach Pismo Clam Preserve	1.90	-
23	Pismo Invertebrate Reserve	0.30	-
24	Pismo-Oceano Beach Pismo Clam Preserve	4.60	-
25	San Miguel Island Ecological Reserve	24.00	-
26	Abalone Cove Ecological Reserve	1.00	-
27	Point Fermin Marine Life Refuge	1.00	-
28	Lovers Cove Reserve	0.31	-
29	Farnsworth Bank Ecological Reserve	-	-
30	Bolsa Chica Ecological Reserve	-	7.60
31	Upper Newport Bay Ecological Reserve	-	6.75
32	Newport Beach Marine Life Refuge	0.53	-
33	Irvine Coast Marine Life Refuge	3.41	-
34	Laguna Beach Marine Life Refuge	0.96	-
35	Heisler Park Ecological Reserve	0.49	-
36	South Laguna Beach Marine Life Refuge	0.52	-
37	Niguel Marine Life Refuge	2.14	-
38	Dana Point Marine Life Refuge	0.66	-
39	Doheny Beach Marine Life Refuge	1.11	-
40	San Diego-La Jolla Ecological Reserve	1.00	-
41	San Diego Marine Life Refuge	1.00	-
42	Point Loma Reserve	0.66	-
43	Anacapa Island Ecological Reserve	11.00	-
44	Santa Barbara Island Ecological Reserve	5.00	-

APPENDIX

LIST OF PLATES

Marine Life Refuges and Reserves . . . . . .

