

State of California
Fish and Game Commission
Initial Statement of Reasons for Regulatory Action

Amend Sections 27.20, 27.40, 27.45, 27.50, 27.65, 28.27, 28.28, 28.29, 28.54, and 28.65
Title 14, California Code of Regulations

Re: Recreational Fishing Regulations for Federal Groundfish for 2025 and 2026, and Fillet
Requirements at Sea

I. Date of Initial Statement of Reasons: June 28, 2024

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: June 19-20, 2024

Location: Mammoth Lakes, CA

(b) Discussion Hearing

Date: August 14-15, 2024

Location: Fortuna, CA

(c) Adoption Hearing

Date: October 9-10, 2024

Location: Sacramento, CA

III. Description of Regulatory Action

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

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

The Pacific Fishery Management Council (PFMC) reviews the status of west coast groundfish populations. As part of that process, it recommends groundfish fisheries harvest limits and regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Pacific Coast Groundfish Fishery Management Plan (PCGFMP). These recommendations coordinate west coast management of recreational and commercial groundfish fisheries in the Exclusive Economic Zone (EEZ) (three to 200 miles offshore) off Washington, Oregon, and California. These recommendations are subsequently reviewed for implementation as federal fishing regulations by the National Oceanic and Atmospheric Administration (NOAA) Fisheries.

Under California law (California Fish and Game Code sections 200, 205, 7071 and 8587.1), the California Fish and Game Commission (Commission) adopts regulations in Title 14, CCR, for the recreational and nearshore commercial groundfish fisheries in state waters zero to three miles from shore. Management authority for most nearshore stocks is shared jointly between state and federal governments in conjunction with the PCGFMP and the Nearshore Fishery Management Plan (NFMP).

It is important to have consistent state and federal regulations establishing harvest limits, season dates, depth restrictions and other management measures, and to have state and

federal regulations be effective concurrently. Consistent rules in adjacent waters allow for uniformity of enforcement, minimize confusion which promotes compliance, and allow for a comprehensive approach to resource management. Consistency with federal regulations is also necessary to maintain state authority over its recreational groundfish fishery and avoid federal preemption under the Magnuson-Stevens Fishery Conservation Act (MSA) [United States Code (USC), Title 16, subsection 1856 (b)(1)].

Present Regulations

Existing law authorizes the recreational take of groundfish subject to regulations set forth by federal and state authorities. Current regulations establish season lengths, depth restrictions, methods of take (gear restrictions), as well as size, bag, and possession limits within the five groundfish management areas (GMAs) for all federal groundfish. In addition, current regulations specify groundfish exclusion areas (GEAs) which are special closure areas within the Southern GMA, where take or possession of all federal groundfish is prohibited year-round. Significant changes to recreational seasons and depth restrictions were implemented through an inseason rulemaking, effective April 19, 2024, for the 2024 fishing season in response to high catches of quillback rockfish in 2023.

Current regulations specify season dates and depth restrictions for the five GMAs in ocean waters off California. These regulations serve as management tools that are adjusted biennially and inseason through PFMC action to ensure that mortality of both overfished¹ and non-overfished stocks remain within allowable limits. The current seasons and depth restrictions were designed to maximize harvest of healthy stocks while staying within allowable limits for overfished species (yelloweye rockfish and quillback rockfish) and include different season dates and depth restrictions north and south of 36° N lat. (near Point Lopez, Monterey County).

Recreational bag limits are established in the regulations which vary by species or species group and are designed to keep harvest within allowable limits.

Present regulations also specify minimum size limits for cabezon (Section 28.28), greenlings of the genus *Hexagrammos* (Section 28.29), and California scorpionfish (Section 28.54). A minimum fillet length for California scorpionfish is provided in Section 27.65 and authorizes California scorpionfish to be filleted at sea with the requirement to retain a one-inch patch of skin on each fillet. No minimum fillet lengths for cabezon or greenlings of the genus *Hexagrammos* are provided in Section 27.65, and these species may not currently be filleted at sea. Lingcod may be filleted at sea, and Section 27.65 establishes a minimum fillet size and that a one-inch patch of skin remain on all lingcod fillets.

