

## Staff Summary for April 16-17, 2025

**11. White Sturgeon Sport Fishing 2084 Regular Rulemaking****Today's Item****Information** ☒**Action** ☐

Discuss proposed amendments to regulations for the recreational take of, tagging of, and reporting requirements for, white sturgeon (*Acipenser transmontanus*) in inland and ocean waters, pursuant to California Fish and Game Code Section 2084.

**Summary of Previous/Future Actions**

- |   |   |
|---|---|
| • Wildlife Resources Committee vetting  | September 21, 2023 and<br>January 16, 2024; WRC |
| • Adoption hearing for <i>emergency regulations</i>   | August 14-15, 2024                              |
| • Adoption hearing for first 90-day extension of<br><i>emergency regulations</i>                      | December 11-12, 2025                            |
| • Notice hearing for <i>regular rulemaking</i> regarding<br>recreational white sturgeon sport fishing | February 12-13, 2025                            |
| • <b>Today's discussion hearing for <i>regular rulemaking</i></b>                                     | <b>April 16-17, 2025</b>                        |
| • Adoption hearing for the second 90-day extension of<br><i>emergency regulations</i>                 | May 14, 2025                                    |
| • Adoption hearing for <i>regular rulemaking</i>  | June 18-19, 2025                                |

**Background**

The Department requests changes to white sturgeon regulations regarding recreational take of, tagging of, and reporting requirements as described in the staff summary for the February 2025 notice hearing (Exhibit 1).

***Updates since the last meeting***

A notice of proposed changes in regulations was published in the California Notice Register on April 4, 2025.

Today the Department will provide a presentation on the changes to the sturgeon report card. Today's meeting provides an opportunity for public discussion of the proposed changes to the regulations. Further details on the proposed changes are available in the initial statement of reasons (ISOR), proposed regulatory language, economic and fiscal impact statement (STD 399), Department presentation and additional supporting material for the Department presentation (exhibits 3 through 7).

**Significant Public Comments (N/A)****Recommendation (N/A)****Exhibits**

1. [Staff summary from February 12-13, 2025 Commission meeting \(for background purposes only\)](#)
2. [Department memo, received December 19, 2024](#)

Staff Summary for April 16-17, 2025

3. [ISOR, dated December 17, 2024](#)
4. [Proposed regulatory language](#)
5. [Draft negative declaration](#)
6. [STD 399](#)
7. [Department presentation](#)
8. [Supporting material for the Department presentation](#)

**Motion (N/A)**

Staff Summary for February 12-13, 2025  
*(For background purposes only)*

## 9. White Sturgeon Sport Fishing 2084 Regular Rulemaking

### Today's Item

Information ☐

Action ☒

Consider authorizing publication of notice of intent to amend regulations for the recreational take of, tagging of, and reporting requirements for, white sturgeon (*Acipenser transmontanus*) in inland and ocean waters, pursuant to California Fish and Game Code Section 2084.

### Summary of Previous/Future Actions

- |   |   |
|---|---|
| • Wildlife Resources Committee vetting  | September 21, 2023 and<br>January 16, 2024; WRC |
| • Adoption hearing for <i>emergency regulations</i>   | August 14-15, 2024                              |
| • Adoption hearing for first 90-day extension of<br><i>emergency regulations</i>                                      | December 11-12, 2025                            |
| • <b>Today's notice hearing for <i>regular rulemaking</i><br/>regarding recreational white sturgeon sport fishing</b> | <b>February 12-13, 2025</b>                     |
| • Discussion hearing for regular rulemaking   | April 16-17, 2025                               |
| • Adoption hearing for the second 90-day extension of<br><i>emergency regulations</i>                                 | May 14, 2025                                    |
| • Adoption hearing for regular rulemaking   | June 18-19, 2025                                |

### Background

The Commission originally adopted catch-and-release regulations for white sturgeon sport fishing as originally described in the staff summary for the August 2024 adoption of emergency regulations (Exhibit 1).

In advance of today's meeting, the Department transmitted draft documents to enable the Commission to consider continuing the emergency regulations through a regular rulemaking (Exhibit 2).

### ***Proposed Regulation Changes for Regular Rulemaking***

The draft proposed regulation changes are fundamentally the same as the emergency regulations, with several minor modifications if approved for notice today:

- Section 1.74. This section will be edited to remove sturgeon-specific information that is now found in sections 5.80 and 27.90.
- Sections 5.80 and 27.90. These sections will be edited to mirror the language in the emergency regulations (sections 5.78 and 27.93). Additionally, these sections will be edited to change the sturgeon fishing report card season from October 1 through June 30 to encompass the fishing season rather than follow the calendar year.
- Sections 5.78 and 27.93. The emergency regulations are currently in these sections, which will be allowed to expire to avoid duplication leading to potential confusion.

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*(For background purposes only)*

- Sections 5.79 and 27.92. These sections will be repealed since all relevant report card information is now included in sections 5.80 and 27.90.
- Section 27.95. This section will be repealed and the information regarding sturgeon fishing closures will be added to sections 27.90 and 27.91.
- Section 701. The changes will amend the white sturgeon sport fishing report card fee to be a range from \$5 to \$11, to be set by the Commission at the adoption hearing, and will delete the replacement report card fee that is no longer needed.

Further details on the draft proposed amendments are available in the draft initial statement of reasons (ISOR) and draft proposed regulatory language (exhibits 3 and 4).

Today the Department will present an overview of the draft regulation (Exhibit 5).

**Significant Public Comments (N/A)****Recommendation**

**Commission staff:** Authorize publication of notice of intent to amend sections 1.74, 5.80, 5.81, 27.60 27.90, 27.91 and 701, and repeal sections 5.79, 27.92 and 27.95, as recommended by the Department and discussed today. Allow sections 5.78 and 27.93 to expire.

**Department:** Authorize publication of notice of proposed changes to the regulations regarding white sturgeon sport fishing.

**Exhibits**

1. Staff summary for Agenda Item 14, August 14-15, 2024 Commission meeting (*for background purposes only*)
2. Department memo, received December 19, 2024
3. Draft ISOR and informational digest, dated December 17, 2024
4. Draft proposed regulatory language
5. Draft economic and fiscal impact statement (STD. 399)
6. Department presentation

**Motion**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission authorizes publication of a notice of its intent to amend sections 1.74, 5.80, 5.81, 27.60 27.90, 27.91 and 701, and repeal sections 5.79, 27.92 and 27.95, related to white sturgeon sport fishing as discussed today.

## Memorandum

**Date:** December 17, 2024

**To:** Melissa Miller-Henson  
Executive Director  
Fish and Game Commission

**From:** Charlton H. Bonham  
Director

**Subject:** Submission of Initial Statement of Reasons/Certificate of Compliance for the February 13, 2025 Fish and Game Commission meeting to Amend Sections 1.74, 5.80, 5.81, 27.60, and 27.90; Repeal Sections 5.78, 5.79, 27.92, 27.93, and 27.95, Title 14, California Code of Regulations, Re: White Sturgeon Catch-and-Release

Please find attached the Initial Statement of Reasons (for a Certificate of Compliance) to amend sections 1.74, 5.80, 5.81, 27.60, and 27.90; and repeal Sections 5.78, 5.79, 27.92, 27.93, and 27.95, Title 14, California Code of Regulations. The proposed changes to the white sturgeon sport fishing regulations aim to continue the catch-and-release emergency regulations enacted under the Section 2084 exemption on September 6, 2024. The existing regulations are estimated to expire on September 1, 2025, following two planned readoptions in December 2024 and April 2025. The proposed Certificate of Compliance action is necessary to protect the white sturgeon population while minimizing impact to the recreational fishery.

If you have any questions or need additional information, please contact Jay Rowan, Chief, Fisheries Branch at [fisheries@wildlife.ca.gov](mailto:fisheries@wildlife.ca.gov). The Department point of contact for this regulation should identify Statewide Sturgeon Coordinator, John Kelly. He can be reached at [sturgeon@wildlife.ca.gov](mailto:sturgeon@wildlife.ca.gov).

ec: **Department of Fish and Wildlife**

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Fish and Game Commission  
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Initial Statement of Reasons for Regulatory Action

Amend Sections 1.74, 5.80, 5.81, 27.60, 27.90, 27.91 and 701;  
Repeal Sections 5.78, 5.79, 27.92, 27.93, and 27.95  
Title 14, California Code of Regulations  
Re: Sturgeon Catch and Release Fishing

I. Date of Initial Statement of Reasons: December 17, 2024

II. Dates and Locations of Scheduled Hearings

**(a) Notice Hearing:**

Date: February 12-13, 2025

Location: Sacramento

**(b) Discussion Hearing:**

Date: April 16-17, 2025

Location: Sacramento area

**(c) Adoption Hearing:**

Date: June 18-19, 2025

Location: Sacramento

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). Commission refers to the California Fish and Game Commission unless otherwise specified. Department refers to the California Department of Fish and Wildlife unless otherwise specified.

The proposed changes to the white sturgeon sport fishing regulations will continue the catch-and-release fishing regulations established by emergency regulatory action under Fish and Game Code Section 2084 on September 6, 2024. This action permits a catch-and-release fishery for white sturgeon during the California Endangered Species Act (CESA) status review process since it is expected to have minimal impact on the population, while providing recreational opportunities for anglers and mitigating adverse economic impacts to businesses that serve sturgeon angling. The existing emergency regulations will expire in September 2025 following two 90-day extensions of the emergency regulations in December 2024 (extension 1) and April 2025 (extension 2). The proposed amendment is necessary to continue the catch-and-release fishery through candidacy and until the Commission decides on the CESA listing status of white sturgeon. If the Commission ultimately determines that listing is not warranted, the Department will assess the best scientific evidence to determine if harvest is sustainable and develop recommendations for fishery regulation changes as warranted. This action also changes the Sturgeon Fishing Report Card from a year-long season (January 1 through December 31) to match the sturgeon fishing season established by the emergency action (October 1 through June 30).

## Background

White sturgeon (*Acipenser transmontanus*) are an anadromous species of fish that reside primarily in the San Francisco Bay Delta (SF Bay) and migrate as adults into the major rivers of the Central Valley to spawn. Most spawning occurs in the Sacramento River between Verona and Colusa (Schaffter 1997), with a lesser amount of spawning on the lower San Joaquin River (Jackson et al. 2015). Some additional spawning may occur in tributaries such as the Feather, Bear, and Yuba rivers. White sturgeon are long lived, potentially in excess of 100 years, with most reaching maturity by approximately 14 to 19 years, spawning every two to four years once mature (Chapman et al. 1996; Hildebrand et al. 2016). Successful recruitment of juveniles is infrequent, occurring approximately every six to seven years, highly correlated with above normal water years as measured by high mean daily Delta outflow (CDFW 2023; Fish 2010). Considerable declines in both relative and absolute abundance have been measured by the Department (CDFW 2023; Danos et al. 2019). The most recent Department estimate was a five-year average of approximately 33,000 fish (CDFW 2023).

White sturgeon have been the focus of a recreational fishery since 1954. Until November 2023, recreational anglers could keep one white sturgeon per day, and a combined total of three per year with a slot limit of 40 and 60 inches (in.) fork length (FL; measurement of the fish from the front of its head to the fork in its tail). The season was open year-round, with some limited regional and/or seasonal closures. In 2022, a Harmful Algal Bloom (HAB) of the marine phytoflagellate *Heterosigma akashiwo* resulted in the largest fish kill in the recorded history of the region. Many species were impacted during this event including white sturgeon. Over 850 white sturgeon carcasses were found during monitoring, but the full magnitude of the fish kill is unknown as only approximately 20% of the shoreline was able to be surveyed. A HAB of the same species occurred again in 2023, though of lower intensity, leading to 15 recorded white sturgeon carcasses. Due to cessation of funding for the historical abundance monitoring program, it has not been possible to make a white sturgeon abundance estimate since the HAB events; however, a new, statistically robust, spatially balanced white sturgeon abundance monitoring program was successfully piloted in May-September 2024. The program will continue in 2025 and side-scan sonar surveys of the number of spawning sturgeon in the Sacramento and San Joaquin rivers will also be conducted. The Department expects these monitoring efforts will provide critical data such as accurate population estimates and trends in spawning activity.

As a result of long-term declines in the population, the impacts of the HAB, and the unknown current status of the population, the Department proposed an emergency regulation shifting the recreational fishery to catch-and-release only, as well as protection of the migrating and spawning grounds in October 2023. The goal of the 2023 emergency regulation recommendation was to protect the species from over-exploitation while long term fishing regulations could be revised that would offer harvest opportunities at levels that would not threaten the long-term success of the population. During the California Fish and Game Commission meeting considering the emergency regulation, the industry expressed concerns about the effect closure of harvest would have on their business and livelihoods, particularly in light of a recent closure of the salmon fishery and changes to other popular fisheries such as halibut and rockfish. In response, the Commission adopted emergency



regulations to reduce fishing pressure on white sturgeon while retaining harvest. This decision was made in response to emergency economic conditions and does not necessarily reflect what is best for the species in the long term. Under emergency regulations enacted on November 16, 2023, anglers with a Sturgeon Report Card were permitted to take one white sturgeon a year between 42 and 48 in. FL, with a maximum of two fish harvested per boat per day. Fishing was prohibited from January 1 through June 30 upstream of the Highway 50 bridge on the Sacramento River and the I-5 bridge on the San Joaquin River.

On November 29, 2023, the Commission received a petition from San Francisco Baykeeper, The Bay Institute, Restore the Delta, and California Sportfishing Protection Alliance to list white sturgeon as threatened under the California Endangered Species Act (CESA). The petitioners argued that long term declines in the abundance of white sturgeon are due to 1) Central Valley water management infrastructure and operations, 2) overharvest in the recreational fishery, 3) Harmful Algal Blooms, and 4) other factors such as poaching, pollution, vessel strikes, and climate change. The Department returned an evaluation on March 15, 2024, determining that the petition provided sufficient scientific information to indicate that the petitioned action may be warranted. On June 19, 2024, the Commission voted that white sturgeon warranted candidacy under CESA and directed the Department to initiate a status review of white sturgeon.

Under CESA, candidate species receive full protection while a status review is conducted. This prohibition of take includes non-harvest “catch-and-release” angling; however, Fish and Game Code Section 2084 permits the Commission to authorize the take of candidate species of fish by hook and line for sport based on the best available scientific information. The petitioners themselves stated that “a catch-and-release fishery for California white sturgeon is consistent with conserving and restoring these fish as hooking mortality is extremely low” (CESA Petition, p. 40). This recommendation is in line with the position of the Department during the 2023 emergency fishing regulation process. Scientific studies of the effects of angling on white sturgeon in other populations indicate that the species is robust and tolerates catch-and-release angling well. Since the best available science suggests the risks would be minimal, the Department believes that this activity could occur without placing the remaining population at risk.

At its June 19, 2024, meeting, the Commission heard testimony from members of the sturgeon angling and business community requesting that the fishery remain open. The concern expressed was that a complete closure of the fishery during CESA candidacy created substantial economic harm to businesses that rely on the white sturgeon fishery, including charter captains, guides, bait and tackle stores and suppliers, marinas, and related services. Such factors may be considered in authorizing some form of take under Section 2084 of the Fish and Game Code. The potential for economic harm, coupled with the sudden nature of the protections that candidate species receive, constitutes an emergency that authorizes the Commission to address the matter through regulation. The Commission directed the Department to explore potential changes to the take prohibition granted with the June 19, 2024 decision on candidacy for the purpose of identifying potential fishing regulations that would mitigate economic impacts, while still providing protective regulatory measures to white sturgeon. At the August 2024 Commission

meeting, the Department presented an emergency exemption regulation package under Section 2084 that would allow for a catch-and-release fishery during the candidacy period. The Commission voted to approve the Section 2084 exemption, and it went into effect on September 6, 2024.