Plate 1 : . . . . Mendocino County

Plate 2 : . . . . Sonoma County

Plate 3 : . . . . Marin County

Plate 4 : . . . . San Francisco County

Plate 5 : . . . . San Mateo County

Plate 6 : . . . . Monterey County

Plate 7 : . . . . San Luis Obispo County

Plate 8 : . . . . Santa Barbara County

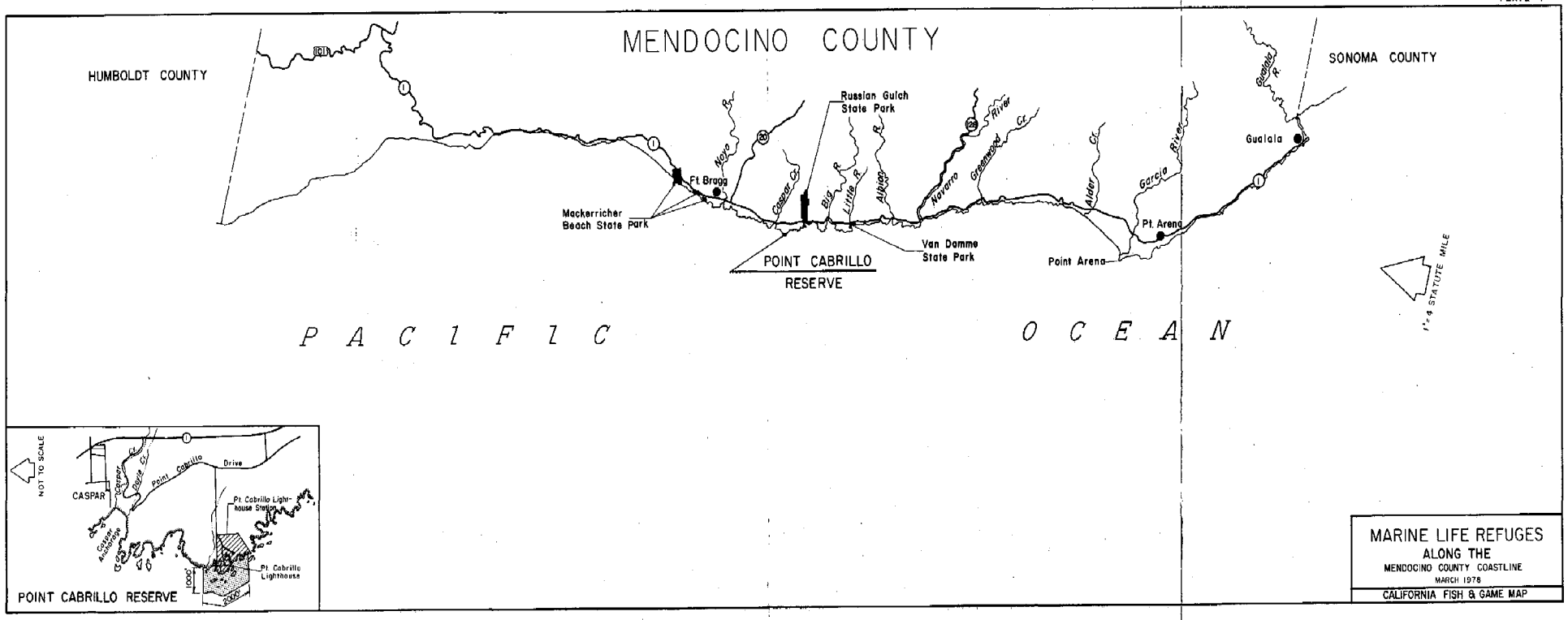
Plate 9 : . . . . Ventura County

Plate 10 : . . . . Los Angeles County

Plate 11 : . . . . Orange County

Plate 12 : . . . . San Diego County

PLATE I



MARINE LIFE REFUGES
ALONG THE
MENDOCINO COUNTY COASTLINE
MARCH 1978
CALIFORNIA FISH & GAME MAP

PLATE 2

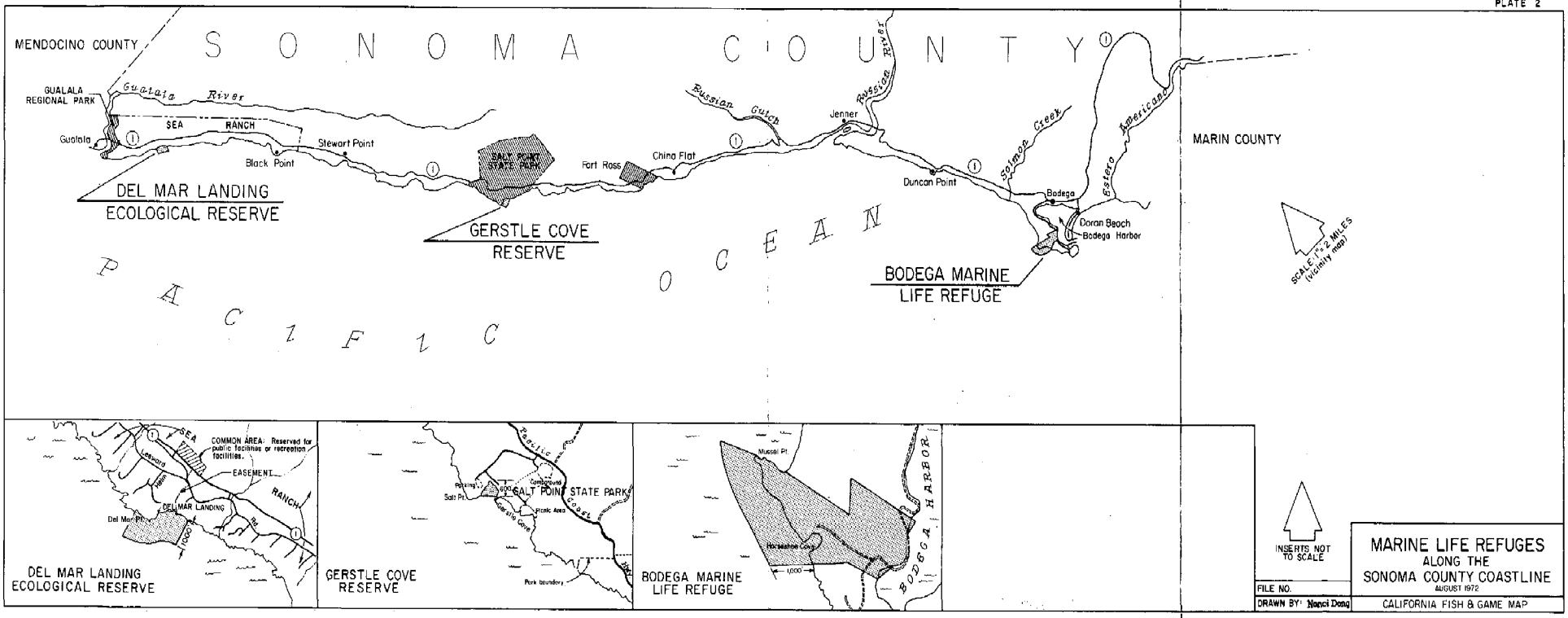
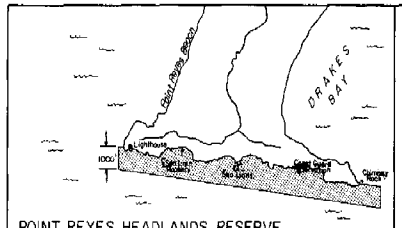
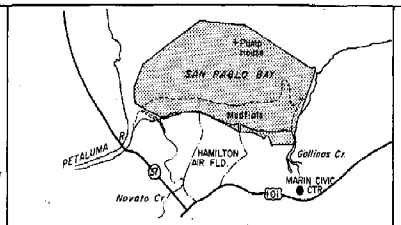

MENDOCINO COUNTY
SONOMA COUNTY
MARIN COUNTY
GUALALA REGIONAL PARK
Gualala River
SEA RANCH
Gualala
Black Point
Stewart Point
SALT POINT STATE PARK
Fort Ross
China Flat
Russian Gulch
Russian River
Jenner
Duncan Point
Salmon Creek
Estero Americano
Bodega
Doran Beach
Bodega Harbor
DEL MAR LANDING ECOLOGICAL RESERVE
GERSTLE COVE RESERVE
BODEGA MARINE LIFE REFUGE
PACIFIC OCEAN
SCALE: 1" = 2 MILES (vicinity map)
COMMON AREA: Reserved for public facilities or recreation facilities.
EASEMENT
DEL MAR LANDING
Del Mar Pt.
Leeward
Helm
Rd.
RANCH
1000
DEL MAR LANDING ECOLOGICAL RESERVE
Pacific Coast
Parking
Salt Pt.
600
Campground
SALT POINT STATE PARK
Picnic Area
Gerstle Cove
Park boundary
GERSTLE COVE RESERVE
Mussel Pt.
Horseshoe Cove
1,000
BODEGA HARBOR
BODEGA MARINE LIFE REFUGE
INSERTS NOT TO SCALE
FILE NO.
DRAWN BY: Nanci Dong
MARINE LIFE REFUGES ALONG THE SONOMA COUNTY COASTLINE
AUGUST 1972
CALIFORNIA FISH & GAME MAP