Present regulations allow anchoring and drifting in addition to transiting in a closed area and offer a provision to allow use of hoop nets, Dungeness crab traps, and dip nets for take of select non-groundfish invertebrate species while groundfish are onboard a vessel that is anchoring, drifting, or transiting through a nearshore closure area while groundfish legally

¹ "Overfished" describes any stock or stock complex whose size is sufficiently diminished that a change in management practices is required to achieve an appropriate level and rate of rebuilding. The term generally describes any stock or stock complex determined to be below its overfished/rebuilding threshold. The default proxy is generally 25 percent of its estimated unfished biomass; however, other scientifically valid values are also authorized.

taken in the “offshore only” fishery are aboard. These provisions ensure fishing opportunities for other species are not impacted by a nearshore fishery closure.

Proposed Regulations

The California Department of Fish and Wildlife (Department) is recommending the recreational regulatory changes for federal groundfish to be consistent with PFMC recommendations in 2025 and 2026. This approach will allow the Commission to adopt state groundfish regulations that are consistent with and complementary to those taking effect in federal ocean waters on or around January 1, 2025.

The PFMC-approved management measures for the 2025-2026 recreational groundfish fishery include fewer changes than typical for a biennial rulemaking. This is because significant changes to season dates, depth restrictions, and bag limits were implemented for the 2024 season and action by PFMC is carrying those management measures over to the 2025-2026 fishing seasons with no modification. However, changes to size limits and fillet regulations were approved by PFMC, and other clarifications and non-substantive changes are necessary to Title 14 for the 2025 and 2026 fisheries.

Specific changes as proposed by the Department are described below:

Subsection 27.20(b)(1)(A) is proposed to be amended to add a new subsection (27.20(b)(1)(A)1.) to clarify it is unlawful to possess a groundfish species or species group within a GMA where the take and possession of those species are prohibited in all waters of that GMA or in excess of the bag limit of that GMA, regardless of if the groundfish species or species group were taken in a different GMA where the take or possession is authorized. This added language is necessary to specify possession of groundfish if an angler would cross boundaries of GMAs with differing restrictions, and to enhance enforcement as it relates to possession in the GMAs.

Subsection 27.50(b) is proposed to be amended to remove “notwithstanding subsection 27.20(b)(1)(A)” at the beginning of the sentence and to add “except for the purpose of transit as provided in subsection 27.20(b)(1)(A)” at the end of the sentence. Federal regulations allow for continuous transit across GEAs, while the current state regulations do not allow for this. This revision would make state regulations regarding transit across GEAs consistent with the federal regulations. This change is necessary to provide for transit across the closed areas (GEAs) for consistency with federal regulations.

Subsection 27.65(b)(3) is proposed to be amended to remove the requirement that lingcod fillets bear a one-inch patch of skin and replace it with a requirement that lingcod fillets must have the entire skin attached. This is necessary for consistency with federal regulations and to enhance enforcement.

Subsection 27.65(b)(8) is proposed to be amended to add cabezon and greenlings of the genus *Hexagrammos* to the list of species that may be filleted at sea and fillets of these species must have the entire skin attached. This change is necessary for consistency with federal regulations and to enhance enforcement.

Subsection 27.65(b)(9) is proposed to be amended to remove the minimum fillet size requirement for California scorpionfish, remove the requirement that each fillet bear a one-inch

patch of skin, and replace it with a requirement that fillets must have the entire skin attached. This is necessary for consistency with federal regulations and to enhance enforcement.

Subsection 28.28(c) is proposed to be amended to remove the minimum size limit for cabezon which is necessary for consistency with federal regulations and to update the reference to fillet requirements from subsection 27.65(c) (fish that may not be filleted) to 27.65(b) (fish that may be filleted).

Subsection 28.29(c) is proposed to be amended to remove the minimum size limit for greenlings of the genus *Hexagrammos* which is necessary for consistency with federal regulations.