## **Existing Authorities**

Current statutory authorities focus mostly on the take and possession of animals and include:

**FGC section 200** provides the Commission with the power to regulate the take or possession of birds, mammals, fish, amphibians, and reptiles.

**FGC section 205** specifies that the Commission has the authority to promulgate regulations concerning open and closed seasons; bag, size, and possession limits; areas for taking; and methods of take.

**FGC section 219** defines the conditions under which regulations may supersede FGC sections. Superseding regulations must meet one of the following criteria: the regulation is necessary for the protection of fish, wildlife, and other natural resources under the jurisdiction of the Commission or the regulation is necessary to prevent or mitigate an emergency if there is a threat to public health, safety, and welfare, or to the population or habitat of any species. A regulation adopted pursuant to this section must be supported by written findings and be effective for no more than 12 months.

**FGC section 265** specifies that a regulation governed by FGC section 265 is exempt from the time periods of adoption, amendment, or repeal prescribed in sections 11343.4, 11346.4, 11346.8, and 11347.1 of Government Code.

**FGC section 275** specifies that regulations are effective either for a specific time period or until superseded.

**FGC section 713** provides for an annual fee adjustment using the Implicit Price Deflator for State and Local Government Purchases of Goods and Services (published by the U.S. Department of Commerce) and outlines the process for fee adjustment.

**FGC section 1050** authorizes the Department to issue licenses, permits, tags, and other entitlements, the Commission to determine the form of such entitlements, and establishes parameters for setting entitlement fees.

**FGC section 1053.1** prohibits a person from obtaining duplicate entitlements for the same license year, except for short-term licenses and lost entitlements in specific situations.

**FGC section 1055.1** details the process by which a person may serve as a license agent and provides fee exceptions for tags donated to nonprofit organizations.

**FGC section 2084** allows the Commission to authorize conditional take of a candidate species or to authorize the taking of fish by hook and line for a candidate species, or a species that is listed as endangered or threatened.

**FGC section 7380** requires the possession of a steelhead trout fishing report-restoration card issued by the Department for anyone taking steelhead trout in inland waters and establishes the fee and procedure for using the report card.

**FGC section 110** establishes that the Commission must hold at least eight regular meetings for calendar year, the process for notifying the public of meeting dates, and that meetings, as feasible should be held in state facilities in locations throughout the state.

**FGC section 255** details the steps for adoption, amendment, or repeal of a regulation by the Commission.

**FGC section 7880** requires that a commercial fishing vessel owner or operator display the Department-issued vessel number as a permanent fixture.

**FGC section 7147** prohibits anyone from fishing from a licensed vessel without a sport fishing license and any required entitlements.

**FGC section 1050.4** permits the Department to provide an option to display sport fishing licenses and other entitlements on a mobile device.

### **Emergency Regulations Adopted**

The Commission adopted emergency regulations on August 15, 2024, which became effective on September 6, 2024. The emergency regulations created two new sections (5.78 and 27.93) under Title 14, CCR, that supersede but do not replace four existing sections addressing white sturgeon fishing and report card requirements. Section 5.78 combines most elements of existing sections 5.79 and 5.80, and defines seasons, closed areas, gear and handling restrictions, and report card requirements for catch-and-release fishing in inland waters. Section 27.93 combines 27.90 and 29.72 in the same manner for ocean waters. The existing sections (5.79, 5.80, 27.90, 27.92) remain in Title 14 but are inoperative, with an added sentence at the beginning of the section with a cross-reference to the new sections.

The goal of the emergency regulations that this Certificate of Compliance extends was to permit a catch-and-release fishery for white sturgeon during the CESA status review process since it is expected to have minimal impact on the population, while providing recreational opportunities for anglers and mitigating adverse economic impacts to businesses that serve sturgeon angling. The emergency regulations contain the following major changes from the previous long-term regulations:

- Removal of all language related to harvest, including bag limits, annual limits, and size limits.
- Change of the fishing season. Prior to candidacy, white sturgeon could be fished all year in the San Francisco Estuary and the Delta. As per the emergency regulations adopted on November 16, 2023, fishing was not permitted between January 1 and May 31 on the Sacramento River (upstream of the Hwy 50 bridge) and the San Joaquin River (upstream of the I-5 bridge) in order to protect the migration path and spawning habitat of white sturgeon. Additional existing regional closures also remained in effect

(e.g. Yolo Bypass, North Coast District, Special Sierra and Valley District Sturgeon Closure).

- The emergency regulations instituted a fishing season of October 1 through June 30 in all waters downstream of the confluence of the Feather River on the Sacramento River and the I-5 Bridge on the San Joaquin River. No sturgeon fishing would be permitted in these areas between July 1 and September 30. These months experience the warmest air and water temperatures and pose the greatest risk of physiological stress to fish caught, played, and handled by anglers during that time. These months are also the least popular sturgeon fishing months based on both CDFW Sturgeon Report Card data and data collected by the fishing industry.
- Fishing upstream of the confluence of the Feather River (Sacramento River) and the I-5 bridge (San Joaquin River) is restricted to October 1 through December 31 to protect migration and spawning. This action expanded the existing closure to include the warm summer months, as described above.
- Fishing for sturgeon is not permitted in tributaries of the Sacramento and San Joaquin rivers (including tributaries of those tributaries). The only reason white sturgeon enter these smaller rivers is to spawn and they do not reside there unless stranded by dropping flows. Federal Endangered Species Act (ESA) protected southern Distinct Population Segment (DPS) Green Sturgeon also enter these rivers and routinely stay over the summer or longer. Further, sturgeon in these rivers are restricted to small, deep holes and are more easily targeted by anglers. Any sturgeon present in these rivers would either be a spawning migrant or a protected Green Sturgeon and should not be the target of anglers.
- Addition of language describing permitted handling:
  - Due to their mouth shape and foraging habits, sturgeon rarely swallow tackle or suffer the types of deep hooking injuries that are common in other species. The most significant potential source of injury for sturgeon in a catch-and-release fishery will be related to how the fish are handled after catch. Sturgeon lack a rigid, bony skeleton and their skeletal frame mostly consists of cartilage with the exception of some heavy bones in the skull and pectoral girdle. Their structure has not evolved to support their heavy mass against gravity when in air and some care must be taken when handling them.
  - Prior to candidacy, the regulations required that fish greater than 68 inch FL could not be taken out of the water and had to be released immediately. This limit was set when the legal size for harvest was up to 60 inches FL and was designed to protect the largest, heaviest fish. Reducing this maximum out of water size to 60 inches protects most of the mature population but still allows catch-and-release anglers to take a trophy picture of their catch. Fish less than 60 inches FL are light enough that they are not likely to be injured due to gravity.
  - The most likely sources of injury come from anglers that attempt to 1) lift the fish off the ground by grabbing the gills or gill plates or by dangling them by their tail, or 2) drag fish over the ground or boat/pier surfaces. These handling restrictions are

intended to limit the effects of rough handling on sturgeon survival. The Department has published safe sturgeon handling guidelines in written and video format on the white sturgeon web page (<https://wildlife.ca.gov/Conservation/Fishes/Sturgeon/White-Sturgeon#catch-release>)

## **Proposed Regulations**

The proposed regulations in this Certificate of Compliance are fundamentally the same as the original emergency ruling with the following clarifications:

- The previous long-term sturgeon fishing regulations for inland (5.80) and ocean (27.90) will be edited so that they mirror the language in the emergency regulations (5.78 and 27.93). This language includes both species and report card regulations.
- Sections 5.80 and 27.90 have been edited to change the sturgeon fishing report card season from October 1 through June 30 to encompass the fishing season rather than follow the calendar year. This is the only major difference between the existing emergency regulations and what is proposed in this Certificate of Compliance.
- The emergency regulations (5.78 and 27.93) will be allowed to expire to avoid confusion and duplication.
- The previous long-term sturgeon report card regulations (5.79 and 27.92) will be repealed because all relevant report card information is now included in 5.80 and 27.90.
- The general report card section (1.74) will be edited to remove sturgeon specific information that is now found in 5.80 and 27.90.
- The fee for a white sturgeon sport fishing report card will be set from a range of \$[5 to 11].

### **Section 1.74. Sport Fishing Report Card Requirements.**

**Amend numerous subsections.** Replace gendered “his” and “his and hers” with gender neutral “their” to simplify and apply to all anglers.

**Amend subsection (c)(2).** Report cards may be submitted on paper or electronically; specify that reference to legibility and indelible ink applies only to physical cards.

**Amend subsection (c)(5).** Remove reference to sturgeon report card here. Since this card no longer includes harvest tags, anglers will be permitted to buy an additional card in a season if they fill up the data table on the first card.

**Amend subsection (c)(7).** Add species names to regulation section numbers to provide ease to report card holders looking for a specific species report card details. Also update applicable white sturgeon section numbers.

**Amend subsections (d)(1) and (d)(1)(A).** Delete “sturgeon”. Details of the sturgeon specific report card deadlines and timing will be placed in sections 5.80 and 27.90.

**Amend subsections (e)(1) and (e)(2).** Add white sturgeon sections to report card return and reporting mechanisms sections.

**Amend subsections (f)(1), (f)(2), and (f)(3).** Move sturgeon from subsection (f)(2) to (f)(1). In the past, anglers could only buy one sturgeon report cards each year because the cards harvest tags attached to them. If anglers lost a card, they were required to fill out an affidavit, account for any fish already harvest that year, and purchase a replacement card with the appropriate number of harvest tags still attached. Since the new cards are for catch and release only, anglers may simply buy a second card if they lose the first one. Amend (f)(3) to include the sturgeon regulation sections in the reporting requirements.

#### **Section 5.78. White Sturgeon Catch and Release Sport Fishing for Inland Waters**

**This section, created by emergency regulations, will expire on September 1, 2025.**

Section 5.78 was developed as part of the emergency action to allow a catch and release fishery during the CESA candidacy. This section superseded but did not replace the existing long term regulations for white sturgeon. As part of this rulemaking, Section 5.78 will be allowed to expire and the content of this section has been added to Section 5.80.

#### **Section 5.79. White Sturgeon Report Card and Tagging Requirements for Inland Waters (FG 683, See Section 701)**

**Repeal entire section.** To reduce confusion, due to the number of sturgeon-related sections, the content relevant to the sturgeon fishing report card that was included in Section 5.79 is now included in Section 5.80.

#### **Section 5.80. Inland White Sturgeon**

**Amend title.** Add “inland” to clarify that this regulation refers to waters east of the Carquinez Bridge.

**Amend throughout.** Removal of all language related to harvest, including bag limits, annual limits, and size limits.

**Amend subsection (a).** Remove “All year, except for closures listed under special regulations”.

**Add subsections (1), (2), (3)** to define open and closed areas and seasons.

**Amend subsection (b).** Move “annual limit” to its own subsection, change daily limit to “zero fish.”

**Amend subsection (c).** Remove size limit since no size may be retained. Replace with annual limit of zero fish per year.

**Amend subsection (e).** Change from “removal” to “handling and removal”. Reduce the size of fish that may be removed from the water to 60 inches FL and specify handling requirements – these edits are necessary to limit the risk of injury or mortality due to handling in the catch and release fishery.

Fish lip grippers (e.g. Boga Grip, Berkley Big Game Lip Grip, etc.) are not suitable for use on sturgeon. These devices are designed to aid handling of fishes with robust bony jaws and sharp teeth, and whose jaw structure is sturdy enough to bear weight. The jaw of sturgeon is comprised of thin cartilage and skin. It is not weight bearing and is sensitive to mechanical

damage, thus the use of a lip gripper risks causing injury to the jaw, impairing feeding and survival of the fish.

**Amend subsection (f).** Report card requirements have been moved to subsection (f). This was done to avoid the need to refer to a different section for report card requirements.

**Amend subsection (g).** Reporting requirements for the report card are now included in subsection (g) rather than Section 5.79. Only content relevant to catch and release fishing is included in this section since harvest is not permitted. Cards that have already been sold or are on sale now are the same as cards from previous years. The reporting requirements for the cards are detailed in subsection (1). The report cards sold for the season that starts on October 1, 2025 will be modified. Reporting requirements for October 2025 cards are detailed in subsection (2). The new cards will collect angler effort data similar to the Steelhead Report Card. Additionally, the Department will no longer require anglers to report the precise length of fish caught. The length data is now collected in other monitoring efforts and this reduces the risk of handling injury from inexperienced anglers.

The most significant change to the new report card is the deadline for return is July 31. This change moves the card return date to one month after the season closes in June. The return date on existing cards is January 31, after the end of the calendar year. This change aligns the report card data with the fishing season and will allow the Department time between card seasons in order to tabulate data and potentially assess fees or restrictions for non-reporting in the future.

**Amend subsection (h).** Move the reference to Section 27.90 to subsection (k). Subsection (h) becomes the Special North Coast District Sturgeon Closure. This change is editorial only; no changes to the text have been made.

**Amend authority and reference.** Add FGC sections 399 and 2084 to authority and 265 and 2084 to reference. FGC Section 265 provides exceptions to quarterly effective dates for regulations, public hearing and comment procedures, and specifications for rulemaking files, as specified in California Government Code; FGC Section 399 provides criteria for an emergency rulemaking; FGC Section 2084 allows for the conditional take of candidate and listed species of fish by hook and line.

### **Section 5.81. Inland Green Sturgeon**

**Amend title.** Add “inland” to clarify that this section refers to waters east of the Carquinez Bridge.

**Amend (c).** Change reference to sturgeon report card section to 5.80 to reflect changes noted above.

### **Section 27.60. Limit**

**Repeal subsection (c)(6).** Remove references to boat limits for white sturgeon, boat limits are not applicable for a catch-and-release fishery.

### **Section 27.90. Ocean White Sturgeon**

The changes to this section mirror the changes in Section 5.80 but applied to ocean water.

**Amend title.** Add “ocean” to clarify that this section refers to waters west of the Carquinez Bridge.

**Amend throughout.** Removal of all language related to harvest, including bag limits, annual limits, and size limits.

**Amend subsection (a).** Remove “All year”. This section will now define an open season.

**Amend subsection (b).** Move “annual limit” to its own subsection, change daily limit to “zero fish.”

**Amend subsection (c).** Remove size limit since no size may be retained. Replace with annual limit of zero fish per year.

**Amend subsection (e).** Change from “removal” to “handling and removal”. Reduce the size that may be removed from the water to 60 inches FL and specify handling requirements – these edits are necessary to limit the risk of injury or mortality due to handling in the catch and release fishery.

Fish lip grippers (e.g. Boga Grip, Berkley Big Game Lip Grip, etc.) are not suitable for use on sturgeon. These devices are designed to aid handling of fishes with robust bony jaws and sharp teeth, and whose jaw structure is sturdy enough to bear weight. The jaw of sturgeon is comprised of thin cartilage and skin. It is not weight bearing and is sensitive to mechanical damage, thus the use of a lip gripper risks causing injury to the jaw, impairing feeding and survival of the fish.

**Amend subsection (f).** Report card requirements have been added to subsection (f). This was done to avoid the need to refer to a different section for report card requirements.

**Amend subsection (g).** Reporting requirements for the report card are now included in subsection (g) rather than Section 5.79. Only content relevant to catch and release fishing is included in this section since harvest is not permitted. Cards that have already been sold or are on sale now are the same as cards from previous years. The reporting requirements for the cards are detailed in subsection (1). The report cards sold for the season that starts on October 1, 2025 will be modified. Reporting requirements for October 2025 cards are detailed in subsection (2). The new cards will collect angler effort data similar to the Steelhead Report Card. Additionally, the Department will no longer require anglers to report the precise length of fish caught. The length data is now collected in other monitoring efforts and this reduces the risk of handling injury from inexperienced anglers.