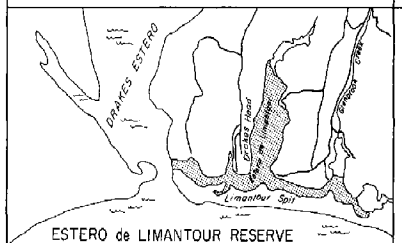
PLATE 3



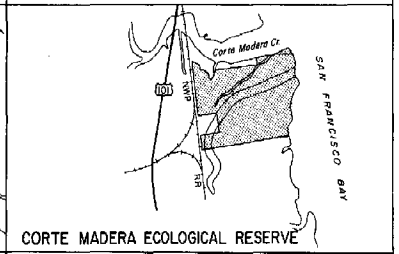
POINT REYES HEADLANDS RESERVE



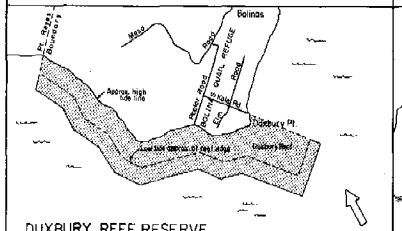
SAN PABLO BAY WILDLIFE AREA



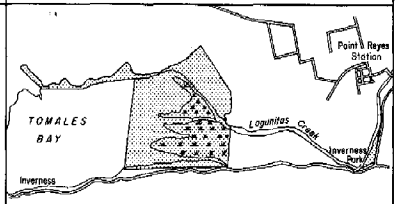
ESTERO de LIMANTOUR RESERVE



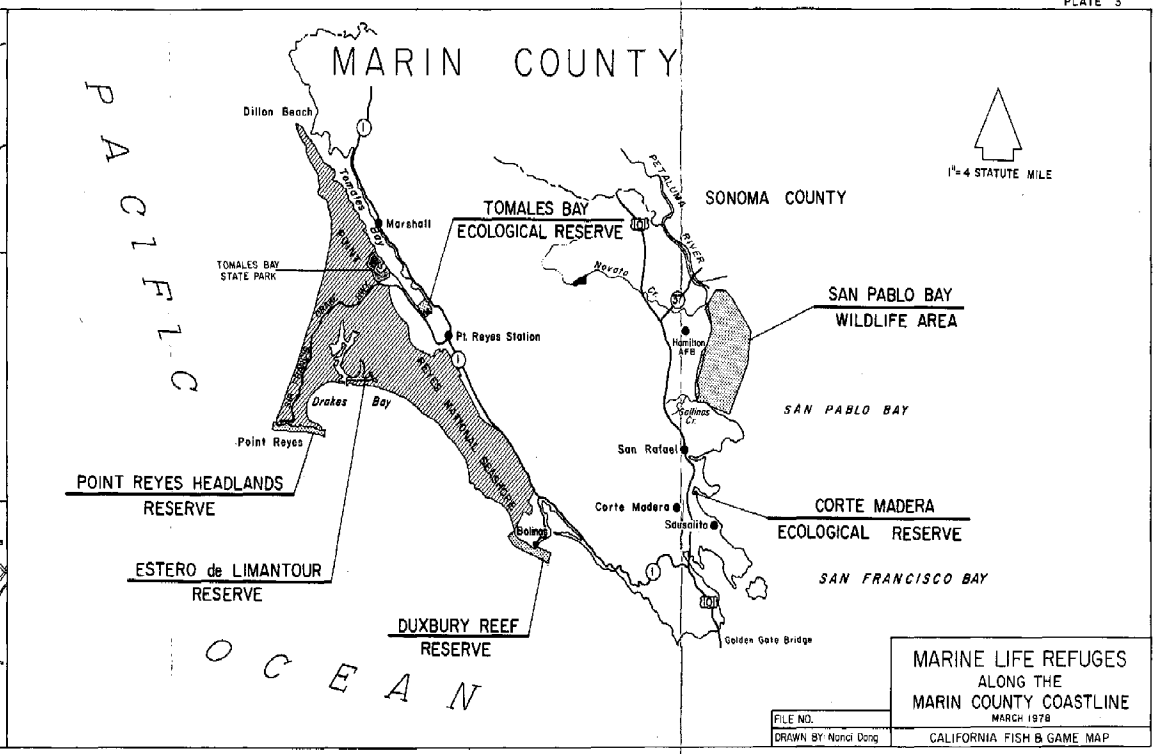
