



Tracking Number: (2023-02)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Keith Rootsaert

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Section 200 and 205, Fish and Game Code.

3. Overview (Required) - Summarize the proposed changes to regulations: Amend sportfishing regulations to add 27.40, d, Title 14, CCR to read:

27.40. CENTRAL GROUND FISH MANAGEMENT AREA. This Section applies to take and possession of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Central Groundfish Management Area means ocean waters between 37° 11' N. lat. (at Pigeon Point, San Mateo County) and 34°27' N. lat (at Point Conception, Santa Barbara County).

(b) Seasons and depth constraints (except as provided in subsection (c) below):

(1) January 1 through March 31: Closed.

(2) April 1 through December 31: Take of all species is prohibited seaward of a line approximating 34 For up-to-date groundfish and Pacific halibut regulation information, call the CDFW Groundfish Hotline at (831) 649-2801 For up-to-date ocean salmon regulation information, call the CDFW Ocean Salmon Hotline at (707) 576-3429 the 50-fathom depth contour along the mainland coast and along islands and offshore seamounts. The 50-fathom



depth contour is defined by straight lines connecting the set of 50-fathom waypoints as adopted in Federal regulations (50 CFR Part 660, Subpart C).

(c) Leopard shark may be taken or possessed in Elkhorn Slough year-round.

(d) Take of all species is prohibited shoreward of a line approximating 100 feet.

4. Rationale (Required) - Describe the problem and the reason for the proposed change:

California's Central Coast kelp forests are in rapid decline due to multiple stressors and in need of restoration if they are to continue to support the hundreds of species that live therein. The Marine Protected Area experiment proved that when fish are not taken from an area the kelp does better and species richness increases. Let's do that! Our best chance of increasing kelp survivorship is to not fish in this ecosystem and remove functioning parts indiscriminately. The diving community is actively trying to improve kelp survivorship by removing urchins that are eating kelp and it is not fair and equitable for our community to be improving kelp survivorship while licensed individuals actively work to be detrimental.

Prohibiting fishing in the nearshore fish nursery also improves the sustainability of fishing and provides better fishing opportunities. Fishing should be available to all regardless of socio-economic status and an exception should be allowed to fish from shore on sandy habitat 300 feet away from rocky reefs. Fishermen may also assist with kelp restoration by acting as citizen science volunteers working under Scientific Collecting Permits to sample fish as determined by the Department.

SECTION II: Optional Information

5. Date of Petition: [Click here to enter text.](#)

6. Category of Proposed Change

☒ Sport Fishing

☐ Commercial Fishing

☐ Hunting

☐ Other, please specify: [Click here to enter text.](#)

7. The proposal is to: *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*

☐ Amend Title 14 Section(s): [Click here to enter text.](#)

☒ Add New Title 14 Section(s): 27.40, C

☐ Repeal Title 14 Section(s): [Click here to enter text.](#)

8. If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition [Click here to enter text.](#)

Or X Not applicable.

9. Effective date: If applicable, identify the desired effective date of the regulation.

If the proposed change requires immediate implementation, explain the nature of the emergency: April 2023



10. Supporting documentation: Identify and attach to the petition any information supporting the proposal including data, reports and other documents: see [Decadal Management Review](#)

11. Economic or Fiscal Impacts: Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing:

Initially reduced CDFW license revenues in the Central Coast Region and fishing-based businesses until fish nurseries are reestablished and then increased CDFW license and fishing-based revenues. Improved effectiveness of kelp restoration activities and improved safety of participants from fishing gear entanglement and boat traffic. Improved commercial harvest of all species due to improved rockfish recruitment nearshore.

12. Forms: If applicable, list any forms to be created, amended or repealed:

N/A

SECTION 3: FGC Staff Only

Date received: 1/24/23

FGC staff action:

- ☒ Accept - complete
☐ Reject - incomplete
☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: 1/24/2023

Meeting date for FGC consideration: 2/8-9/2023

FGC action:

- ☐ Denied by FGC
☐ Denied - same as petition
☐ Granted for consideration of regulation change

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