The most significant change to the new report card is the deadline for return is July 31. This change moves the card return date to one month after the season closes in June. The return date on existing cards is January 31, after the end of the calendar year. This change aligns the report card data with the fishing season and will allow the Department time between card seasons in order to tabulate data and potentially assess fees or restrictions for non-reporting in the future.

**Add subsection (i).** This content on subsection (i) was formerly in section 27.95 and has been moved into this section to reduce confusion due to the number of sturgeon-related sections.



## **Section 27.91. Ocean Green Sturgeon**

**Amend title.** Add “ocean” to clarify that this section refers to waters west of the Carquinez Bridge.

**Amend subsection (c).** Change reference to sturgeon report card section to 27.90 to reflect changes noted above.

## **Section 27.92. White Sturgeon Report Card and Tagging Requirements for Ocean Waters (FG 683, See Section 701)**

**Repeal entire section.** To reduce confusion due to the number of sturgeon-related sections, the content relevant to the sturgeon fishing report card that was included in Section 27.92 is now included in Section 27.90.

## **Section 27.93. White Sturgeon Catch and Release Sport Fishing for Ocean Waters**

**This section, created by emergency regulations, will expire on September 1, 2025.** This section was developed as part of the emergency action to allow a catch and release fishery during the CESA candidacy. This section superseded but did not replace the existing long term regulations for white sturgeon. As part of this rulemaking, Section 27.93 will be allowed to expire and the content of this section has been added to Section 27.90.

## **Section 27.95. Sturgeon Closure**

**Repeal entire section.** To reduce confusion due to the number of sturgeon-related sections, the content of Section 27.95 is now included in Section 27.90.

## **Section 701. Sport Fishing Forms and Fees**

**Amend subsection (c).** Change to “2025 Sturgeon Fishing Report Card”, propose a fee change in the range of \$5.00 to \$11.00. The current fee for the report card is approximately \$11.00. Since the report card no longer offers anglers the opportunity to harvest, the Department recommends reducing the fee for the card. Additionally, if anglers fill their first card, they will need to purchase a second. The Reduction of the fee reduces the burden on the most active participants in the fishery and encourages participation in the catch and release fishery.

**Repeal subsection (d).** Sturgeon fishing report cards are no longer included with harvest tags. Anglers that lose a card or fill the data table on the first card may purchase a new card. A card replacement processing fee is no longer necessary.

### **(b) Goals and Benefits of the Regulation**

The status of the existing white sturgeon population and the impacts of recent Harmful Algal Blooms are currently not known. The Department piloted a new sturgeon abundance monitoring program in 2024 to provide population data and the species is currently the subject of a comprehensive CESA species status review. Evidence from successful recreational fisheries on other West Coast rivers and states indicate that the species tolerates catch-and-release angling well and can coexist with a financially lucrative fishery. Maintaining the opportunity for catch-and-release angling will protect the remaining population while still permitting angling and business opportunities.

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

Section 1.74	Authority: Sections 200, 205, 265, 275, 1050, 1053.1, 1055.1, 2084 and 7380, Fish and Game Code. Reference: Sections 110, 200, 205, 265, 275, 713, 1050, 1053.1, 1055.1, 2084, 7149.8, 7380, 7381 and 7382, Fish and Game Code.
Section 5.78	Authority: Sections 200, 205, 265, 275, 399 and 2084, Fish and Game Code. Reference: Sections 110, 200, 205, 265 and 2084, Fish and Game Code.
Section 5.79	Authority: Sections 200, 205 and 265, Fish and Game Code. Reference: Sections 200, 205 and 265, Fish and Game Code.
Section 5.80	Authority cited: Sections 200, 205, 265, 275, 399, and 2084, Fish and Game Code. Reference: Sections 110, 200, 205, 265, and 2084, Fish and Game Code.
Section 5.81	Authority cited: Sections 200, 205, 265 and 275, Fish and Game Code. Reference: Sections 110, 200 and 205, Fish and Game Code.
Section 27.60	Authority cited: Sections 200, 205, 265, 2084, 7071 and 8587.1, Fish and Game Code. Reference: Sections 205, 255, 265, 2084, 7071, 7120 and 8587.1, Fish and Game Code.
Section 27.90	Sections 200, 202, 205, 220, and 2084, Fish and Game Code. Reference: Sections 200, 205, 206, and 2084, Fish and Game Code
Section 27.91	Sections 200, 205, 265, 275, and 2084, Fish and Game Code. Reference: Sections 110, 200, 205, and 2084, Fish and Game Code.
Section 27.92	Authority cited: Sections 200, 205 and 265, Fish and Game Code. Reference: Sections 200, 205 and 265, Fish and Game Code.
Section 27.93	Authority cited: Sections 200, 202, 205, 220, 265, 399 and 2084, Fish and Game Code. Reference: Sections 200, 205, 206, 265 and 2084, Fish and Game Code.
Section 27.95	Authority cited: Sections 200, 205, 219, 265, and 275, Fish and Game Code. Reference: Sections 200, 205, 255, 265, 270 and 275, Fish and Game Code.
Section 701	Authority cited: Sections 200, 205, 265, 275, 713, 1050, 1053.1, 2084 and 7149.8, Fish and Game Code. Reference: Sections 200, 205, 265, 275, 713, 1050, 1053.1, 1055.1, 2084 and 7149.8, Fish and Game Code.

### **(d) Specific Technology or Equipment Required by Regulatory Change:**

None

### **(e) Identification of Reports or Documents Supporting Regulation Change**

Bowersox, B. J., J. M. DuPont, R. Tucker, L. Barrett, and J. A. Lamansky. 2016. Determining the presence of hooks inside white sturgeon using metal detector and portable X-ray technology. North American Journal of Fisheries Management 36(5):1045-052.

California Department of Fish and Wildlife (CDFW). 2023. White Sturgeon 2023 Emergency Regulation Change: Supporting Material. California Department of Fish and Wildlife, Fisheries Branch, West Sacramento, California. Available at <https://fgc.ca.gov/Regulations/2023-New-and-Proposed#WS-E>

California Department of Fish and Wildlife (CDFW). 2023. White Sturgeon 2023 Emergency Regulation Change: Supporting Material. California Department of Fish and Wildlife, Fisheries Branch, West Sacramento, California. Available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=216457&inline>

California Department of Fish and Wildlife (CDFW). 2024. White Sturgeon Catch and Release Fishing Emergency Regulation Change: Supporting Material. California Department of Fish and Wildlife, Fisheries Branch, West Sacramento, California. Available at <https://fgc.ca.gov/Regulations/2024-New-and-Proposed#5.78>

Chapman, F. A., J. P. Van Eenennaam, and S. I. Doroshov. 1996. The reproductive condition of white sturgeon, *Acipenser transmontanus*, in San Francisco Bay, California. Fishery Bulletin 94:628–634. Available at <https://spo.nmfs.noaa.gov/sites/default/files/pdf-content/1996/944/chapman.pdf>

Danos, A., J. DuBois, R. Baxter, J. T. Kelly, and M. L. Gingras. 2019. White Sturgeon, *Acipenser transmontanus*, Enhanced Status Report. California Department of Fish and Wildlife. Available at <https://marinespecies.wildlife.ca.gov/white-sturgeon/>

Fish, M. A. 2010. White Sturgeon Year-Class Index for the San Francisco Estuary and its Relation to Delta Outflow. IEP Newsletter 23(2):80–84. Available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentId=26542>

Hildebrand, L. R., A. Drauch Schreier, K. Lepla, S. O. McAdam, J. McLellan, M. J. Parsley, V. L. Paragamian, and S. P. Young. 2016. Status of White Sturgeon (*Acipenser transmontanus* Richardson, 1863) throughout the species range, threats to survival, and prognosis for the future. Journal of Applied Ichthyology 32:261–312.

Jackson, Z. J., J. J. Gruber, and J. P. Van Eenennaam. 2015. White Sturgeon Spawning in the San Joaquin River, California, and Effects of Water Management. Journal of Fish and Wildlife Management 7(1):171–180. Available at [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_water\\_fix/exhibits/docs/petitioners\\_exhibit/dwr/part2/DWR-1122%20Jackson et al 2016 white sturgeon spawning SJR.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_water_fix/exhibits/docs/petitioners_exhibit/dwr/part2/DWR-1122%20Jackson%20et%20al%202016%20white%20sturgeon%20spawning%20SJR.pdf)

Kozfkay, J. R., and J. C. Dillon. 2010. Creel Survey Methods to Assess Catch, Loss, and Capture Frequency of White Sturgeon in the Snake River, Idaho. North American Journal of Fisheries Management 30(1):221–229.

Lamansky, J. A., K. A. Meyer, B. J. Bowersox, J. M. DuPont, B. Bentz, and K. B. Lepla. 2018. Incidence, Types, and Shedding and Ingestion Times of Metallic Fishing Tackle in the Digestive Systems of White Sturgeon. North American Journal of Fisheries Management 38(5):1152–1159.

Robichaud, D., K. K. English, R. C. Bocking, and T. C. Nelson. 2006. Direct and delayed mortality of white sturgeon caught in three gear-types in the lower Fraser River. Sidney, BC.

Schaffter, R. G. 1997. White sturgeon spawning migrations and location of spawning habitat in the Sacramento River, California. California Fish and Game 83(1):1–20.

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

- Wildlife Resources Committee Meeting, September 2023
- Fish and Game Commission Meeting, October 2023
- Wildlife Resources Committee Meeting, January 2024
- Fish and Game Commission Meeting, February 2024
- Fish and Game Commission Meeting, April 2024
- Fish and Game Commission Meeting, June 2024

### **IV. Description of Reasonable Alternatives to Regulatory Action**

#### **(a) Alternatives to Regulation Change**

##### **(b) No Change Alternative**

Without the proposed changes in regulations, the sturgeon fishery, including catch and release fishing, would close entirely, when the emergency regulations expire on September 5, 2025. The outstanding issues concerning the regulations currently governing white sturgeon fishing would remain unaddressed. If white sturgeon are ultimately not listed under CESA, regulations will revert to the original long-term regulations that permitted harvest of one fish per day between 40-60 in. FL, three fish per year, and no closures in the rivers to protect migration and spawning, which is not believed to be sustainable.

### **V. Mitigation Measures Required by Regulatory Action**

The proposed regulatory action will have no negative impact on the environment; therefore, no 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 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. A bag limit maintains the existing economic climate because the reduction is not significant enough to alter fishing behavior beyond reducing

daily harvest.

**(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 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 does not anticipate any benefits to the health and welfare of California residents, or worker safety. The Commission anticipates benefits to the State's environment by sustainably managing California's sportfishing 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. No change in gear or equipment requirements are introduced for the recreational white sturgeon fishery. However, the proposed fee range of \$[5-11.06] may lower the sturgeon report card fee below the current expected price of \$11.06, which would represent a slight cost benefit to fishers.

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

None. No costs or savings to state agencies or costs/savings in federal funding to the state are anticipated. The Department's existing level of monitoring and enforcement activities are expected to be unchanged by this action. However, it is anticipated that the proposed easing of take limits during the CESA candidacy may result in changes to sturgeon report card sales. Assuming that the total sturgeon report cards sold in 2025 will continue to be at least 53% less than in 2023, which includes the 18% of fishers who decline to fish catch-and-release and the 6% decline in card sales from the spawning ground closure in 2024, then the expected number of report cards is roughly the same at 15,600. At this level of cards sold and at the current 2025 price of \$10.56, the Department projects no decline in revenue for the 2025-26 fiscal year, with a total estimated revenue from report card sales of \$164,736. However, if the report card fee is lowered to the bottom of the range to approximately \$5 for the 2025-26 season then the expected revenue from report card sales would be \$78,000, which would represent a decline of \$86,736 in revenue for the Department. It is unknown if the lowered price would induce an increase in the number of report cards sold from fishers wishing to take advantage of the reduced fee given that the fishing opportunity under the proposed catch and release fishery would remain the same, but approximately 17,347 additional report cards would need to be sold at the lower price in order for revenue to remain the same. The total number of report cards sold under this scenario would be 28,500, which is approximately 30% less than the pre-pandemic average.

Additionally, the removal of the duplication fee under the proposed regulations would potentially cost the Department about \$1,206 in annual revenue based on the number of

duplicates issued for the 2022 and 2023 seasons (71 and 60, respectively) and with a duplication fee of \$18.28 per duplicate applied to the average of 66 duplicated cards. When added to the decline of \$86,736 in revenue if the Commission adopts the lower fee of \$5, the total revenue loss would be approximately \$87,942.

See the STD399 and Addendum for more explanation.

**(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 Commission does not anticipate any impacts on the creation or elimination of jobs within the state because this proposed action should allow for ongoing fishing activity similar to current and historical levels which would not affect the demand for jobs.

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

The Commission does not anticipate any impacts on the creation of new business or the elimination of existing businesses within the state because this proposed action should allow for ongoing fishing activity similar to current levels which would not affect the demand for goods and services related to white sturgeon fishing within the state.

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

The Commission does not anticipate any impacts on the expansion of businesses in California because this action will not affect the demand for goods and services related to white sturgeon fishing within the state.

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

The Commission does not anticipate impacts on the health and welfare of California residents.

**(e) Benefits of the Regulation to Worker Safety**

The Commission does not anticipate benefits to worker safety in California because this action will not affect working conditions.

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

The Commission anticipates benefits to the state's environment through the scientific management of the white sturgeon fishery.

**(g) Other Benefits of the Regulation:**

None

State of California  
Fish and Game Commission  
Informative Digest/Policy Statement Overview

Amend Sections 1.74, 5.80, 5.81, 27.60, and 27.90; Repeal Sections 5.78, 5.79, 27.92, 27.93,  
and 27.95

Title 14, California Code of Regulations  
Re: Sturgeon Catch and Release Fishing

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

## **Background**

The white sturgeon is a large, long-lived fish found mainly in the San Francisco Bay Delta. They migrate to rivers like the Sacramento and San Joaquin to spawn. These fish can live over 100 years and start reproducing at 14-19 years old. Successful young are only born every six to seven years, usually during wet years. Their population has been shrinking, with recent estimates showing only about 33,000 left.

White sturgeon have been popular for recreational fishing since 1954. Recent events, such as harmful algal blooms (HABs) in 2022 and 2023, killed a large population fish. To protect white sturgeon, emergency fishing regulations were adopted in 2023, reducing how many sturgeon can be caught and setting new size limits. Despite these regulations, the population's future is uncertain.

On November 9, 2023, a petition to list white sturgeon as threatened under the California Endangered Species Act (CESA) was submitted to the Commission by San Francisco Baykeeper, The Bay Institute, Restore the Delta, and California Sport Fishing Protection Alliance. The petition pointed to habitat problems, overfishing, pollution, climate change, and other threats. In June of 2024, white sturgeon were designated as a candidate species under CESA. The California Department of Fish and Wildlife (Department) initiated a detailed review of their status in 2024. During this review, the fish get full protection. A temporary exemption, however, can allow for catch-and-release fishing to continue. Studies of sturgeon show they are not harmed by handling involved with catch-and-release fishing.

At the August 14-15, 2023 Commission meeting, members of the sturgeon angling and business community testified that banning sturgeon fishing would hurt their businesses, so in September 2024, regulators approved the exemption to allow catch-and-release fishing. This rule aims to balance protecting the fish with supporting the fishing industry. More studies and monitoring are planned to guide future decisions.

The regulations address the conservation needs of the fish while balancing the economic impact on businesses dependent on sturgeon fishing. Pending the Commission's decision on CESA listing, further regulatory recommendations will address sustainable harvest levels if listing is not warranted. If listed, catch-and-release regulations will continue to prioritize



population recovery and data collection. These changes reflect a science-based needs to protect white sturgeon populations while addressing economic and recreational interests.