CORTE MADERA ECOLOGICAL RESERVE



DUXBURY REEF RESERVE



TOMALES BAY ECOLOGICAL RESERVE



MARINE LIFE REFUGES
ALONG THE
MARIN COUNTY COASTLINE
MARCH 1978

FILE NO.
DRAWN BY Nanci Dong

CALIFORNIA FISH & GAME MAP

PLATE 4

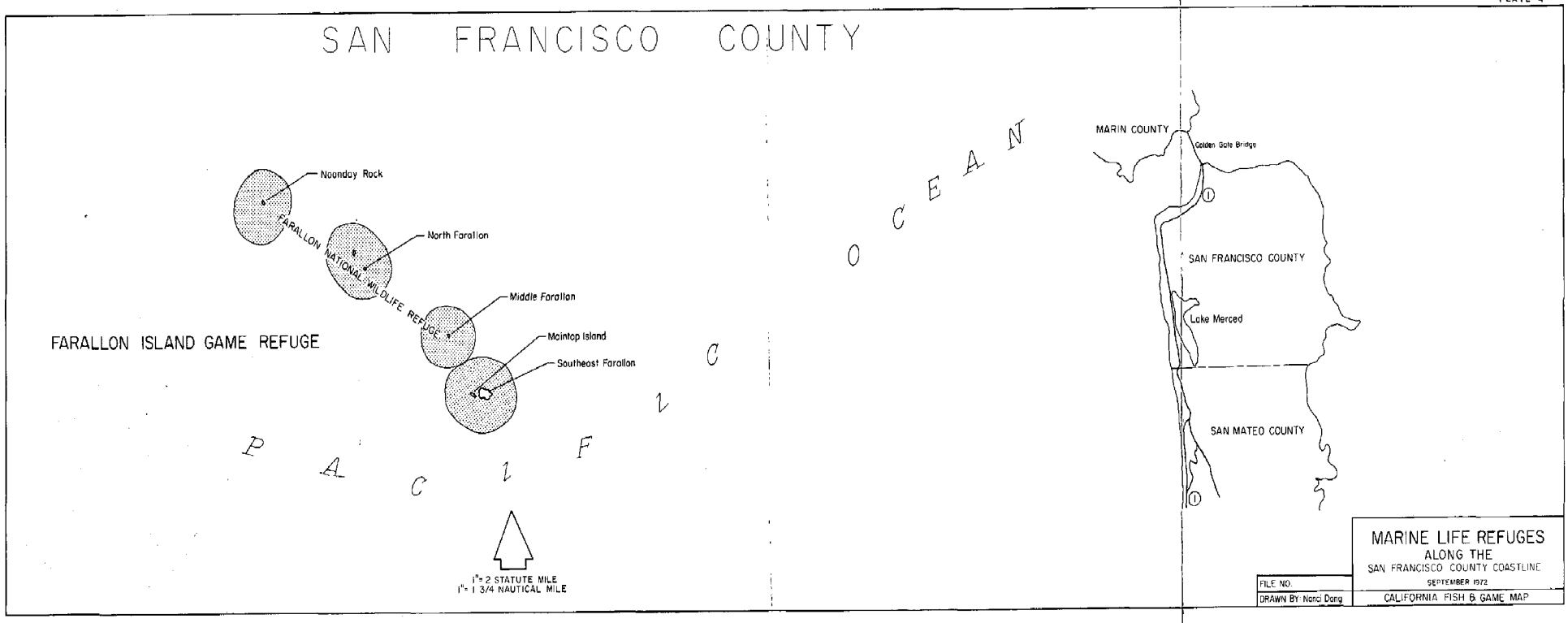
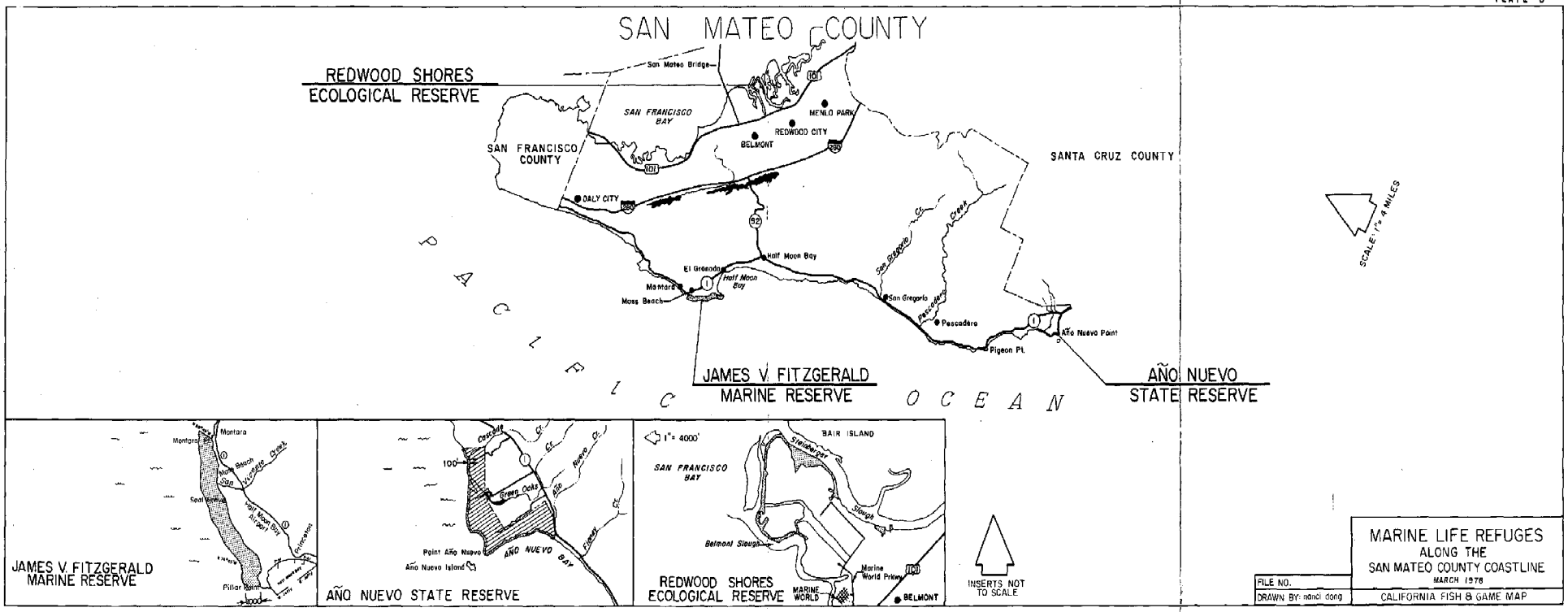