Subsection 28.54(c) is proposed to be amended to remove the minimum size limit for California scorpionfish which is necessary for consistency with federal regulations and to replace the reference to “fillet size limit” with “fillet regulations” consistent with the removal of the minimum fillet size requirement in proposed subsection 27.65(b)(9).

Non-Substantive Changes

Several non-substantive changes are proposed to correct errors or outdated terminology, provide consistency, and reduce redundancy between Title 14 sections, increase clarity, and enhance enforcement of the regulations.

- In sections 27.20, 27.40, and 27.45, “depth constraint” is proposed to be amended to read “depth restriction” for consistency with language used in these and other sections.
- In subsections 27.40(b)(2)(A) and 27.45(b)(4)(A), the duplicate word “the” is repealed.
- Subsection 28.27(c) (Lingcod) is proposed to be amended to add “and other fillet regulations” for clarity.
- Subsection 28.65(c) is proposed to be amended to replace “kelp or rock greenlings (*Hexagrammos decagrammus* and *Hexagrammos lagocephalus*)” with “greenlings of the genus *Hexagrammos*” for consistency with how greenlings are referred to in other sections of Title 14.

(b) Goals and Benefits of the Regulation

It is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local and distant water fisheries based in California. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use, taking into consideration the necessity of regulating individual sport fishery bag limits to the quantity that is sufficient to provide a satisfying sport. Adoption of scientifically-based groundfish seasons, depth restrictions, size limits, and bag and possession limits provides for the maintenance of sufficient populations of groundfish species to ensure their continued existence.

The goals and benefits of the proposed regulations include consistency with federal law, sustainable management of groundfish resources, and promotions of businesses that rely on recreational groundfish fishing.

(c) Authority and Reference Sections from Fish and Game Code for Regulation

Section 27.20

Authority cited: Sections 200, 205, 265, 702, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 200, 205, 265, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G, Sections 660.350, 660.351, 660.352 and 660.360.

Section 27.40

Authority cited: Sections 200, 205 and 265, Fish and Game Code.

Reference: Sections 200, 205, 265, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G, Sections 660.350, 660.351, 660.352 and 660.360.

Section 27.45

Authority cited: Sections 200, 205 and 265, Fish and Game Code.

Reference: Sections 200, 205, 265, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G, Sections 660.350, 660.351, 660.352 and 660.360.

Section 27.50

Authority cited: Sections 200, 205 and 265, Fish and Game Code.

Reference: Sections 200, 205, 265, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G, Sections 660.350, 660.351, 660.352 and 660.360.

Section 27.65

Authority cited: Sections 200, 205, 265, 313, 5508 and 5509, Fish and Game Code.

Reference: Sections 200, 205, 265, 313, 399, 5508 and 5509, Fish and Game Code.

Section 28.27

Authority cited: Sections 200, 205, 265, 275, 702 and 8587.1, Fish and Game Code.

Reference: Sections 200, 205, 265 and 1802, Fish and Game Code; and 50 CFR Part 660, Subpart G, Sections 660.350, 660.351, 660.352 and 660.360.

Section 28.28

Authority cited: Sections 200, 205, 265, 702 and 8587.1, Fish and Game Code.

Reference: Sections 200, 205, 265, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G, Sections 660.350, 660.351, 660.352 and 660.360.

Section 28.29

Authority cited: Sections 200, 205, 265, 702, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 200, 205, 265, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G, Sections 660.350, 660.351, 660.352 and 660.360.

Section 28.54

Authority cited: Sections 200, 205, 265, 702, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 200, 205, 265, 275, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G, Sections 660.350, 660.351, 660.352, and 660.360.

Section 28.65

Authority cited: Sections 200, 205, 265, 270, 275, 7071 and 7110, Fish and Game Code.

Reference: Sections 200, 205, 265, 270, 275, 7110 and 8585.5, Fish and Game Code.