### **Current Regulations**

Current regulations for white sturgeon fishing are found in Sections 5.78, 5.79, 5.80 (inland) and Sections 27.90, 27.92, 27.93, and 27.95.

Prior to October 2023, regulations for white sturgeon in 5.79, 5.80, 27.90, 29.72, and 27.95 specified a daily bag limit of one fish, an annual bag limit of three fish, and a year-round open fishing season, with specific closures.

At its October 11, 2023 meeting, due to population declines, impacts from harmful algal blooms, and uncertainty of population declines, the Commission approved an emergency rulemaking amending sections 5.79, 5.80, 27.90, and 29.72. These changes reduced the number of sturgeon tags to one, changed the annual bag limit from three fish to one fish, reduced the season on the Sacramento River above the Highway 50 bridge and the San Joaquin River above the Interstate-5 bridge, specified a vessel limit of two fish, and reduced the slot limit for white sturgeon. These emergency regulations were subject to two 90-day extensions and expired on November 13, 2024.

At its June 19-20, 2024 meeting, the Commission received the Department's petition review report of white sturgeon. The Department found that listing may be warranted and the Commission provided notice that white sturgeon is a candidate species under CESA. The Department is currently working on a one-year status review of white sturgeon to be presented to the Commission. Once the Commission considers the status review report, the petition, and comments received, they will make a decision as to whether the petition action is warranted.

At its August 15, 2024 meeting, the Commission approved an emergency rulemaking adding sections 5.78 and 27.90 to supersede sections 5.79, 5.80, 27.92, and 27.93. This rulemaking provides for a catch-and-release fishery during CESA candidacy. The current proposal is the Certificate of Compliance for the catch-and-release emergency rulemaking to make these regulations long term.

### **Proposed Changes**

The proposed changes are as follows:

#### **Section 1.74. Sport Fishing Report Card Requirements**

**Amend 1.74** with nonsubstantive amendments to numerous subsections to replace gendered "his" and "hers" with gender neutral "their."

**Amend subsection (c)** to specify that references to ink apply only to physical cards, to remove sturgeon from the list of report cards with tags, to add species names to regulation section number references, and to update sturgeon section numbers.

**Amend subsection (d)** to remove details of sturgeon report card return timing and deadlines from this general report card section. These species-specific details will be moved to sections 5.80 and 27.90.

**Amend subsection (e)** to add the inland and ocean sturgeon reference sections to report card return and reporting mechanisms.

**Amend subsection (f)** to allow anglers to purchase additional sturgeon report cards if a card is lost or filled.

#### **Section 5.78 White Sturgeon Catch and Release Sport Fishing for Inland Waters**

**Allow section to expire** on September 1, 2025. All regulations for white sturgeon in inland waters are in Section 5.80.

#### **Section 5.79 White Sturgeon Report Card and Tagging Requirements for Inland Waters (FG 683, See Section 701)**

**Repeal section.** All regulations for white sturgeon in inland waters are in Section 5.80.

#### **Section 5.80 Inland White Sturgeon**

**Amend section** to specify in the title that this section applies to white sturgeon in inland waters, to remove all language related to harvest, including bag limits, annual limits, and size limits, as proposed regulations do not permit harvest. Additionally, provide white sturgeon handling and reporting requirements. Specify that anglers must report date, time, location, and tally fish caught and released based on general length. Finally, change the report card return date to July 31, one month after the season closes.

#### **Section 5.81 Inland Green Sturgeon**

**Amend section** to specify in the title that this section applies to green sturgeon in inland waters and to update the section reference for inland white sturgeon.

#### **Section 27.60 Limit**

**Repeal subsection (c)(6)** as boat limits are not applicable to a catch-and-release fishery.

#### **Section 27.90 Ocean White Sturgeon**

**Amend section** to specify in the title that this section applies to white sturgeon in ocean waters, to remove all language related to harvest, including bag limits, annual limits, and size limits, as proposed regulations do not permit harvest. Additionally, provide white sturgeon handling and reporting requirements. Specify that anglers must report date, time, location, and tally fish caught and released based on general length. Finally, change the report card return date to July 31, one month after the season closes.

#### **Section 27.91 Ocean Green Sturgeon**

**Amend section** to specify in the title that this section applies to green sturgeon in ocean waters and to update the section reference for inland green sturgeon.

## **Section 27.92 White Sturgeon Report Card and Tagging Requirements for Ocean Waters (FG 683, See Section 701)**

**Repeal section.** All regulations for white sturgeon in ocean waters are in Section 27.90.

## **Section 27.93 White Sturgeon Catch and Release Sport Fishing for Inland Waters**

**Allow section to expire** on September 1, 2025. All regulations for white sturgeon in ocean waters are in Section 27.90.

## **Section 27.95 Sturgeon Closure**

**Repeal section.** All regulations for white sturgeon in ocean waters are in Section 27.90.

## **Section 701 Sport Fishing Forms and Fees**

**Amend subsection (c)** to change the fee for white sturgeon report cards to \$[5-11] and to remove the replacement processing fee for additional report cards and **repeal subsection (d)**.

### **Benefit of the Regulations:**

The status of the existing white sturgeon population and the impacts of recent Harmful Algal Blooms are currently not known. The Department piloted a new sturgeon abundance monitoring program in 2024 to provide population data and the species is currently the subject of a comprehensive CESA species status review. Evidence from successful recreational fisheries on other West Coast rivers and states indicate that the species tolerates catch-and-release angling well and can coexist with a financially lucrative fishery. Maintaining the opportunity for catch-and-release angling during this period will protect the remaining population while the status review is completed while still permitting angling and business opportunities.

### **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 white sturgeon sport fishing (California Fish and Game Code section 200). No other state agency has the authority to adopt regulations governing white sturgeon sport 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 white sturgeon sport fishing regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

## Proposed Regulatory Language

Section 1.74, Title 14, CCR, is amended as follows:

### § 1.74. Sport Fishing Report Card Requirements.

...

*[No change to subsections (a) and (b)]*

...

#### (c) General Report Card Requirements.

- (1) Any person fishing for or taking any of the species identified in this ~~S~~section shall have in ~~his~~their immediate possession a valid non-transferable report card issued by the department for the particular species. See special exemption regarding possession of report cards for lobster divers in ~~S~~section 29.91 of these regulations.
- (2) All entries made on any physical report card or tag shall be legible and in indelible ink.
- (3) A report card holder fishing with a one, two, or ten-day sport fishing license, may replace the expired fishing license without purchasing a new report card so long as the report card is still valid.
- (4) Report cards are not transferable and shall not be transferred to another person. No person shall possess any report card other than ~~his~~their own.
- (5) A person may only obtain one abalone report card ~~and one sturgeon report card~~ per report card period.
- (6) Any report card holder who fills in all available lines on ~~his~~their steelhead, salmon, sturgeon, or lobster report card shall return or report the card to the department pursuant to subsection 1.74(e) prior to purchasing a second card.
- (7) Data recording and tagging procedures vary between report cards and species. See specific regulations in sections:  
5.795.80 (Inland white sturgeon),  
5.87 (North Coast salmon),  
5.88 (Steelhead),  
~~27.92~~27.90 (Ocean white sturgeon),  
29.16 (Abalone),  
and 29.91 (Spiny lobster) that apply in addition to the regulations of this ~~S~~section.

#### (d) Report Card Return and Reporting Requirements

- (1) Report card holders shall return or report their salmon, steelhead, ~~sturgeon~~, or abalone report cards to the department pursuant to subsection 1.74(e) by January 31 of the following year.

(A) Any report card holder who fails to return or report ~~his~~their salmon, steelhead, ~~sturgeon~~, or abalone report card to the department by the deadline may be restricted from obtaining the same card in a subsequent license year or may be subject to an additional fee for the issuance of the same card in a subsequent license year.

(2) Report card holders shall return or report their lobster report cards pursuant to subsection 1.74(e) by April 30 following the close of the lobster season for which the card was issued.

(A) Any report card holder who fails to return or report ~~his or her~~their lobster report card by April 30 following the close of the lobster season specified on the card shall be subject to a nonrefundable non-return fee specified in ~~§~~section 701, in addition to the annual report card fee, for the issuance of a lobster report card in the subsequent fishing season.

(e) Report Card Return and Reporting Mechanisms:

(1) By mail or in person at the address specified on the card. A report card returned by mail shall be postmarked by the date applicable to that card as specified in subsection 1.74(d)(1), ~~or 1.74(d)(2), 5.80(g), or 27.90(g).~~

(2) Online through the department's license sales service website by the date applicable to that card as specified in subsection 1.74(d)(1), ~~or 1.74(d)(2), 5.80(g), or 27.90(g).~~

Report card holders reporting online will be provided a confirmation number upon successful submission. The report card holder must record the provided confirmation number in the space provided on the report card and retain the report card for 90 days after the reporting deadline. Report cards submitted online must be surrendered to the department upon demand.

(3) If a report card is submitted by mail and not received by the department, it is considered not returned unless the report card holder reports ~~his or her~~their report card as lost pursuant to subsection 1.74(f).

(f) Lost report cards.

(1) Lobster, salmon, sturgeon, and steelhead. Notwithstanding subsection 1.74(c)(5), any report card holder who loses ~~his or her~~their report card during the report card period for which it is valid may purchase an additional report card by submitting payment to an authorized license agent or department license sales office. Catch information from the lost report card shall not be transferred to the new card. Information from lost lobster, salmon, sturgeon, and steelhead report cards shall be reported as specified in subsection 1.74(f)(3).

(2) Abalone ~~and sturgeon~~. Notwithstanding subsection 1.74(c)(5), any report card holder who loses ~~his or her~~their report card during the period for which it is valid may purchase a replacement report card.

(A) The Department may issue a replacement report card for abalone ~~and sturgeon~~ upon completion of the following:

1. Submitting an affidavit to any department license sales office containing all the information specified in subsection 1.74(f)(3)(B); and

2. Submitting payment of the report card fee and the non-refundable replacement-processing fee specified in ~~S~~section 701.

- (B) Department staff shall enter the harvest information from the affidavit to the replacement report card.
- (C) Based on the information provided on the affidavit, department staff shall remove tags reported as used and issue only the number of tags that were reported as unused on the lost original report card.
- (D) Report card holders shall verify that the harvest information has been accurately transferred from the affidavit to ~~his or her~~their replacement report card.
- (E) The replacement report card shall be reported pursuant to the requirement for the original report card as specified in subsection 1.74(d).

Note: the original report card should not be reported.

- (3) Reporting requirements. Except for lost abalone ~~and sturgeon~~ report cards for which a replacement card was purchased, all lost report cards shall be reported by the harvest report submission deadline date applicable to that card as specified in subsection 1.74(d)(1), ~~or~~ 1.74(d)(2), 5.80(g), or 27.90(g) by one of the following methods:

- (A) Online through the department's license sales service website; or
- (B) Submitting an affidavit, signed under penalty of perjury, to a department license sales office containing the following information:
  - 1. The report card holder's full name, GOID#, and a statement confirming that the originally issued report card is lost and cannot be recovered.
  - 2. A statement containing the report card holder's best recollection of the prior catch records that were entered on the report card that was lost.
  - 3. A statement describing the factual circumstances surrounding the loss of the report card.

Authority cited: Sections 200, 205, 265, 275, 1050, 1053.1, 1055.1, 2084 and 7380, Fish and Game Code. Reference: Sections 110, 200, 205, 265, 275, 713, 1050, 1053.1, 1055.1, 2084, 7149.8, 7380, 7381 and 7382, Fish and Game Code.

Section 5.78, Title 14, CCR, will expire on September 1, 2025:

**~~§ 5.78. White Sturgeon Catch and Release Sport Fishing for Inland Waters.~~**

~~Notwithstanding Sections 5.79 and 5.80 of these regulations, White sturgeon may not be taken in inland waters statewide except as authorized below.~~

~~(a) Open season:~~

~~(1) From October 1 through June 30: from the west Carquinez Bridge east to downstream of the confluence of the Feather River on the Sacramento River and downstream of the I-5 bridge on the San Joaquin River.~~

~~(2) From October 1 through December 31: upstream of the confluence of the Feather River to the Highway 162 Bridge on the Sacramento River and upstream of the I-5 bridge on the San Joaquin River.~~

~~(b) Daily limit: zero fish~~

~~(c) Annual bag limit: zero fish per calendar year statewide.~~

~~(d) Methods of take: Only one single point, single shank, barbless hook shall be used on a line when taking sturgeon. The sturgeon must voluntarily take the bait or lure inside its mouth. No sturgeon may be taken by trolling, snagging or by the use of firearms. Sturgeon may not be gaffed, nor shall any person use any type of firearm or snare to take any sturgeon.~~

~~For the purposes of this section, a snare is a flexible loop made from any material that can be tightened like a noose around any part of the fish.~~

~~(e) Handling and removal from water: Any sturgeon greater than 60 inches fork length may not be removed from the water and shall be released immediately. Sturgeon of any size shall not be held out of water suspended by the gills, gill plates, mouth, or tail, and shall not be dragged across the ground, boat decks, or piers.~~

~~(f) Sturgeon Fishing Report Card Required. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for White sturgeon. Cardholders must complete and return the card pursuant to regulations in this Section and in Section 1.74, Title 14, CCR.~~

~~(g) Reporting Requirements for Released Fish.~~

~~(1) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, location code, length, and species of sturgeon.~~

~~(2) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released may be recorded on the back of the card.~~

~~(3) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.~~

~~(h) The annual fee for the Sturgeon Fishing Report Card is specified in Section 701(c).~~

~~(i) Special North Coast District Sturgeon Closure (Humboldt, Del Norte, Trinity and Siskiyou cos.). It is unlawful to take any sturgeon in the North Coast District at any time.~~

~~(j) Special Sierra and Valley District Sturgeon Closure from January 1 to December 31 (Shasta, Tehama, Butte and Glenn cos.).~~

~~(1) Sacramento River from Keswick Dam to the Highway 162 Bridge.~~

~~(A) It is unlawful to take any sturgeon.~~

~~(B) It is unlawful to use wire leaders.~~

~~(C) It is unlawful to use lamprey or any type of shrimp as bait.~~

~~(k) Special Yolo Bypass Flood Control System Sturgeon Closure. It is unlawful to take any sturgeon in the Yolo Bypass, Toe Drain Canal, and Tule Canal upstream of Lisbon Weir at any time.~~

~~(l) For regulations on take and possession of sturgeon in ocean waters as defined in Section 27.00, see Sections 27.93 and 27.95.~~

~~Authority cited: Sections 200, 205, 265, 275, 399 and 2084, Fish and Game Code. Reference: Sections 110, 200, 205, 265 and 2084, Fish and Game Code.~~



Section 5.79, Title 14, CCR, is **repealed** as follows:

**~~§ 5.79. White Sturgeon Report Card and Tagging Requirements for Inland Waters (FG 683, See Section 701).~~**

~~See sections 5.78 and 27.93 for white sturgeon fishing regulations during California Endangered Species Act Candidacy.~~

~~(a) Sturgeon Fishing Report Card Required. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for or taking white sturgeon. Cardholders must complete and return the card pursuant to regulations in this Section and in Section 1.74.~~

~~(b) Tagging and Recording Requirements for Retained Fish. A Sturgeon Fishing Report Card includes detachable tags that shall be used to tag any white sturgeon that is taken and retained in the sport fishery. Any white sturgeon possessed by any person shall be tagged.~~

~~(1) Upon taking and retaining a white sturgeon, the cardholder shall immediately record the following information:~~

~~(A) The fishing location, time of catch and length of the fish shall be recorded legibly and permanently in the appropriate spaces on the tag. The cardholder shall immediately and completely punch out the date of catch (month and day) on the sturgeon tag. Tags shall be used in sequential order.~~

~~(B) The month, day, fishing location and length of the fish shall be recorded in the appropriate spaces on the Sturgeon Fishing Report Card which corresponds to the number on the tag.~~

~~(2) Immediately after recording the information above, the cardholder shall remove and completely detach the tag from the card and affix it to the white sturgeon. Cardholders shall not wait until completion of fishing activity to tag any white sturgeon in possession.~~

~~(3) The tag shall be securely fastened to the fish. To affix the tag, a "zip tie", string, line or other suitable material shall be passed through the tag at the location specified on the sturgeon tag and attached to the fish.~~

~~(4) Tags shall not be removed from the report card until immediately prior to affixing to a white sturgeon. Any tags detached from the report card and not affixed to a white sturgeon shall be considered used and therefore invalid. No person shall possess any used or otherwise invalid sturgeon tags.~~

~~(5) Records of Prior Activity. All tags must be accounted for at all times by entry of a record on the Sturgeon Fishing Report Card corresponding to all tags that are not in the cardholder's possession. Any tag that was lost or destroyed shall be recorded as such on the corresponding line on the Sturgeon Fishing Report Card.~~

~~(6) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.~~

~~(c) Reporting Requirements for Released Fish.~~

~~(1) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, location code, and species of sturgeon.~~

~~(2) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released need not be recorded on the card.~~

~~(3) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.~~

~~(d) Sturgeon tags must be left affixed to the fish in place, including while stored at a residence or non-transient location, until the fish is processed for immediate consumption.~~

~~(e) The annual fee for the Sturgeon Fishing Report Card is specified in Section 701(c).~~

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

~~Reference: Sections 200, 205 and 265, Fish and Game Code.~~

Section 5.80, Title 14, CCR, is amended as follows:

**§ 5.80. Inland White Sturgeon.**

(a) ~~Open season: All year, except for closures listed under special regulations.~~

(1) From October 1 through June 30: from the west Carquinez Bridge east to downstream of the confluence of the Feather River on the Sacramento River and downstream of the I-5 bridge on the San Joaquin River.