SAN FRANCISCO COUNTY
Noonday Rock
North Farallon
Middle Farallon
Maintop Island
Southeast Farallon
FARALLON NATIONAL WILDLIFE REFUGE
FARALLON ISLAND GAME REFUGE
PACIFIC OCEAN
1" = 2 STATUTE MILE
1" = 1 3/4 NAUTICAL MILE
MARIN COUNTY
Golden Gate Bridge
SAN FRANCISCO COUNTY
Lake Merced
SAN MATEO COUNTY
MARINE LIFE REFUGES
ALONG THE
SAN FRANCISCO COUNTY COASTLINE
SEPTEMBER 1972
FILE NO.
DRAWN BY: Nancy Dang
CALIFORNIA FISH & GAME MAP

PLATE 5



MARINE LIFE REFUGES ALONG THE SAN MATEO COUNTY COASTLINE
MARCH 1976

FILE NO.
DRAWN BY: nancl dong

CALIFORNIA FISH & GAME MAP

PLATE 6

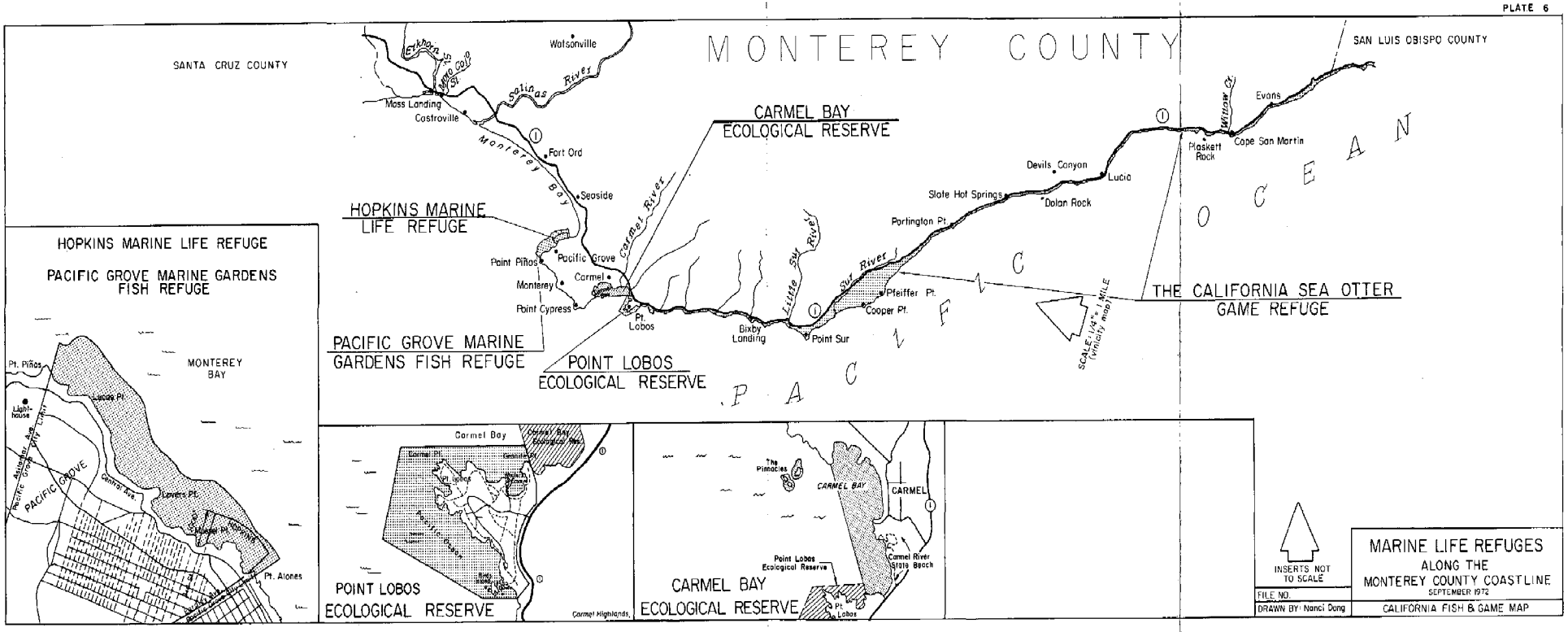
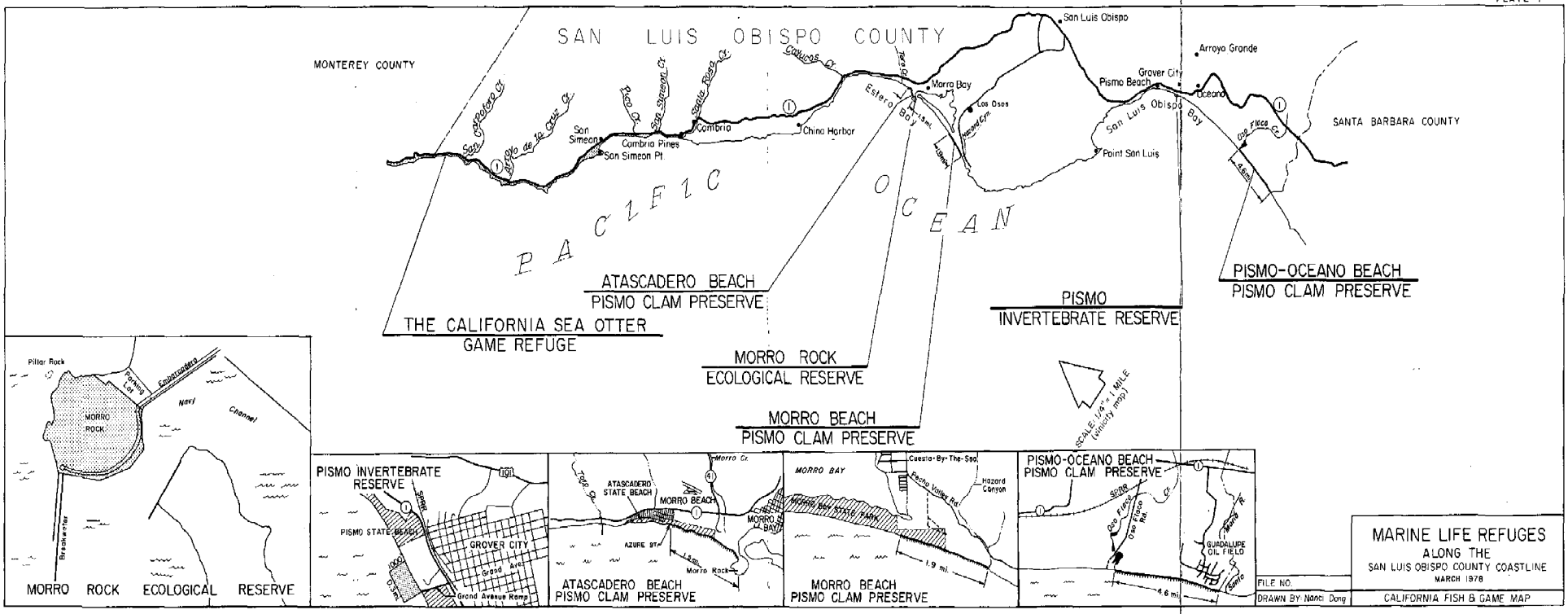

MONTEREY COUNTY
SANTA CRUZ COUNTY
SAN LUIS OBISPO COUNTY
PACIFIC OCEAN
Elkhorn Slough
Moss Landing
Castroville
Salinas River
Watsonville
Monterey Bay
Fort Ord
Seaside
Carmel River
Point Piños
Pacific Grove
Monterey
Carmel
Point Cypress
Pt. Lobos
Bixby Landing
Little Sur River
Sur River
Point Sur
Pfeiffer Pt.
Cooper Pt.
Portington Pt.
Slate Hot Springs
Dolan Rock
Devils Canyon
Lucia
Plaskett Rock
Willow Cr.
Cape San Martin
Evans
CARMEL BAY ECOLOGICAL RESERVE
HOPKINS MARINE LIFE REFUGE
PACIFIC GROVE MARINE GARDENS FISH REFUGE
POINT LOBOS ECOLOGICAL RESERVE
THE CALIFORNIA SEA OTTER GAME REFUGE
SCALE: 1/4" = 1 MILE (Vinicity map)
HOPKINS MARINE LIFE REFUGE
PACIFIC GROVE MARINE GARDENS FISH REFUGE
MONTEREY BAY
Pt. Piños
Lighthouse
Lovers Pt.
PACIFIC GROVE
Pt. Alones
Carmel Bay
Carmel Bay Ecological Reserve
Carmel
Pt. Lobos
POINT LOBOS ECOLOGICAL RESERVE
Carmel Highlands
The Pinnacles
CARMEL BAY
CARMEL
Point Lobos Ecological Reserve
Carmel River State Beach
Pt. Lobos
CARMEL BAY ECOLOGICAL RESERVE
INSERTS NOT TO SCALE
FILE NO.
DRAWN BY: Nanci Dong
MARINE LIFE REFUGES ALONG THE MONTEREY COUNTY COASTLINE
SEPTEMBER 1972
CALIFORNIA FISH & GAME MAP