(d) Specific Technology or Equipment Required by Regulatory Change: None

(e) Identification of Reports or Documents Supporting Regulation Change

June 2024 Decision Summary Document, dated June 18, 2024

<https://www.pcouncil.org/june-2024-decision-summary-document/#groundfish-management--toc-fdba46fb-40b2-4537-8593-1223e9d3b059>

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

<https://www.pcouncil.org/documents/2022/08/pacific-coast-groundfish-fishery-management-plan.pdf>

Preliminary Draft Amendment 33 to the Pacific Coast Groundfish Fishery Management Plan, 2025-26 Harvest Specifications and Management Measures. June 2024. Pacific Fishery Management Council.

<https://www.pcouncil.org/documents/2024/05/f-6-supplemental-attachment-8-preliminary-draft-amendment-33-to-the-pacific-coast-groundfish-fishery-management-plan-2025-26-harvest-specifications-and-management-measures-electronic-only.pdf/>

Draft Socioeconomic Analyses for the 2025-26 Harvest Specifications and Management Measures. June 2024. Pacific Fishery Management Council.

<https://www.pcouncil.org/documents/2024/05/f-6-supplemental-attachment-9-draft-socioeconomic-analyses-for-the-2025-26-harvest-specifications-and-management-measures-electronic-only.pdf/>

Fisheries Economics of the United States, 2022. U.S. Dept. of Commerce, NOAA April 2024

<https://www.fisheries.noaa.gov/resource/document/fisheries-economics-united-states-report>

(f) Public Discussions of Proposed Regulations Prior to Notice Publication

PFMC meetings where the proposed groundfish regulations for the 2025-2026 seasons were discussed:

- September 9-14, 2023, Spokane, WA and public webinar
- November 3-8, 2023, Garden Grove, CA and public webinar
- March 6-11, 2024, Fresno, CA, and public webinar
- April 6-11, 2024, Seattle, WA and public webinar
- June 8-12, 2024, San Diego, CA and public webinar

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives were identified by or brought to the attention of the Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative

Under the No Change Alternative, state law would be inconsistent with federal law. Inconsistency in regulations will create confusion among the public and may result in laws that are difficult to enforce. Additionally, state regulations cannot be less restrictive than federal regulations.

It is critical to have consistent state and federal regulations establishing harvest limits, season dates, depth constraints and other management measures, and it's critical that the state and federal regulations be effective concurrently. Consistency with federal regulations is also necessary to maintain state authority over its recreational and nearshore commercial groundfish fishery and avoid federal preemption under the MSA.

(c) Description of Reasonable Alternatives that Would Lessen Adverse Impact on Small Business

Throughout the development of the proposed regulations in coordination with Federal agencies, consideration was given to limit the potential for adverse impacts on small businesses that could otherwise occur as a result of the need to reduce mortality for vermilion and copper rockfishes and stay within harvest guidelines for yelloweye rockfish and quillback rockfish. Short-term and long-term impacts are expected to occur as the sportfish-related sectors adjust to new regulations and fishery operations. Reductions in groundfish angler days can translate to income and job losses for commercial passenger fishing vessels (CPFV) operators and crew as well as other sportfishing and travel-related businesses. At the same time, shifts in angler preferences for other target species could provide growth in opportunities for anglers and businesses throughout port localities and the state. Adjustment of season dates or depth restrictions to provide additional opportunity to anglers was not recommended by the PFMC at this time. Significant changes to season dates and depth restrictions were implemented for the 2024 fishing season, and data from 2024 are not yet available to fully analyze the impacts that current season structure regulations have on the resource. Allowing for data collection from at least one, but more ideally two or three, fishery seasons with the current season structure will enhance future analysis when determining if longer seasons or less restrictive depth restrictions can be accommodated while keeping mortality of overfished species and other species of concern within harvest limits. Consideration of alternative season date and depth restrictions for the 2027-28 biennium may be appropriate and would occur at the PFMC in 2025 and 2026.

V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no proposed mitigation measures are needed.