(2) From October 1 through December 31 of the same calendar year: upstream of the confluence of the Feather River to the Highway 162 Bridge on the Sacramento River and upstream of the I-5 bridge on the San Joaquin River.

(3) Year-round: all tributaries of the Sacramento and San Joaquin Rivers are closed.

(b) ~~Daily and annual bag limit: One fish per day. Three fish per year statewide.~~ Zero fish

(c) ~~Size limit: No fish less than 40 inches fork length or greater than 60 inches fork length may be taken or possessed.~~ Annual bag limit: zero fish per calendar year statewide.

(d) Methods of take: Only one single point, single shank, barbless hook may be used on a line when taking sturgeon. The sturgeon must voluntarily take the bait or lure inside its mouth. No sturgeon may be taken by trolling, snagging or by the use of firearms. Sturgeon may not be gaffed, nor shall any person use any type of firearm or snare to take any sturgeon.

For the purposes of this section, a snare is a flexible loop made from any material that can be tightened like a noose around any part of the fish.

(e) ~~Handling and removal~~ Removal from water. Any sturgeon greater than ~~68~~ 60 inches fork length may not be removed from the water and shall be released immediately. Sturgeon of any size shall not be held out of water suspended by the gills, gill plates, mouth, or solely by the tail, and shall not be dragged across the ground, boat decks, or piers. Lip gripper devices shall not be used on sturgeon.

(f) ~~Sturgeon Fishing Report card required~~ Card Required: Any person fishing for or taking sturgeon shall have in their possession a nontransferable Sturgeon Fishing Report Card issued by the department and shall adhere to all reporting and tagging requirements for sturgeon defined in Sections 1.74 and 5.79, Title 14, CCR. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for white sturgeon. Anglers must complete and return the report card pursuant to regulations in this section and in section 1.74.

(g) Reporting Requirements for Released Fish:

(1) Reporting Requirements for Released Fish (report cards purchased prior to July 1, 2025).

(A) Prior to beginning fishing activity, the cardholder must record the month, day, and location code on the first available line on the report card.

(B) Whenever the cardholder catches and releases a sturgeon, the angler shall immediately record the month, day, and location code and species of sturgeon. Start a new line for every sturgeon caught and released.

(C) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released may be recorded on the back of the card.

(D) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.

(E) Cardholders shall return or report their salmon, steelhead, sturgeon, or abalone report cards to the department pursuant to subsection 1.74(e) by January 31 of the following year.

(F) Any report card holder who fails to return or report their salmon, steelhead, sturgeon, or abalone report card to the department by the deadline may be restricted from obtaining the same card in a subsequent license year or may be subject to an additional fee for the issuance of the same card in a subsequent license year.

(G) The annual fee for the Sturgeon Fishing Report Card is specified in section 701(c).

(2) Reporting Requirements for Released Fish (report cards purchased on or after July 1, 2025).

(A) Prior to beginning fishing activity, the cardholder must record the month, day, and location code on the first available line of the report card.

(B) Whenever the angler catches and releases a sturgeon, the report card holder shall immediately record the catch in the appropriate column on the report card, according to the length and species of the fish.

(C) When the cardholder moves to another location code, the angler must complete the line for the location they were fishing in and then start a new line for the new location.

(D) At the end of the fishing trip, the cardholder shall record the number of hours fished in that location.

(E) Report card holders shall return or report their sturgeon report card to the department pursuant to subsection 1.74(e) by July 31 after the season closes on June 30.

(F) Any report card holder who fails to return or report their sturgeon report card to the department by the deadline may be restricted from obtaining the same card in a subsequent license year or may be subject to an additional fee for the issuance of the same card in a subsequent license year.

(G) In the event an angler fills in all lines and returns a Sturgeon Fishing Report Card, an additional card must be purchased to continue to fish for white sturgeon. See section 1.74(c)(6) The annual fee for the Sturgeon Fishing Report Card is specified in section 701(c).

(h) ~~For regulations on take and possession of sturgeon in ocean waters as defined in Section 27.00, see Sections 27.90, 27.91, and 27.95~~Special North Coast District Sturgeon Closure (Humboldt, Del Norte, Trinity and Siskiyou cos.). It is unlawful to take any sturgeon in the North Coast District at any time.

(i) Special Sierra and Valley District Sturgeon Closure from January 1 to December 31 (Shasta, Tehama, Butte and Glenn cos.).

(1) Sacramento River from Keswick Dam to the Highway 162 Bridge.

(A) It is unlawful to take any sturgeon.

(B) It is unlawful to use wire leaders.

(C) It is unlawful to use lamprey or any type of shrimp as bait.

(j) Special Yolo Bypass Flood Control System Sturgeon Closure. It is unlawful to take any sturgeon in the Yolo Bypass, Toe Drain Canal, and Tule Canal upstream of Lisbon Weir at any time.

(k) For regulations on take and possession of white sturgeon in ocean waters as defined in section 27.00, see section 27.90.

NOTE: Authority cited: Sections 200, 205, 265, 275, 399, and 2084, Fish and Game Code.

Reference: Sections 110, 200, 205, 265, and 2084, Fish and Game Code.

Section 5.81, Title 14, CCR, is amended as follows:

**§ 5.81. Inland Green Sturgeon.**

- (a) Green sturgeon may not be taken or possessed.
- (b) Green sturgeon may not be removed from the water and shall be released immediately.
- (c) Green sturgeon taken and released incidentally to white sturgeon fishing shall be reported on a Sturgeon Fishing Report Card issued by the department, in accordance with procedures defined in Sections 1.74 and ~~5.79~~5.80, ~~Title 14, CCR.~~

Authority cited: Sections 200, 205, 265 and 275 Fish and Game Code. Reference: Sections 110, 200 and 205, Fish and Game Code.

Section 27.60, Title 14, CCR, is amended as follows:

**§ 27.60. Limit.**

...

*[No change to subsections (a) and (b)]*

...

- (c) Boat limit. When two or more persons that are licensed or otherwise authorized to sport fish in ocean waters off California or in the San Francisco Bay District, defined in Section 27.00, are angling for finfish aboard a vessel in these waters, fishing by all authorized persons aboard may continue until boat limits of finfish are taken and possessed aboard the vessel as authorized under this section or Section 195, Title 14, CCR.
- (1) The authorization for boat limits aboard a vessel does not apply to fishing trips originating in California where fish are taken in other jurisdictions.
  - (2) A boat limit for a species or species group is the number of persons aboard a vessel that are licensed or otherwise authorized to sport fish in ocean waters off California, or in waters of the San Francisco Bay District, (see special conditions of Section 195, Title 14, CCR, applicable to operator and crew members of vessels licensed pursuant to Fish and Game Code 7920) multiplied by the individual daily bag limit authorized for a species or species group in those waters. With the exception of species listed in subsection (b) above, the total fish aboard a boat may not exceed the aggregate per-person daily bag limit of 20-fish in combination of all species times the number of anglers licensed or otherwise authorized to sport fish aboard the vessel. It is unlawful to exceed the boat limit at any time.
  - (3) All persons aboard a vessel may be cited where violations involving boat limits are found, including, but not limited to the following violations:
    - (A) Over limits
    - (B) Possession of prohibited species
    - (C) Violation of size limits
    - (D) Fish taken out of season or in closed areas.
  - (4) Upon completion of a fishing trip aboard a vessel, each licensed angler or person otherwise authorized to sport fish may not possess more than the individual daily bag and possession limits. For purposes of this section, a trip is completed at the time a person disembarks from a vessel and individual possession limits apply. Special boat limit provisions apply to persons fishing aboard commercial passenger fishing vessels reporting pursuant to Section 195, Title 14, CCR.
  - (5) Species for which no daily bag limit exists are not counted as part of a boat limit.
  - ~~(6) Boat limits are not authorized for sturgeon fishing and shall not apply to the take, possession or retention of sturgeon.~~

Authority cited: Sections 200, 205, 265, 2084, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 205, 255, 265, 2084, 7071, 7120 and 8587.1, Fish and Game Code.



Section 27.90, Title 14, CCR, is amended as follows:

**§ 27.90. Ocean White Sturgeon.**

- (a) Open season: ~~All year~~From October 1 through June 30 except as described in subsection (i) of these regulations.
- (b) Daily and annual bag limit: ~~One fish per day. Three fish per year statewide.~~Zero fish.
- (c) Size limit: ~~No fish less than 40 inches fork length or greater than 60 inches fork length may be taken or possessed~~Annual bag limit: zero fish per calendar year statewide.
- (d) Methods of take: Only one single point, single shank, barbless hook may be used on a line when taking sturgeon. The sturgeon must voluntarily take the bait or lure inside its mouth. No sturgeon may be taken by trolling, snagging or by the use of firearms. Sturgeon may not be gaffed, nor shall any person use any type of firearm or snare to take any sturgeon.

For the purposes of this section, a snare is a flexible loop made from any material that can be tightened like a noose around any part of the fish.
- (e) ~~Handling and removal~~Removal from water. Any sturgeon greater than ~~68~~60 inches fork length may not be removed from the water and shall be released immediately. Sturgeon of any size shall not be held out of water suspended by the gills, gill plates, mouth, or solely by the tail, and shall not be dragged across the ground, boat decks, or piers. Lip gripper devices shall not be used on sturgeon.
- (f) ~~Sturgeon Fishing Report card required~~Card Required: Any person fishing for or taking sturgeon shall have in their possession a nontransferable Sturgeon Fishing Report Card issued by the department and shall adhere to all reporting and tagging requirements for sturgeon defined in Sections 1.74 and 5.79, Title 14, CCRAll anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for white sturgeon. Cardholders must complete and return the card pursuant to regulations in this section and in section 1.74.
- (g) Reporting Requirements for Released Fish:
  - (1) Reporting Requirements for Released Fish (report cards purchased prior to July 1, 2025).
    - (A) Prior to beginning fishing activity, the cardholder must record the month, day, and location code on the first available line on the report card.
    - (B) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, and location code and species of sturgeon. Start a new line for every sturgeon caught and released.
    - (C) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released may be recorded on the back of the card.
    - (D) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.
    - (E) Report card holders shall return or report their salmon, steelhead, sturgeon, or abalone report cards to the department pursuant to subsection 1.74(e) by January 31 of the following year.

(F) Any report card holder who fails to return or report their salmon, steelhead, sturgeon, or abalone report card to the department by the deadline may be restricted from obtaining the same card in a subsequent license year or may be subject to an additional fee for the issuance of the same card in a subsequent license year.

(G) The annual fee for the Sturgeon Fishing Report Card is specified in section 701(c).

(2) Reporting Requirements for Released Fish (report cards purchased for the season starting on or after July 1, 2025).

(A) Prior to beginning fishing activity, the cardholder must record the month, day, and location code on the first available line of the report card.

(B) Whenever the angler catches and releases a sturgeon, the report card holder shall immediately record the catch in the appropriate column on the report card, according to the length and species of the fish.

(C) When the cardholder moves to another location code, the angler must complete the line for the location they were fishing in and then start a new line for the new location.

(D) At the end of the fishing trip, the cardholder shall record the number of hours fished in that location.

(E) Report card holders shall return or report their sturgeon report card to the department pursuant to subsection 1.74(e) by July 31 of the following year.

(F) Any report card holder who fails to return or report their sturgeon report card to the department by the deadline may be restricted from obtaining the same card in a subsequent license year or may be subject to an additional fee for the issuance of the same card in a subsequent license year.

(G) In the event an angler fills in all lines and returns a Sturgeon Fishing Report Card, an additional card must be purchased to continue to fish for white sturgeon. See section 1.74(h) The annual fee for the Sturgeon Fishing Report Card is specified in section 701(c).

(h) The annual fee for the Sturgeon Fishing Report Card is specified in section 701.

(i) San Francisco Bay Special Closure: White sturgeon may not be taken in the following described area between January 1 and March 15: That portion of San Francisco Bay included within the following boundaries: A direct line between Pt. Chauncy (National Marine Fisheries Laboratory) and Pt. Richmond, the San Francisco-Oakland Bay Bridge and a direct line between Pt. Lobos and Pt. Bonita.

~~(g) (j)~~ For regulations on take and possession of sturgeon in inland waters as defined in ~~S~~section 1.53, see ~~S~~section 5.80 and Section 5.81.

~~(h) Boat limits, as defined in Subsection 27.60(c) and Section 195, are not authorized for sturgeon fishing and shall not apply to the take, possession or retention of white sturgeon.~~

NOTE: Authority cited: Sections 200, 202, 205 and 220, Fish and Game Code. Reference: Sections 200, 205 and 206, Fish and Game Code

Section 27.91, Title 14, CCR, is amended as follows:

**§ 27.91. Ocean Green Sturgeon.**

- (a) Green sturgeon may not be taken or possessed.
- (b) Green sturgeon may not be removed from the water and shall be released immediately.
- (c) Green sturgeon taken and released incidentally to white sturgeon fishing shall be reported on a Sturgeon Fishing Report Card issued by the department, in accordance with procedures defined in ~~Sections 1.74 and 27.92~~27.90, Title 14, CCR.
- (d) San Francisco Bay Special Closure: Green sturgeon may not be taken in the following described area between January 1 and March 15: That portion of San Francisco Bay included within the following boundaries: A direct line between Pt. Chauncy (National Marine Fisheries Laboratory) and Pt. Richmond, the San Francisco-Oakland Bay Bridge and a direct line between Pt. Lobos and Pt. Bonita.

Authority cited: Sections 200, 205, 265, ~~and 275~~, and 2084 Fish and Game Code. Reference: Sections 110, 200, ~~and 205~~, and 2084 Fish and Game Code.