PLATE 7



MARINE LIFE REFUGES
ALONG THE
SAN LUIS OBISPO COUNTY COASTLINE
MARCH 1978

FILE NO.
DRAWN BY Nanci Dong
CALIFORNIA FISH & GAME MAP

PLATE 8

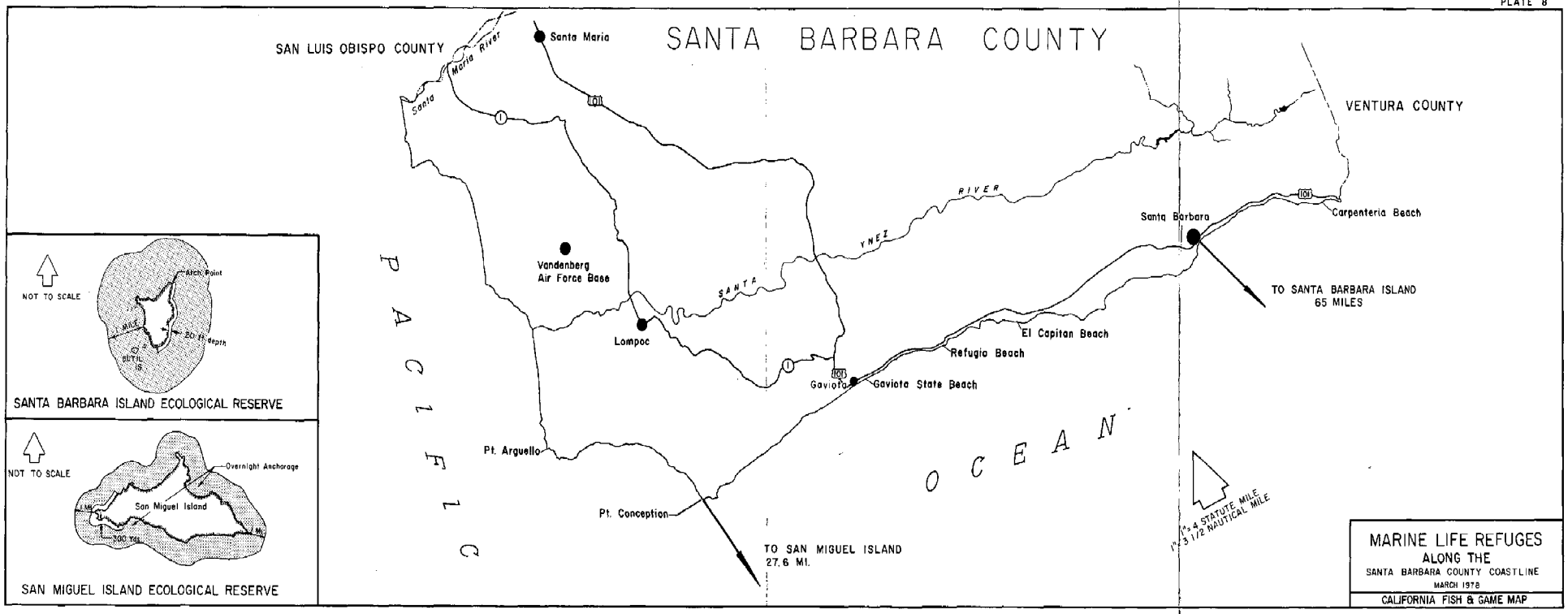
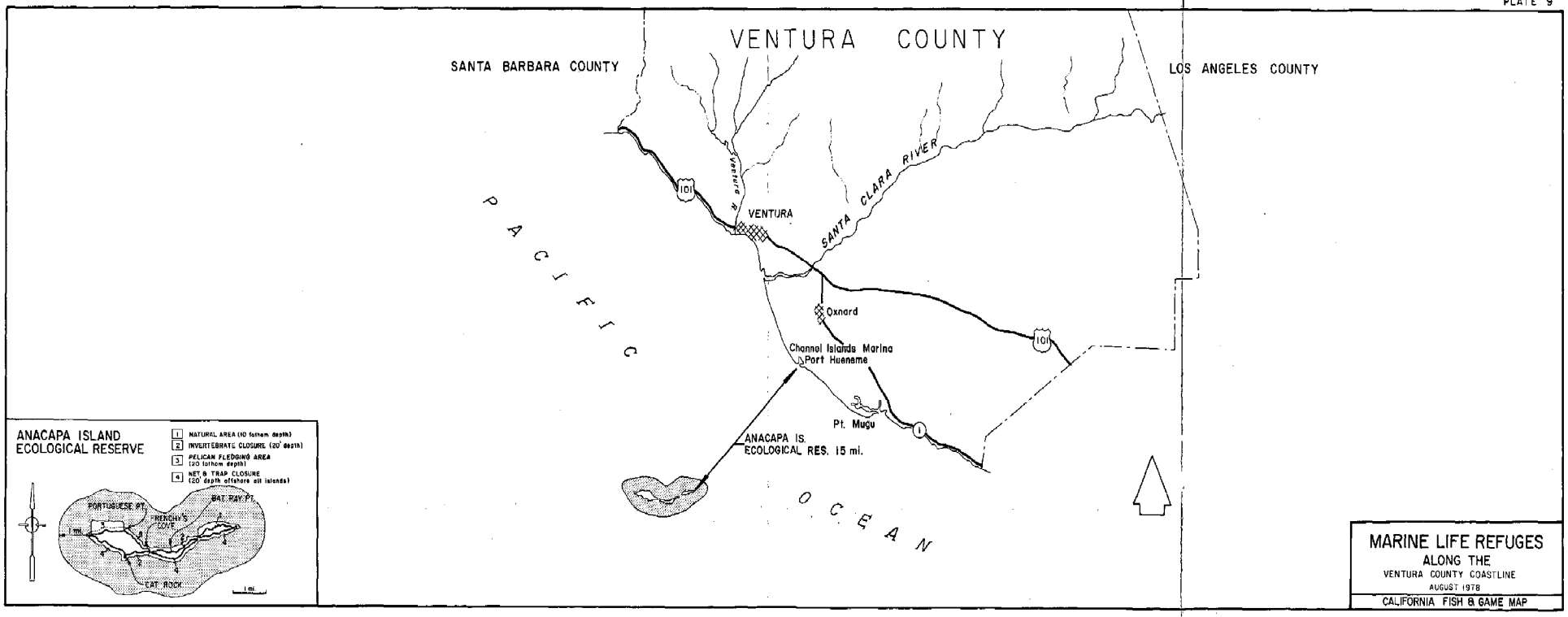
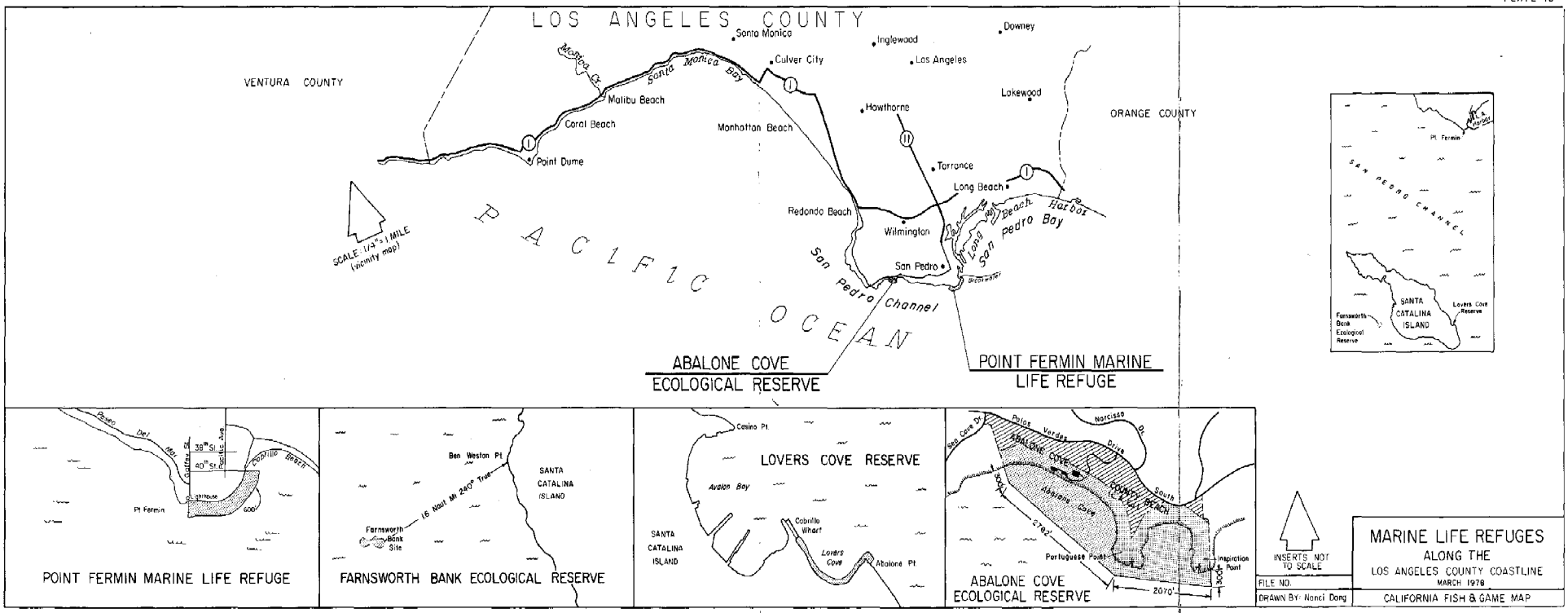

