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Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

March 22, 2024

TO ALL INTERESTED AND AFFECTED PARTIES:

NOTICE OF MODIFICATIONS TO PROPOSED REGULATIONS.

Pursuant to the requirements of California Government Code Section 11346.8, subdivision (c), and Section 44 of Title 1 of the California Code of Regulations (CCR), the California Fish and Game Commission (Commission) is providing you with a notice of sufficiently related changes to the proposed recreational fishing regulations for federal groundfish, published in the California Regulatory Notice Register on February 9, 2024, Notice Number Z2023-0130-06, and scheduled for adoption by the California Fish and Game Commission (Commission) on March 26, 2024.

At its March 5-11, 2024 meeting, the Pacific Fishery Management Council took final action to adopt recommendations for inseason changes to recreational groundfish regulations for 2024 related to season structure, bag limits, and depth management lines. Based on these recommendations, federal groundfish fishery regulations are expected to be published by early April 2024, requiring changes to several state regulations to maintain consistency with and to complement the new federal regulations in state waters.

The revised proposed regulations relate to season structures for each groundfish management area [subsections 27.25(b), 27.30(b), 27.35(b), 27.40(b), 27.40(c), and 27.45(b), Title 14, CCR]; vermilion rockfish limits [subsection 28.55(b)(2), Title 14, CCR]; and changes for clarity and consistency [subsections 27.50(a)(2), 28.28(b), 28.29(b), and 28.55(b)(3), Title 14, CCR].

Because the revised regulations are different from, yet sufficiently related to, the originally proposed regulations, the Administrative Procedure Act (APA) requires that we make these changes available to you for a written comment period.

The proposed changes are clearly indicated on the attached revised proposed regulatory language as follows: Language originally proposed to be added is shown in underline. Language originally proposed to be deleted is shown in ~~strikeout~~. Language originally proposed to be added but now proposed to be removed is shown in ~~underline/double-strikeout~~. Language newly proposed to be added is shown in double-underline.

Pursuant to APA requirements, we are providing you with the full text of all sections of the originally proposed regulatory language; however, there are no revisions to the originally proposed regulatory language in sections 27.20, 28.27, 28.47, 28.48, 28.49, 28.54, and 28.56, Title 14, CCR.

NOTICE OF DOCUMENTS SUPPORTING REGULATORY CHANGE

The descriptions of four of the documents listed in section III(e) of the Initial Statement of Reasons are revised as shown below.

Pacific Coast Groundfish Fishery Management Plan for the California, Oregon, and Washington Groundfish Fishery. **December 2023**. Pacific Fishery Management Council.

~~Pacific Fishery Management Council's Groundfish Management Team~~ **Informational Report on Harvest Specifications Technical Corrections and Inseason Adjustments – Final Action. September 2023. Pacific Fishery Management Council.**

Status of quillback rockfish (*Sebastes malinger*) in U.S. waters off the coast of California in 2021 **using catch and length data, December 2021. Langseth, Wetzel, Cope, and Budrick.**

NOAA Fisheries announces overfished determination for quillback rockfish off California, **December 14, 2023. NOAA Fisheries.**

Pursuant to the requirements of Government Code Section 11347.1, the Commission is providing you with notice that the following documents are proposed to be added to the rulemaking file. These documents are available for public inspection at the Commission office and on the Commission's website as noted below under Availability of Documents.

California Department of Fish and Wildlife Report on Recreational Inseason Actions for 2024, Pacific Fishery Management Council, March 2024

Groundfish Advisory Subpanel Report on Inseason Adjustments – Final Action, Pacific Fishery Management Council, March 2024

F.8 Inseason Adjustments – Final Action (Motion in Writing), Pacific Fishery Management Council, March 2024

NOTICE OF LOCATION OF HEARING

At the time the original notice was posted, in-person locations for participating in the March 26, 2024 Commission meeting had not yet been determined. Pursuant to Government Code Section 11346.5, subdivision (a)(1), the Commission is providing you with notice that any person interested may present statements, orally or in writing, relevant to this action from the locations listed below. Instruction for participating in the meeting via webinar/teleconference are posted on the Commission's website (www.fgc.ca.gov/Meetings/2024)

Trinidad Rancheria
Tribal Council Chambers
1 Cher-Ae Lane Trinidad, CA 95570

Natural Resources Headquarters Building
Conference Room 2-310
715 P Street, 2nd Floor
Sacramento, California 95814

Scripps Institution of Oceanography
Fish Bowl Conference Room 120
Eckart Building
8755 Biological Grade
La Jolla, CA 92037

Availability of Documents

Documents relating to the proposed changes are available for inspection at the Commission's office at 715 P Street, 16th Floor, Sacramento, California 95814, Monday through Friday, except holidays between the hours of 8:00 a.m. and 5:00 p.m., and on the Commission's website at <https://fgc.ca.gov/Regulations/2024-New-and-Proposed>. Any member of the public wishing to visit the Commission office is requested to send an email to fgc@fgc.ca.gov describing the reason for your visit and your desired date and time.

Public Comments

Written comments on the revisions to the proposed regulatory language and on the documents added to the rulemaking file, that mailed or emailed to the Commission office, must be received between March 22, 2024 and March 25, 2024 at 5:00 p.m. and may be sent via email to fgc@fgc.ca.gov or mailed to Melissa Miller-Henson, Executive Director, California Fish and Game Commission, P.O. Box 944209, Sacramento, California 94244-2090. In addition, the Commission will accept oral and written comments on the revised proposed regulations and on the documents added to the rulemaking file at its March 26, 2024 meeting.

The Commission is exercising its powers under Section 265 of the California Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods prescribed in sections 11343.4, 11346.4, 11346.8 and 11347.1 of the California Government Code.

Please refer to the original notice for more information.

Sincerely,



Sherrie Fonbuena
Analyst

Attachments