Section 27.92, Title 14, CCR, is **repealed** as follows:

**~~§ 27.92. White Sturgeon Report Card and Tagging Requirements for Ocean Waters (FG 683, See Section 701).~~**

~~See sections 5.78 and 27.93 for white sturgeon fishing regulations during California Endangered Species Act Candidacy.~~

~~(a) Sturgeon Fishing Report Card Required. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for or taking white sturgeon. Cardholders must complete and return the card pursuant to regulations in this Section and in Section 1.74.~~

~~(b) Tagging and Recording Requirements for Retained Fish. A Sturgeon Fishing Report Card includes detachable tags that shall be used to tag any white sturgeon that is taken and retained in the sport fishery. Any white sturgeon possessed by any person shall be tagged.~~

~~(1) Upon taking and retaining a white sturgeon, the cardholder shall immediately record the following information:~~

~~(A) The fishing location, time of catch and length of the fish shall be recorded legibly and permanently in the appropriate spaces on the tag. The cardholder shall immediately and completely punch out the date of catch (month and day) on the sturgeon tag. Tags shall be used in sequential order.~~

~~(B) The month, day, fishing location and length of the fish shall be recorded in the appropriate spaces on the Sturgeon Fishing Report Card which corresponds to the number on the tag.~~

~~(2) Immediately after recording the information above, the cardholder shall remove and completely detach the tag from the card and affix it to the white sturgeon. Cardholders shall not wait until completion of fishing activity to tag any white sturgeon in possession.~~

~~(3) The tag shall be securely fastened to the fish. To affix the tag, a "zip tie", string, line or other suitable material shall be passed through the tag at the location specified on the sturgeon tag and attached to the fish.~~

~~(4) Tags shall not be removed from the report card until immediately prior to affixing to a white sturgeon. Any tags detached from the report card and not affixed to a white sturgeon shall be considered used and therefore invalid. No person shall possess any used or otherwise invalid sturgeon tags.~~

~~(5) Records of Prior Activity. All tags must be accounted for at all times by entry of a record on the Sturgeon Fishing Report Card corresponding to all tags that are not in the cardholder's possession. Any tag that was lost or destroyed shall be recorded as such on the corresponding line on the Sturgeon Fishing Report Card.~~

~~(6) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.~~

~~(c) Reporting Requirements for Released Fish.~~

~~(1) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, location code, and species of sturgeon.~~

~~(2) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released need not be recorded on the card.~~

~~(3) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.~~

~~(d) Sturgeon tags must be left affixed to the fish in place, including while stored at a residence or non-transient location, until the fish is processed for immediate consumption.~~

~~(e) The annual fee for the Sturgeon Fishing Report Card is specified in Section 701, Title 14, GCR.~~

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

~~Reference: Sections 200, 205 and 265, Fish and Game Code.~~

Section 27.93, Title 14, CCR, will expire on September 1, 2025:

**~~§ 27.93. White Sturgeon Catch and Release Sport Fishing for Ocean Waters.~~**

~~Notwithstanding Sections 27.90 and 27.92 of these regulations, white sturgeon may not be taken in ocean waters statewide except as authorized below:~~

~~(a) Open season: From October 1 through June 30 except as described in Section 27.95 of these regulations.~~

~~(b) Daily limit: zero fish per day.~~

~~(c) Annual bag limit: zero fish per calendar year statewide.~~

~~(d) Methods of take: Only one single point, single shank, barbless hook shall be used on a line when taking sturgeon. The sturgeon must voluntarily take the bait or lure in its mouth. No sturgeon may be taken by trolling, snagging or by the use of firearms. Sturgeon may not be gaffed, nor shall any person use any type of firearm or snare to take any sturgeon.~~

~~For the purposes of this section, a snare is a flexible loop made from any material that can be tightened like a noose around any part of the fish.~~

~~(e) Handling and removal from water: Any sturgeon greater than 60 inches fork length may not be removed from the water and shall be released immediately. Sturgeon of any size shall not be held out of water suspended by the gills, gill plates, mouth, or tail, and shall not be dragged across the ground, boat decks, or piers.~~

~~(f) Sturgeon Fishing Report Card Required. All anglers must have a valid Sturgeon Fishing Report Card in their possession while fishing for white sturgeon. Cardholders must complete and return the card pursuant to regulations in this Section and in Section 1.74, Title 14, CCR.~~

~~(g) Reporting Requirements for Released Fish.~~

~~(1) Whenever the cardholder catches and releases a sturgeon, the cardholder shall immediately record the month, day, location code, length, and species of sturgeon.~~

~~(2) If all lines in the "sturgeon released" field of the report card are filled, any additional sturgeon caught and released may be recorded on the back of the card.~~

~~(3) If the sturgeon has a department reward disk attached, write the reward disk number in the space provided on the report card.~~

~~(h) The annual fee for the Sturgeon Fishing Report Card is specified in Section 701, Title 14, CCR.~~

~~(i) For regulations on take and possession of sturgeon in inland waters as defined in Section 1.53, see Section 5.78.~~

~~Authority cited: Sections 200, 202, 205, 220, 265, 399 and 2084, Fish and Game Code. Reference: Sections 200, 205, 206, 265 and 2084, Fish and Game Code.~~

Section 27.95, Title 14, CCR, is repealed as follows:

**~~§ 27.95. Sturgeon Closure.~~**

~~Green sturgeon and white sturgeon may not be taken in the following described area between January 1 and March 15: That portion of San Francisco Bay included within the following boundaries: A direct line between Pt. Chauncy (National Marine Fisheries Laboratory) and Pt. Richmond, the San Francisco-Oakland Bay Bridge and a direct line between Pt. Lobos and Pt. Bonita.~~

~~Authority cited: Sections 200, 205, 219, 265 and 275, Fish and Game Code. Reference: Sections 200, 205, 255, 265, 270 and 275, Fish and Game Code.~~

Section 701, Title 14, CCR, is amended as follows:

**§ 701. Sport Fishing Forms and Fees.**

<b><u>Subsection</u></b>	<b><i>Application Type</i></b>	<b><i>Permit Fees (US\$)</i></b>	<b><i>Replacement Processing Fees (US\$)</i></b>
(a)	Declaration for Multi-Day Fishing Trip (FG 935 (Rev. 2/13)), incorporated by reference herein	5.75	
(b)	2014 North Coast Salmon Report Card	5.75	
(c)	<del>2014</del> <u>2025</u> Sturgeon Fishing Report Card	<del>7.50</del> <u>5.00-11.00</u>	
<del>(d)</del>	<del>2014 Sturgeon Fishing Replacement Report Card and Replacement Fee</del>	<del>7.50</del>	<del>7.50</del>
( <del>e</del> )	2014 Spiny Lobster Report Card	8.75	
( <del>f</del> )	2014 Spiny Lobster Report Card Non-Return Fee	20.00	
( <del>g</del> )	2014 Abalone Replacement Report Card and Replacement Fee	9.50	7.50
( <del>h</del> )	2021 Recreational Crab Trap Validation	2.25	

(~~h~~) Pursuant to the provisions of section 699, ~~Title 14~~, the department shall annually adjust the fees of all licenses, stamps, permits, tags, or other entitlements required by regulations set forth in this section.

Authority cited: Sections 200, 205, 265, 275, 713, 1050, 1053.1, 2084 and 7149.8, Fish and Game Code. Reference: Sections 200, 205, 265, 275, 713, 1050, 1053.1, 1055.1, 2084 and 7149.8, Fish and Game Code.



# Memorandum

**Date:** April 3, 2025

**To:** Melissa Miller-Henson  
Executive Director  
Fish and Game Commission

**From:** Charlton H. Bonham  
Director

**Subject:** **Submission of Initial Study and Negative Declaration for Proposed Amendments to Sections 1.74, 5.80, 5.81, 27.60, and 27.90; and Repeal of Sections 5.78, 5.79, 27.92, 27.93, and 27.95, Title 14, California Code of Regulations**

In compliance with the California Environmental Quality Act, on behalf of the Fish and Game Commission (Commission), the Department of Fish and Wildlife (Department) has prepared the enclosed *Initial Study/Negative Declaration for Proposed Amendments to Sections 1.74, 5.80, 5.81, 27.60, and 27.90; and Repeal of Sections 5.78, 5.79, 27.92, 27.93, and 27.95, Title 14, CCR, White Sturgeon Catch-and-Release Fishing*. Based on the initial study, the Department has concluded that the proposed amendments will not have any significant or potentially significant effects on the environment. The Department recommends the Commission adopt the proposed negative declaration.

If you have any questions regarding the enclosed documents, please contact Maggie McCann, Senior Environmental Scientist, at [inlandfisheriesreg@wildlife.ca.gov](mailto:inlandfisheriesreg@wildlife.ca.gov).

cc: Chad Dibble, Deputy Director  
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Fish and Game Commission

**California Fish and Game Commission**

**DRAFT Negative Declaration For  
Proposed Amendments to  
White Sturgeon Catch and Release Fishing 2025 Sport Fishing Regulations  
Title 14, California Code of Regulations**

Prepared by:

California Department of Fish and Wildlife Fisheries Branch  
on behalf of the California Fish and Game Commission

January 2025

This Report Has Been Prepared Pursuant to the  
California Environmental Quality Act of 1970

State Clearinghouse #

## Project Summary and Findings

### Project

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

The California Fish and Game Commission (Commission) proposes to amend regulations related to white sturgeon sport fishing for the 2026 season and onward. Since 2007, white sturgeon sport fish regulations have allowed the harvest of three fish annually within a slot limit of 40 to 60 inches fork length (FL; measurement of the fish from the front of its head to the fork in its tail), but a 2022 species mortality event triggered a series of emergency regulation amendments aimed to limit harvest. In October 2023, the Commission passed emergency regulations that reduced the fishery to one white sturgeon per year within a slot limit of 42 to 48 inches, plus restricted fishing in migration and spawning habitat during critical months. These regulations went into effect on November 16, 2023 and were readopted in May 2024.

In June 2024, the Commission accepted for further consideration a petition to list white sturgeon as a threatened species under the California Endangered Species Act (CESA). As a result of that determination, white sturgeon became a candidate species pursuant to provisions within CESA. CESA requires that the Department of Fish and Wildlife (Department/CDFW) initiate a status review of the species. During this review and until the Commission makes a final decision on whether to list white sturgeon under CESA, the take, possession, importation and purchase or sale protections afforded to threatened and endangered species also apply to white sturgeon as a candidate species. This prohibition of take includes non-harvest “catch-and-release” angling; however, Fish and Game Code Section 2084 permits the Commission to authorize the take of candidate species of fish by hook and line for sport based on the best available scientific information. At the August 2024 Commission meeting, the Department presented an emergency regulation package pursuant to Fish and Game Code Section 2084 that would allow for a recreational catch-and-release fishery during the candidacy period. The Commission voted to approve the emergency regulation pursuant to Fish and Game Code Section 2084, and it went into effect on September 6, 2024.

The proposed amendments to the white sturgeon sport fishing regulations will continue the emergency regulation that authorizes recreational catch-and-release fishing. The existing emergency regulations would expire in September 2025 following the extension of the emergency regulations in December 2024 (extension 1) and May 2025 (extension 2). The proposed amendment is necessary to continue the recreational catch-and-release fishery through candidacy and after the Commission decision on the CESA listing status of white sturgeon. This action also revises the Sturgeon Fishing Report Card from a year-long season (January 1 through December 31) to match the sturgeon fishing season established by the emergency action (October 1 through June 30).

### Findings

The initial study and the Commission’s review of the project showed that permitting catch-and-release angling will not have any significant or potentially significant effects on the environment, and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment. The project will not have a significant effect on aesthetics, agriculture and forestry resources, air quality, biological resources, cultural

resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.

### ***Basis of the Findings***

Based on the initial study, implementing the project will not have any significant or potentially significant effects on the environment. Therefore, the Commission is filing this negative declaration pursuant to the California Environmental Quality Act, Public Resources Code Section 21080, subdivision (c).

This proposed negative declaration consists of the following:

- Introduction – Project Description and Background Information
- Initial Study Environmental Checklist Form
- Explanation of the Response to the Initial Study Environmental Checklist Form

## Project Description and Background Information For Proposed Amendments to White Sturgeon Catch and Release Fishing

### Introduction

The proposed amendments to the white sturgeon sport fishing regulations will continue the catch-and-release fishing regulations established by emergency regulatory action under Fish and Game Code Section 2084 on September 6, 2024. The proposed amendments are considered and evaluated by the Commission during three or more regularly scheduled meetings. The Commission makes the final determination on what amendments to the regulations should be adopted at the Commission's adoption meeting. The Commission received the Department's recommended amendments to the white sturgeon recreational fishing regulations at the February 13, 2025, meeting (notice meeting) and will consider adopting the amendments at the June 19, 2025, meeting (adoption meeting). The Commission is the lead agency for the purposes of the California Environmental Quality Act (CEQA) for this project. Under Fish and Game Code Section 200, the Commission has the authority to regulate the taking or possession of fish for the purpose of sport fishing.

### Project Goals and Objectives

The goal of this project is to amend the white sturgeon sport fishing regulations in furtherance of the state's conservation policy as set forth in Section 1700 of the Fish and Game Code. The conservation policy includes the following objectives:

- (a) The maintenance of sufficient populations of all species;
- (b) The recognition of the importance of recreational uses;
- (c) The maintenance of a sufficient resource to support a reasonable sport use;
- (d) The growth of local commercial fisheries; and
- (e) The management of the fisheries under the state's jurisdiction.

### Background

White sturgeon (*Acipenser transmontanus*) are an anadromous species of fish that reside primarily in the San Francisco Bay Delta and migrate as adults into the major rivers of the Central Valley to spawn. Most spawning occurs in the Sacramento River between Verona and Colusa (Schaffter 1997), with a lesser amount of spawning on the lower San Joaquin River (Jackson et al. 2015). Some additional spawning may occur in tributaries such as the Feather, Bear, and Yuba rivers. White sturgeon are long lived, potentially in excess of 100 years, with most reaching maturity by approximately 14 to 19 years, spawning every two to four years once mature (Chapman et al. 1996; Hildebrand et al. 2016). Successful recruitment of juveniles is infrequent, occurring approximately every six to seven years, highly correlated with above normal water years as measured by high mean daily Delta outflow (CDFW 2023; Fish 2010). Considerable declines in both relative and absolute abundance have been measured by the Department (CDFW 2023; Danos et al. 2019). The most recent Department estimate was approximately 33,000 legal sized catchable fish, whereas estimates of 150,000—200,000 legal sized fish were typical in past decades (CDFW 2023).

White sturgeon have been the focus of a recreational fishery since 1954. Until recently, recreational anglers could keep one white sturgeon per day, and a combined total of three per

year with a slot limit of 40 to 60 inches FL. The season was open year-round, with some limited regional and/or seasonal closures. In 2022, a Harmful Algal Bloom (HAB) of the marine phytoflagellate *Heterosigma akashiwo* resulted in the largest fish kill in the recorded history of the region. Many species were impacted during this event including white sturgeon. Over 850 white sturgeon carcasses were found during monitoring, but the full magnitude of the fish kill is unknown as only approximately 20% of the shoreline was able to be surveyed. A HAB of the same species occurred again in 2023, though of lower intensity, leading to 15 recorded white sturgeon carcasses. Due to cessation of funding for the historical abundance monitoring program, it has not been possible to make a white sturgeon abundance estimate since the HAB events.