SANTA BARBARA COUNTY
SAN LUIS OBISPO COUNTY
VENTURA COUNTY
Santa Maria
Santa Maria River
Vandenberg Air Force Base
Lompoc
SANTA YNEZ RIVER
Santa Barbara
Carpenteria Beach
TO SANTA BARBARA ISLAND 65 MILES
El Capitan Beach
Refugio Beach
Gaviota
Gaviota State Beach
Pt. Arguello
Pt. Conception
TO SAN MIGUEL ISLAND 27.6 MI.
PACIFIC OCEAN
1" = 4 STATUTE MILE
1" = 3 1/2 NAUTICAL MILE
NOT TO SCALE
Arch Point
1 MILE
20 ft. depth
SANTA BARBARA ISLAND ECOLOGICAL RESERVE
NOT TO SCALE
Overnight Anchorage
San Miguel Island
300 Yds.
SAN MIGUEL ISLAND ECOLOGICAL RESERVE
MARINE LIFE REFUGES
ALONG THE
SANTA BARBARA COUNTY COASTLINE
MARCH 1978
CALIFORNIA FISH & GAME MAP

PLATE 9



MARINE LIFE REFUGES
ALONG THE
VENTURA COUNTY COASTLINE
AUGUST 1978
CALIFORNIA FISH & GAME MAP

PLATE 10



POINT FERMIN MARINE LIFE REFUGE

FARNSWORTH BANK ECOLOGICAL RESERVE

ABALONE COVE ECOLOGICAL RESERVE

FILE NO.