VI. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The Department anticipates similar opportunities for the recreational and commercial groundfish fishery in 2025-2026 compared to 2024. The impact on the entirety of marine sportfishing activity is not expected to significantly impact sportfishing expenditures to businesses within the state.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

The Commission does not anticipate any adverse impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California.

The Commission anticipates benefits to the health and welfare of California residents. Participation in sport fisheries opportunities fosters conservation through education and appreciation of California's wildlife.

The Commission does not anticipate any benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's sport fishing resources.

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

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State

None.

(e) Nondiscretionary Costs/Savings to Local Agencies

None.

(f) Programs Mandated on Local Agencies or School Districts

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code

None.

(h) Effect on Housing Costs

None

VII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

The cumulative effects of the changes statewide are estimated to be neutral to job creation or elimination within the state. No significant changes in total fishing effort and fishing expenditures to businesses are expected as a direct result of the proposed regulation changes.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

The cumulative effects of the changes statewide are expected to be neutral to the creation or elimination of businesses in California. No significant changes in total fishing effort and recreational fishing expenditures to businesses are expected as a direct result of the proposed regulation changes.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The cumulative effects of the changes statewide are expected to be neutral to expansion of businesses currently doing business within the state. No significant changes in total fishing effort and recreational fishing expenditures to businesses are expected as a direct result of the proposed regulation changes.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

Providing sustainable fishing opportunities for groundfish encourages recreation, which can have a positive impact on the health and welfare of California residents. Groundfish taken in the sport and later consumed may have positive human health benefits due to their concentration of omega III fatty acids.

(e) Benefits of the Regulation to Worker Safety

The proposed regulations are not anticipated to impact worker safety conditions.

(f) Benefits of the Regulation to the State's Environment

It is the policy of this state to encourage the conservation, sustainable use, and where feasible, restoration of California's marine living resources for the benefit of all citizens of the state (Section 7050, Fish and Game Code). Benefits of the proposed management actions include preserving fishing opportunity, along with the continuation of the reasonable and sustainable management of groundfish resources and the protection of listed and special status species. Adoption of scientifically-based seasons, depth constraints, and recreational bag limits provides for the maintenance of sufficient populations of groundfish to ensure their continued existence.

(g) Other Benefits of the Regulation

This regulation would result in consistency with federal law. The PFMC reviews the status of groundfish regulations biennially. As part of that process, it recommends regulations aimed at

meeting biological and fishery allocation goals specified in law or established in the PCGFMP. These recommendations coordinate management of recreational and commercial groundfish in the EEZ (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. These recommendations are reviewed by NOAA Fisheries for legal sufficiency and compliance with the standards of MSA, and the National Environmental Policy Act (NEPA), and if approved they are subsequently implemented as ocean fishing regulations by NOAA Fisheries.

California's recreational fishing regulations for federal groundfish species need to be consistent with, or more restrictive than, federal regulations to ensure that biological and fishery allocation goals are not exceeded and to avoid federal preemption under the MSA.

Informative Digest/Policy Statement Overview

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR).

Existing law authorizes the recreational take of groundfish subject to regulations set forth by federal and state authorities. Current regulations establish season lengths, depth restrictions, methods of take (gear restrictions), as well as size, bag, and possession limits within the five groundfish management areas (GMAs) for all federal groundfish.

Present regulations allow anchoring and drifting in addition to transiting in a closed area and offer a provision to allow use of hoop nets, Dungeness crab traps, and dip nets for take of select non-groundfish invertebrate species while groundfish are onboard a vessel that is anchoring, drifting, or transiting through a nearshore closure area while groundfish legally taken in the “offshore only” fishery are aboard.

In addition, current regulations specify groundfish exclusion areas (GEAs) which are special closure areas within the Southern GMA, where take or possession of all federal groundfish is prohibited year-round, and requirements regarding filleting fish at sea.

The Pacific Fishery Management Council (PFMC) recommended recreational fishing regulations for federally managed groundfish species for the 2025-2026 management cycle at its June 8-12, 2024 meeting. Based on these recommendations, federal groundfish fishery regulations for 2025-2026 are expected to publish by January 1, 2025, requiring amendment of several state regulations for consistency with and to complement the new federal regulations in state waters.