As a result of long-term declines in the population, the impacts of the HAB, and the unknown current status of the population, the Department proposed an emergency regulation shifting the recreational fishery to catch-and-release only, as well as protection of the migrating and spawning grounds in October 2023. The goal of the 2023 emergency regulation recommendation was to protect the species from over-exploitation while long term fishing regulations could be revised that would offer harvest opportunities at levels that would not threaten the long-term success of the population. During the Commission meeting considering the emergency regulation, the industry expressed concerns about the effect closure of harvest would have on their business and livelihoods, particularly in light of a recent closure of the salmon fishery and changes to other popular fisheries such as halibut and rockfish. In response, the Commission adopted an emergency regulation to reduce fishing pressure on white sturgeon while retaining harvest. Under emergency regulations enacted on November 16, 2023, anglers with a Sturgeon Report Card were permitted to take one white sturgeon a year between 42 and 48 inches FL, with a maximum of two fish harvested per boat per day. Fishing was prohibited from January 1 through June 30 upstream of the Highway 50 bridge on the Sacramento River and the I-5 bridge on the San Joaquin River.

### ***California Endangered Species Act Candidacy***

On November 29, 2023, the Commission received a petition from San Francisco Baykeeper, The Bay Institute, Restore the Delta, and California Sportfishing Protection Alliance to list white sturgeon as threatened under the California Endangered Species Act (CESA). The petitioners argued that long-term declines in the abundance of white sturgeon are due to 1) Central Valley water management infrastructure and operations, 2) overharvest in the recreational fishery, 3) Harmful Algal Blooms, and 4) other factors such as poaching, pollution, vessel strikes, and climate change. On March 15, 2024, the Department submitted an evaluation to the Commission, determining that the petition provided sufficient scientific information to indicate that the petitioned action may be warranted. On June 19, the Commission accepted the petition for further consideration, designated white sturgeon as a candidate species under CESA, and directed the Department to initiate a status review of the species.

Under CESA, during the status review of candidate species, the protections against take, possession, importation, purchase, and sale afforded to threatened and endangered species also apply to candidate species. This prohibition of take includes non-harvest “catch-and-release” angling; however, Fish and Game Code Section 2084 permits the Commission to

authorize the take of candidate species of fish by hook and line for sport, based on the best available scientific information.

On May 28, 2024, the Nor-Cal Guides and Sportsmen's Association (NCGASA) submitted a written letter to the Commission stating that candidacy "has the potential to cause irreparable damage to the business and recreational anglers who fish for white sturgeon in California's coastal, Delta, and inland waters" (NCGASA 2024) noting impacts to guides, charter boat captains, and angling-associated businesses. Industry representatives requested an exemption to permit a recreational sturgeon fishery that includes harvest to continue to operate; however, the letter did not propose any specific regulatory options, such as seasons, geographic range, or harvest bag and size range limits.

At its June 19, 2024, meeting, the Commission heard testimony from members of the sturgeon angling and business community requesting that the fishery remain open with some level of take. The concern expressed was that a complete closure of the fishery during CESA candidacy created substantial economic harm to businesses that rely on the white sturgeon fishery, including charter captains, guides, bait and tackle stores and suppliers, marinas, and related services. Such factors may be considered in authorizing some form of take under Section 2084 of the Fish and Game Code, which allows the Commission, based on the best available scientific information, to authorize the taking of any fish by hook and line for sport that is listed as an endangered, threatened, or candidate species. The potential for economic harm, coupled with the sudden nature of the protections that candidate species receive, constituted an emergency that authorized the Commission to address the matter through regulation. The Commission requested that the Department explore potential changes to the take prohibition granted with the June 19, 2024 decision on candidacy for the purpose of identifying potential fishing regulations that would mitigate economic impacts, while still providing adequate protective regulatory measures to white sturgeon.

At its August 15, 2024 meeting, the Commission adopted an emergency regulation that permits a catch-and-release fishery for white sturgeon during the CESA candidacy/ status review period since it is expected to have minimal impact on the population, while providing recreational opportunities for anglers and mitigating adverse economic impacts to businesses that serve sturgeon angling. At the December 11, 2024 meeting the Commission adopted an extension of the emergency regulations with minimal changes to the regulatory language.

### ***Emergency Regulations in Effect***

The emergency regulations under Fish and Game Code Section 2084, effective on September 6, 2024, created two new sections under Title 14, CCR, that supersede but do not replace four existing sections addressing white sturgeon fishing and report card requirements. Section 5.78 combines most elements of existing sections 5.79 and 5.80, and defines seasons, closed areas, gear and handling restrictions, and report card requirements for catch-and-release fishing in inland waters. Section 27.93 combines sections 27.90 and 29.72 in the same manner for ocean waters. Regulations in sections 5.78 and 27.93 supersede sections 5.79, 5.80, 27.90 and 27.92, making the latter four sections inoperative until the emergency regulations expire in September of 2025. The emergency action added a sentence at the beginning of sections 5.79, 5.80, 27.90 and 27.92 with a cross-reference to new sections 5.78 and 27.93.



The regulatory language for the first readoption of the Fish and Game Code Section 2084 emergency was the same as the original Fish and Game Code Section 2084 emergency regulation with the exception of a minor clarification on fish handling in sections 5.78(e) and 27.93(e) where the words “solely by the” was added to read:

(e) Handling and removal from water: Any sturgeon greater than 60 inches fork length may not be removed from the water and shall be released immediately. Sturgeon of any size shall not be held out of water suspended by the gills, gill plates, mouth, or solely by the tail, and shall not be dragged across the ground, boat decks, or piers.

This added language was necessary because it clarified the new regulatory amendments regarding handling sturgeon. To minimize risk of injury to white sturgeon in a catch-and-release fishery, regulatory amendments were made to restrict holding sturgeon in ways that could damage their gills, mouth, or spine.

The goal of the current emergency regulations under Fish and Game Code Section 2084 are to permit a catch-and-release fishery for white sturgeon during the CESA status review process since it is expected to have minimal impact on the population, while providing recreational opportunities for anglers and mitigating adverse economic impacts to businesses that serve sturgeon angling. The emergency regulations contain the following major changes from the previous regulations:

- Removal of all language related to harvest, including bag limits, annual limits, and size limits.
- Prior to candidacy, white sturgeon could be fished all year in the San Francisco Estuary and the Delta. As per the emergency regulations adopted on November 16, 2023, fishing was not permitted between January 1 and May 31 on the Sacramento River (upstream of the Highway 50 bridge) and the San Joaquin River (upstream of the I-5 bridge) in order to protect the sturgeon migration path, spawning habitat, and spawning white sturgeon. Additional existing regional closures also remained in effect (e.g. Yolo Bypass, North Coast District, Special Sierra and Valley District Sturgeon Closure).
- The emergency regulations instituted a fishing season of October 1 through June 30 in all waters downstream of the confluence of the Feather River on the Sacramento River and the I-5 Bridge on the San Joaquin River. No sturgeon fishing would be permitted in these areas between July 1 and September 30. These months experience the warmest air and water temperatures and pose the greatest risk of physiological stress to fish caught, played, and handled by anglers during that time. These months are also the least popular sturgeon fishing months based on both CDFW Sturgeon Report Card data and data collected by the fishing industry.
- Fishing upstream of the confluence of the Feather River (Sacramento River) and the I-5 bridge (San Joaquin River) is restricted to October 1 through December 31 to protect migration and spawning. This action expands the existing closure to include the warm summer months, as described above.
- Fishing for sturgeon is not permitted in tributaries of the Sacramento and San Joaquin rivers (including tributaries of those tributaries). The only reason white sturgeon enter these



smaller rivers is to spawn and they do not reside there unless stranded by dropping flows. Federal Endangered Species Act (ESA) protected southern Distinct Population Segment (DPS) green sturgeon also enter these rivers and routinely stay over the summer or longer. Further, sturgeon in these rivers are restricted to small, deep holes and are more easily targeted by anglers. Any sturgeon present in these rivers would either be a spawning migrant or a protected green sturgeon and should not be the target of anglers.

- Addition of language describing permitted handling:
  - Due to their mouth shape and foraging habits, sturgeon rarely swallow tackle or suffer the types of deep hooking injuries that are common in other species. The most significant potential source of injury for sturgeon in a catch-and-release fishery will be related to how the fish are handled after catch. Sturgeon lack a rigid, bony skeleton and their skeletal frame mostly consists of cartilage with the exception of some heavy bones in the skull and pectoral girdle. Their structure has not evolved to support their heavy mass against gravity when in air and some care must be taken when handling them.
  - Prior to candidacy, the regulations required that fish greater than 68 inch FL could not be taken out of the water and had to be released immediately. This limit was set when the legal size for harvest was up to 60 inches FL and was designed to protect the largest, heaviest fish. Reducing this maximum out of water size to 60 inches protects most of the mature population but still allows catch-and-release anglers to take a trophy picture of their catch. Fish less than 60 inches FL are light enough that they are not likely to be injured due to gravity.
  - The most likely sources of injury come from anglers that attempt to 1) lift the fish off the ground by grabbing the gills or gill plates or by dangling them by their tail, or 2) drag fish over the ground or boat/pier surfaces. These handling restrictions are intended to limit the effects of rough handling on sturgeon survival.

### ***Environmental Setting***

The current catch-and-release angling regime, embodied by the presently operative emergency regulations, together with the closures and handling provisions, represents the environmental baseline for this CEQA analysis. While the Commission acknowledges the regulatory setting is highly dynamic given the string of recent regulatory amendments and the uncertainty of the future CESA listing determination, the Commission respects the direction in the CEQA guidelines that the environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant and the Commission does not see a clear alternative that merits deviating from that norm.

### ***Proposed Regulatory Amendments***

The proposed amendments to the white sturgeon sport fishing regulations addressed by the initial study/negative declaration will continue catch-and-release fishing regulations established by the emergency regulatory action. The existing emergency regulations would expire in September 2025 following proposed extensions of the emergency regulations in December 2024 (extension 1) and May 2025 (extension 2).

After the Department's status report on white sturgeon is delivered to the Commission, the Commission will hold a hearing to determine whether listing white sturgeon under CESA may be warranted. If the Commission determines that listing is warranted, white sturgeon will cease to be a candidate species and will be listed under CESA as either threatened or endangered. If the Commission determines that listing is not warranted, white sturgeon will cease to be a candidate species and will return to its pre-candidacy status. It is the Commission's intent that this regulation be in force under either circumstance. In the case of listing, it would remain effective under the authority of Fish and Game Code Section 2084 (among others). In the case of not listing, it would remain effective under the Commission's general authority to regulate the taking of fish under Fish and Game Code Section 200 (and others).

The proposed amendment is necessary to continue the catch-and-release fishery through candidacy and after the Commission decides on the CESA listing status of white sturgeon. This action also revises the Sturgeon Fishing Report Card from a year-long season (January 1 through December 31) to match the sturgeon fishing season established by the emergency action (October 1 through June 30) and alters reporting requirements.

### **Project Location**

The white sturgeon sport fishing regulation amendments addressed by the initial study/negative declaration occur throughout the inland and ocean waters of California.

### **Schedule**

If adopted by the Commission at its June 19, 2025, meeting, and approved by the Office of Administrative Law, the proposed regulatory amendments described below will go into effect on January 1, 2026.

**Environmental Checklist Form**

1. Project Title:  
White Sturgeon Catch and Release Fishing 2025 Sport Fishing Regulations  
Title 14, California Code of Regulations
2. Lead Agency Name and Address:  
California Fish and Game Commission  
715 P Street, 16<sup>th</sup> Floor  
Sacramento, CA 95814
3. Contact Person and Phone Number:  
Melissa Miller-Henson, (916) 653-7229
4. Project Location:  
Inland and ocean waters of California.
5. Project Sponsor's Name and Address:  
California Department of Fish and Wildlife  
Fisheries Branch  
1010 Riverside Parkway  
West Sacramento, CA 95605
6. General Plan designation:  
N/A (statewide)
7. Zoning:  
N/A (statewide)
8. Description of Project:  
The California Fish and Game Commission proposes to amend selected sport fishing regulations for white sturgeon. This action permits a catch-and-release fishery for white sturgeon during the California Endangered Species Act (CESA) status review process and after a listing decision is reached. It also revises the Sturgeon Fishing Report Card from a year-long season (January 1 through December 31) to match the sturgeon fishing season established by the emergency action (October 1 through June 30). This amendment is necessary to maintain consistency with the Department's mission to manage California's diverse fisheries resources for their ecological value and their use and enjoyment by the public.
9. Surrounding land uses and setting:  
N/A
10. Other Public Agencies Whose Approval Is Required:  
None.
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.31?  
In July and September 2024, the Commission mailed a tribal notification to Native American tribes traditionally and culturally affiliated with the project area. One tribe requested and

received consultation. Additionally, the Department held two tribal listening sessions in January 2025.

### Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                | <input type="checkbox"/> Agriculture and Forestry | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources      | <input type="checkbox"/> Cultural Resources       | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology/Soils             | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials    |
| <input type="checkbox"/> Hydrology/Water Quality   | <input type="checkbox"/> Land Use/Planning        | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                     | <input type="checkbox"/> Population/Housing       | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                | <input type="checkbox"/> Transportation           | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire                 | <input type="checkbox"/> Mandatory Findings of Significance |

This project will not have a “Potential Significant Impact” on any of the environmental factors listed above; therefore, no boxes are checked.

### Determination:

On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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**Melissa Miller-Henson, Executive Director**

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**Date**

## Responses to Initial Study Environmental Checklist

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTM)	Less Than Significant Impact	No Impact (NI)
<b>I. Aesthetics.</b> Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>II. Agriculture And Forestry Resources.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>III. Air Quality.</b> Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Result in any other emissions (such as those leading to odors) affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>IV. Biological Resources.</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	LTS	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI



	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>V. Cultural Resources.</b> Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>VI. Energy.</b> Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>VII. Geology and Soils.</b> Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>VIII. Greenhouse Gas Emissions.</b> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>IX. Hazards And Hazardous Materials.</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>X. Hydrology and Water Quality.</b> Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of pollution runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XI. Land Use and Planning.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XII. Mineral Resources.</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XIII. Noise.</b> Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
project expose people residing or working in the project area to excessive noise levels?				
<b>XIV. Population and Housing.</b>				
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XV. Public Services.</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XVI. Recreation.</b>				
a) Would the project increase the use of existing neighborhood and regional parks	<input type="checkbox"/>	<input type="checkbox"/>	LTS	<input type="checkbox"/>

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XVII. Transportation.</b> Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XVIII. Tribal Cultural Resources.</b>				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
historical resources as defined in Public Resources Code section 5020.1(k), or				
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XIX. Utilities and Service Systems.</b> Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI



	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XX. Wildfire.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
<b>XXI. Mandatory Findings Of Significance.</b>				

	Potentially Significant Impact (PSI)	Less Than Significant with Mitigation (LTSM)	Less Than Significant Impact	No Impact (NI)
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NI

## **Explanation of Responses to Initial Study Environmental Checklist**

### ***I. Aesthetics***

- a) The project will not have an adverse effect on a scenic vista. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.
- b) The project will not damage scenic resources such as trees, rock outcroppings, and historic buildings. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.
- c) The project will not substantially degrade, in nonurbanized areas, the existing visual character or quality of public views of the site and its surroundings. Such an impact will not occur because the project will not involve any construction, land alteration, or modification of any buildings or structures.
- d) The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

### ***II. Agriculture and Forestry Resources***

- a) The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- b) The project will not conflict with existing zoning for agricultural use or a Williamson Act contract. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- c) The project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timber zoned Timberland Production. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- d) There will be no loss of forest land and the project will not result in the conversion of forest land to non-forest use. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- e) The project will not involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland to non-agricultural use. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

### **III. Air Quality**

- a) The project will not conflict with or obstruct implementation of the applicable air quality plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- b) The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. Such an impact will not occur because the project involves no ongoing sources of air pollution.
- c) The project will not expose sensitive receptors to substantial pollutant concentrations. Such an impact will not occur because the project will not increase pollutant concentrations.
- d) The project will not create objectionable odors affecting a substantial number of people.