DRAWN BY: Nanci Dong

MARINE LIFE REFUGES
ALONG THE
LOS ANGELES COUNTY COASTLINE
MARCH 1978

CALIFORNIA FISH & GAME MAP

PLATE II

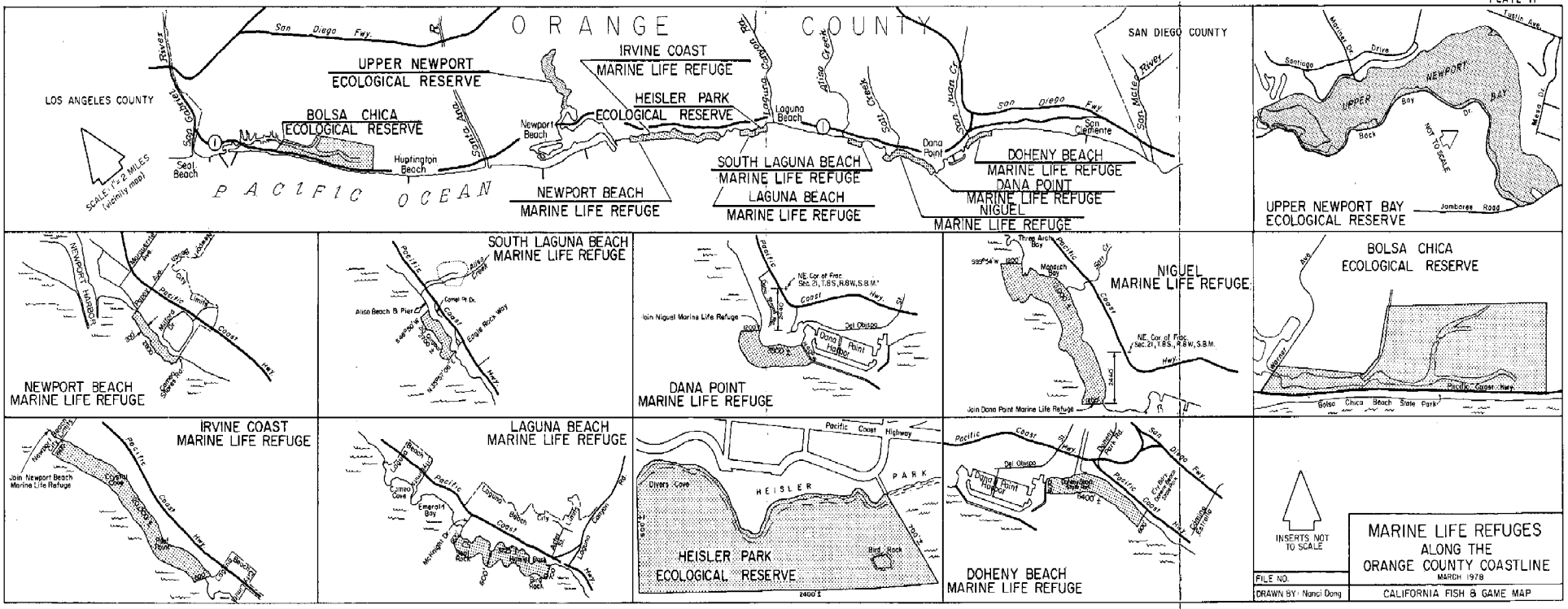
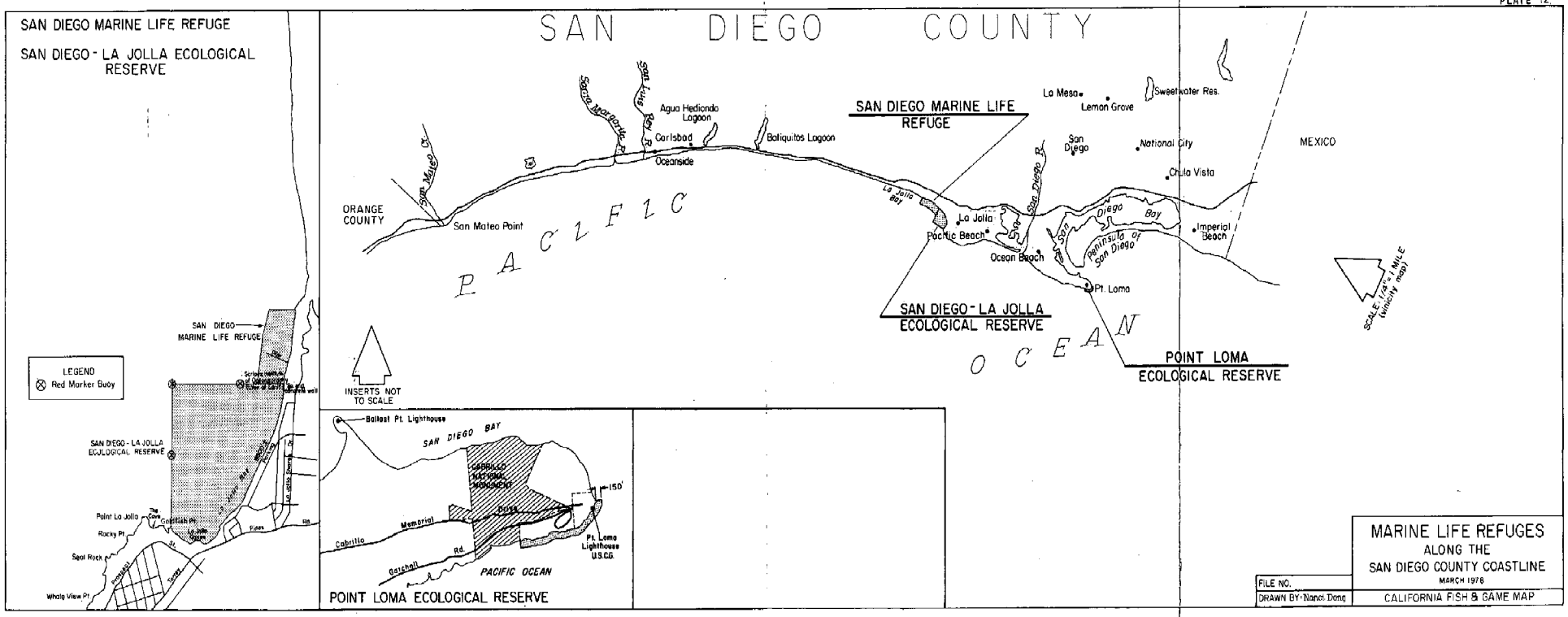

ORANGE COUNTY
LOS ANGELES COUNTY
SAN DIEGO COUNTY
PACIFIC OCEAN
San Diego Fwy.
UPPER NEWPORT ECOLOGICAL RESERVE
BOLSA CHICA ECOLOGICAL RESERVE
IRVINE COAST MARINE LIFE REFUGE
HEISLER PARK ECOLOGICAL RESERVE
NEWPORT BEACH MARINE LIFE REFUGE
SOUTH LAGUNA BEACH MARINE LIFE REFUGE
LAGUNA BEACH MARINE LIFE REFUGE
DOHENY BEACH MARINE LIFE REFUGE
DANA POINT MARINE LIFE REFUGE
NIGUEL MARINE LIFE REFUGE
Seal Beach
Huntington Beach
Newport Beach
Laguna Beach
Dana Point
San Clemente
SCALE: 1"=2 MILES (vicinity map)
UPPER NEWPORT BAY ECOLOGICAL RESERVE
NEWPORT BEACH MARINE LIFE REFUGE
SOUTH LAGUNA BEACH MARINE LIFE REFUGE
DANA POINT MARINE LIFE REFUGE
NIGUEL MARINE LIFE REFUGE
BOLSA CHICA ECOLOGICAL RESERVE
IRVINE COAST MARINE LIFE REFUGE
LAGUNA BEACH MARINE LIFE REFUGE
HEISLER PARK ECOLOGICAL RESERVE
DOHENY BEACH MARINE LIFE REFUGE
INSERTS NOT TO SCALE
MARINE LIFE REFUGES ALONG THE ORANGE COUNTY COASTLINE
MARCH 1978
FILE NO.
DRAWN BY: Nanci Dong
CALIFORNIA FISH & GAME MAP

PLATE 12



MARINE LIFE REFUGES
ALONG THE
SAN DIEGO COUNTY COASTLINE
MARCH 1978

FILE NO.
DRAWN BY: Nancy Dong

CALIFORNIA FISH & GAME MAP

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