The changes needed to state recreational regulations include repeal of minimum size limits for cabezon, greenlings of the genus *Hexagrammos*, and California scorpionfish; modification of fillet requirements for the aforementioned groundfish; clarifying rules governing possession of groundfish aboard vessels when traveling through areas that are closed or have differential limits. Minor regulatory language amendments to multiple sections are also proposed.

The proposed changes are as follows:

Subsection 27.20(b)(1)(A) is proposed to be amended to add a new subsection (27.20(b)(1)(A)1.) to clarify it is unlawful to possess a groundfish species or species group within a GMA where the take and possession of those species are prohibited in all waters of that GMA or in excess of the bag limit of that GMA, regardless of if the groundfish species or species group were taken in a different GMA where the take or possession is authorized.

Subsection 27.50(b) is proposed to be amended to remove “notwithstanding subsection 27.20(b)(1)(A)” at the beginning of the sentence and to add “except for the purpose of transit as provided in subsection 27.20(b)(1)(A)” at the end of the sentence. Federal regulations allow for continuous transit across GEAs, while the current state regulations do not allow for this. This revision would make state regulations regarding transit across GEAs consistent with the federal regulations.

Subsection 27.65(b)(3) is proposed to be amended to remove the requirement that lingcod fillets bear a one-inch patch of skin and replace it with a requirement that lingcod fillets must have the entire skin attached.

Subsection 27.65(b)(8) is proposed to be amended to add cabezon and greenlings of the genus *Hexagrammos* to the list of species that may be filleted at sea and fillets of these species must have the entire skin attached.

Subsection 27.65(b)(9) is proposed to be amended to remove the minimum fillet size requirement for California scorpionfish, remove the requirement that each fillet bear a one-inch patch of skin, and replace it with a requirement that fillets must have the entire skin attached.

Subsection 28.28(c) is proposed to be amended to remove the minimum size limit for cabezon and to update the reference to fillet regulations.

Subsection 28.29(c) is proposed to be amended to remove the minimum size limit for greenlings of the genus *Hexagrammos*.

Subsection 28.54(c) is proposed to be amended to remove the minimum size limit for California scorpionfish and replace the reference to “fillet size limit” with “fillet regulations”.

Several non-substantive changes are proposed to correct errors or outdated terminology, provide consistency, and reduce redundancy between Title 14 sections, increase clarity, and enhance enforcement of the regulations. In sections 27.20, 27.40, and 27.45, “depth constraint” is proposed to be amended to read “depth restriction” for consistency with language used in these and other sections. In subsections 27.40(b)(2)(A) and 27.45(b)(4)(A), the duplicate word “the” is repealed. Subsection 28.27(c) (Lingcod) is proposed to be amended to add “and other fillet regulations” for clarity and consistency with other sections. Subsection 28.65(c) is proposed to be amended to replace “kelp or rock greenlings (*Hexagrammos decagrammus* and *Hexagrammos lagocephalus*)” with “greenlings of the genus *Hexagrammos*”.

Benefits of the Regulations:

It is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local and distant water fisheries based in California. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use, taking into consideration the necessity of regulating individual sport fishery bag limits to the quantity that is sufficient to provide a satisfying sport. Adoption of scientifically-based groundfish seasons, depth constraints, size limits, and bag and possession limits provides for the maintenance of sufficient populations of groundfish species to ensure their continued existence.

The goals and benefits of the proposed regulations include consistency with federal law, sustainable management of groundfish and associated species resources, and promotion of businesses that rely on recreational groundfish fishing.

Consistency and Compatibility with Existing Regulations:

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and

game as the Legislature sees fit. The Legislature has delegated to the Commission the power to adopt regulations governing recreational fishing (California Fish and Game Code sections 200 and 205). No other state agency has the authority to adopt regulations governing recreational fishing. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding the adoption of recreational groundfish fishing regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.