### **IV. Biological Resources**

- a) The project may have a Less Than Significant Impact, either directly or through habitat modifications, on certain species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, National Marine Fisheries Service (NMFS), or U.S. Fish and Wildlife Service (USFWS). There is no substantial evidence, in light of the whole record before the agency, that the project will have a significant effect on these biological resources as explained below.

The Commission concluded that any impacts would be Less Than Significant because this project proposes to continue the emergency regulations under Fish and Game Code Section 2084 that allow for catch-and-release fishing of white sturgeon during CESA candidacy and after a listing determination is made. The current catch-and-release regulations constitutes the environmental baseline for purposes of CEQA. The proposed regulatory amendments will have a beneficial effect on white sturgeon by limiting population loss.

Scientific studies of the effects of angling on white sturgeon in other populations indicate that the species is robust and tolerates catch-and-release angling well.

- Studies from Idaho found that adult sturgeon in the C.J. Strike reservoir are hooked an average of 7.7 times, and landed 3.5 times, in a year (Kozfkay and Dillon 2010). These sturgeon experience a high level of catch-and-release every year without long term negative consequences.
- In studies of gear effects, it has been observed that metal tackle that has been ingested is processed and expelled quickly (Lamansky et al. 2018; Bowersox et al. 2016).

- Mortality as a result of angling was examined in the lower Fraser River, BC (Robichaud et al. 2006). Out of 25,219 angling events, no mortality was observed immediately upon capture and release. A subset of 96 angled fish were held in net pens for three days to evaluate delayed mortality. Two fish died by the end of the third day of the study (2.6% mortality); however, the authors indicated that the mortality was likely influenced by unsuitable conditions in the floating net pens (Robichaud et al. 2006).
- The CESA petitioners stated that “a catch-and-release fishery for California white sturgeon is consistent with conserving and restoring these fish as hooking mortality is extremely low” (CESA Petition, p. 40). This recommendation is in line with the position of the Department during the 2023 emergency fishing regulation process.
- The maximum size of 60 inches for removing sturgeon from the water protects most of the mature population but still allows catch-and-release anglers to take a trophy picture of their catch. Fish less than 60 inches FL are light enough that they are not likely to be injured due to gravity.
- Restrictions on sturgeon handling (see the *Emergency Regulations in Effect* section above) will avoid and minimize any harm to sturgeon from angling or post-catch handling, such that there should be no adverse effects to sturgeon that are caught and released.

The best available science indicates that white sturgeon tolerate catch-and-release angling well. The level of angling activity examined in these studies is consistent with the level of activity that could be expected under the project. The Commission is not aware of any harm done to any individual sturgeon resulting from the catch-and-release fishery instituted by the current emergency regulation.

Because catch-and-release angling is not expected to have significant adverse effects to individuals, the Commission concludes this activity can occur without placing the remaining population at risk and would have a negligible impact, even in light of its candidate status under CESA.

- b) The project will not have an adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies and regulations, or by the California Department of Fish and Wildlife or the USFWS. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- c) The project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- d) The project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Such an impact

will not occur because the project will not involve any construction, land alteration, or land use changes.

- e) The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Such an impact will not occur because the project will not result in any construction, land alteration, or land use changes.
- f) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

## ***V. Cultural Resources***

- a) The project will not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5. The project does not involve ground disturbing work or work permanently modifying any existing structure or resource and thus has no potential to affect historical resources.
- b) The project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. The project does not involve ground disturbing work and thus has no potential to affect archaeological resources.
- c) The project will not disturb any human remains, including those interred outside of formal cemeteries. The project does not involve ground disturbing work and thus has no potential to affect human remains.

## ***VI. Energy***

- a) The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operations. Such an impact will not occur because the project will not use energy resources.
- b) The project will not affect nor obstruct any state or local plan for renewable energy or energy efficiency.

## ***VII. Geology and Soils***

- a i) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault. Such an impact will not occur because the project will not create any structures for human habitation.

- ii) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Such an impact will not occur because the project will not create any structures for human habitation.
  - iii) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Such an impact will not occur because the project will not create any structures for human habitation.
  - iv) The project will not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. Such an impact will not occur because the project will not create any structures for human habitation.
- b) The project will not result in substantial soil erosion or the loss of topsoil. Such an impact will not occur because the project will not involve ground disturbing work.
  - c) The project will not be located on a geologic unit or soil that is unstable, or that would become unstable and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. Such an impact will not occur because the project will not involve ground disturbing work.
  - d) The project will not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. Such an impact will not occur because the project will not involve ground disturbing work.
  - e) The project will not create any sources of waste water requiring a septic system.
  - f) The project will not indirectly destroy a unique paleontological resource or site or unique geologic feature.

#### ***VIII. Greenhouse Gas Emissions***

- a) The project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The project will not involve construction, land alteration, or land use changes.
- b) The project will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The project would result in the production of very low greenhouse gas emissions.

#### ***IX. Hazards and Hazardous Materials***

- a) The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. The project will not involve the transport, use, or disposal of hazardous materials.



- b) The project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The project will not involve the transport, use, or disposal of hazardous materials.
- c) The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The project will not involve the transport, use, or emission of any hazardous materials.
- d) The project will not be located on any site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- e) The project will not be located within an airport land use plan area.
- f) The project will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The project will not involve any construction, land alteration, or land use changes.
- g) The project will not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. The project will not involve any construction, land alteration, or land use changes.

#### ***X. Hydrology and Water Quality***

- a) The project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The project will not involve any construction, land alteration, water use, or water discharge.
- b) The project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The project will not involve any construction, land alteration, or groundwater use.
- c i) The project will not substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would result in substantial erosion or siltation on- or off-site because the project will not involve any construction or land alteration.
- ii) The project will not substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would result in flooding on- or off-site because the project will not involve any construction or land alteration.
- iii) The project will not create or contribute runoff water that would exceed the capacity of existing or planned storm-water drainage systems, or provide substantial



additional sources of polluted runoff because the project will not involve any construction or land alteration.

- iv) The project will not impede or redirect flood flows because the project will not involve any construction or land alteration.
- d) In flood hazard, tsunami, or seiche zones, the project would not risk release of pollutants due to project inundation because the project would not involve any construction or land alteration.
- e) The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The project will not involve any construction, land alteration, or groundwater use.

#### ***XI. Land Use and Planning***

- a) The project will not physically divide an established community. The project will not involve any construction, land alteration, or land use changes.
- b) The project will not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The project will not involve any construction, land alteration, or land use changes.

#### ***XII. Mineral Resources***

- a) The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.
- b) The project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Such an impact will not occur because the project will not involve any construction, land alteration, or land use changes.

#### ***XIII. Noise***

- a) The project will not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The project will not involve construction or physical alteration of land, and its implementation will not generate noise levels in excess of agency standards.
- b) The project will not result in generation of excessive ground-borne vibration or ground-borne noise levels. The project will not involve construction or physical alteration of land.

- c) The project will not be located within the vicinity of a private airstrip or an airport use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.

#### ***XIV. Population and Housing***

- a) The project will not induce substantial unplanned population growth in an area, either directly or indirectly. Such an impact will not occur because the project will not construct any new homes, businesses, roads, or other human infrastructure.
- b) The project will not displace any existing people or housing and will not necessitate the construction of replacement housing elsewhere.

#### ***XV. Public Services***

- a) The project will not have any significant environmental impacts associated with new or physically altered governmental facilities. The project will not involve any construction, land alteration, or land use changes.

#### ***XVI. Recreation***

- a) The project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or would be accelerated.

The Commission concluded that any impacts would be Less than Significant because this proposed regulation amendment will likely not result in any change in angler/visitor trips. There is no substantial evidence, in light of the whole record before the agency, that the project will have a significant effect on the use of existing neighborhood and regional parks or other recreational facilities.

- b) The project does not require construction or expansion of recreational facilities.

#### ***XVII. Transportation***

- a) The project will not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The project involves no land use or transportation system modifications.
- b) The project will not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), which pertains to vehicle miles traveled. The amount and distance of vehicle miles traveled by recreational anglers should not change substantially under the proposed regulations.
- c) The project will not increase hazards due to a geometric design feature or incompatible uses with equipment. There will be no land use or transportation system modifications.

- d) The project will not result in inadequate emergency access. The project involves no land use or transportation system modifications.

### ***XVIII. Tribal Cultural Resources***

- a) The project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe. Furthermore,
  - i) The project will not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). The project does not involve ground disturbing work and thus has no potential to affect tribal cultural resources.
  - ii) The project will not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The project does not involve ground disturbing work and thus has no potential to affect tribal cultural resources.

### ***XIX. Utilities and Service Systems***

- a) The project will not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities. The project does not involve construction or land alteration.
- b) The project requires no new water supplies.
- c) The project will not produce wastewater.
- d) The project will not generate solid waste. Thus, the project will be in compliance with state and local standards for solid waste.
- e) The project will not create solid waste. Thus, the project will be in compliance with federal, state, and local management and reduction statutes and regulations related to solid waste.

### ***XX. Wildfire***

- a) The project will not impair an adopted emergency response plan or emergency evacuation plan.
- b) The project will not exacerbate wildfire risks due to slope, prevailing winds, and other factors.

- c) The project will not require the installation or maintenance of any infrastructure.
- d) The project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.

## ***XXI. Mandatory Findings Of Significance***

- a) The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The project is consistent with the Department's mission to manage California's diverse fisheries resources for their ecological value, and their use for the public's enjoyment.
- b) The project does not have adverse impacts that are individually limited, but cumulatively considerable. Cumulative adverse impacts will not occur because there are no potential adverse impacts due to project implementation.
- c) The project does not have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly. The project will not involve any construction, land alteration, or the creation of new infrastructure.

## **References**

Bowersox, B. J., J. M. DuPont, R. Tucker, L. Barrett, and J. A. Lamansky. 2016. Determining the presence of hooks inside white sturgeon using metal detector and portable X-ray technology. *North American Journal of Fisheries Management* 36(5):1045-052.

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- Fish, M. A. 2010. White Sturgeon Year-Class Index for the San Francisco Estuary and its Relation to Delta Outflow. IEP Newsletter 23(2):80–84. Available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentId=26542>
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- Jackson, Z. J., J. J. Gruber, and J. P. Van Eenennaam. 2015. White Sturgeon Spawning in the San Joaquin River, California, and Effects of Water Management. Journal of Fish and Wildlife Management 7(1):171–180. Available at [https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/bay\\_delta/california\\_waterfix/exhibits/docs/petitioners\\_exhibit/dwr/part2/DWR-1122%20Jackson\\_et\\_al\\_2016\\_white\\_sturgeon\\_spawning\\_SJR.pdf](https://www.waterboards.ca.gov/waterrights/water_issues/programs/bay_delta/california_waterfix/exhibits/docs/petitioners_exhibit/dwr/part2/DWR-1122%20Jackson_et_al_2016_white_sturgeon_spawning_SJR.pdf)
- Kozfkay, J. R., and J. C. Dillon. 2010. Creel Survey Methods to Assess Catch, Loss, and Capture Frequency of White Sturgeon in the Snake River, Idaho. North American Journal of Fisheries Management 30(1):221–229.
- Lamansky, J. A., K. A. Meyer, B. J. Bowersox, J. M. DuPont, B. Bentz, and K. B. Lepla. 2018. Incidence, Types, and Shedding and Ingestion Times of Metallic Fishing Tackle in the Digestive Systems of White Sturgeon. North American Journal of Fisheries Management 38(5):1152–1159.
- Robichaud, D., K. K. English, R. C. Bocking, and T. C. Nelson. 2006. Direct and delayed mortality of white sturgeon caught in three gear-types in the lower Fraser River. Sidney, BC.
- Schaffter, R. G. 1997. White sturgeon spawning migrations and location of spawning habitat in the Sacramento River, California. California Fish and Game 83(1):1–20.

**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

<b>SCH #</b>
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**Project Title:** \_\_\_\_\_

Lead Agency: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

**Project Location:** County: \_\_\_\_\_ City/Nearest Community: \_\_\_\_\_

Cross Streets: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Longitude/Latitude (degrees, minutes and seconds): \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" N / \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" W Total Acres: \_\_\_\_\_

Assessor's Parcel No.: \_\_\_\_\_ Section: \_\_\_\_\_ Twp.: \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: \_\_\_\_\_ Waterways: \_\_\_\_\_

Airports: \_\_\_\_\_ Railways: \_\_\_\_\_ Schools: \_\_\_\_\_

**Document Type:**

CEQA: <input type="checkbox"/> NOP	<input type="checkbox"/> Draft EIR	NEPA: <input type="checkbox"/> NOI	Other: <input type="checkbox"/> Joint Document
<input type="checkbox"/> Early Cons	<input type="checkbox"/> Supplement/Subsequent EIR	<input type="checkbox"/> EA	<input type="checkbox"/> Final Document
<input type="checkbox"/> Neg Dec	(Prior SCH No.) _____	<input type="checkbox"/> Draft EIS	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Mit Neg Dec	Other: _____	<input type="checkbox"/> FONSI	_____

**Local Action Type:**

<input type="checkbox"/> General Plan Update	<input type="checkbox"/> Specific Plan	<input type="checkbox"/> Rezone	<input type="checkbox"/> Annexation
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Prezone	<input type="checkbox"/> Redevelopment
<input type="checkbox"/> General Plan Element	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Use Permit	<input type="checkbox"/> Coastal Permit
<input type="checkbox"/> Community Plan	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Land Division (Subdivision, etc.)	<input type="checkbox"/> Other: _____

**Development Type:**

<input type="checkbox"/> Residential: Units _____ Acres _____	<input type="checkbox"/> Transportation: Type _____
<input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Mining: Mineral _____
<input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Power: Type _____ MW _____
<input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Waste Treatment: Type _____ MGD _____
<input type="checkbox"/> Educational: _____	<input type="checkbox"/> Hazardous Waste: Type _____
<input type="checkbox"/> Recreational: _____	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Water Facilities: Type _____ MGD _____	

**Project Issues Discussed in Document:**

<input type="checkbox"/> Aesthetic/Visual	<input type="checkbox"/> Fiscal	<input type="checkbox"/> Recreation/Parks	<input type="checkbox"/> Vegetation
<input type="checkbox"/> Agricultural Land	<input type="checkbox"/> Flood Plain/Flooding	<input type="checkbox"/> Schools/Universities	<input type="checkbox"/> Water Quality
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Forest Land/Fire Hazard	<input type="checkbox"/> Septic Systems	<input type="checkbox"/> Water Supply/Groundwater
<input type="checkbox"/> Archeological/Historical	<input type="checkbox"/> Geologic/Seismic	<input type="checkbox"/> Sewer Capacity	<input type="checkbox"/> Wetland/Riparian
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Minerals	<input type="checkbox"/> Soil Erosion/Compaction/Grading	<input type="checkbox"/> Growth Inducement
<input type="checkbox"/> Coastal Zone	<input type="checkbox"/> Noise	<input type="checkbox"/> Solid Waste	<input type="checkbox"/> Land Use
<input type="checkbox"/> Drainage/Absorption	<input type="checkbox"/> Population/Housing Balance	<input type="checkbox"/> Toxic/Hazardous	<input type="checkbox"/> Cumulative Effects
<input type="checkbox"/> Economic/Jobs	<input type="checkbox"/> Public Services/Facilities	<input type="checkbox"/> Traffic/Circulation	<input type="checkbox"/> Other: _____

**Present Land Use/Zoning/General Plan Designation:**

**Project Description:** (please use a separate page if necessary)

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Native American Heritage Commission	

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### Local Public Review Period (to be filled in by lead agency)

Starting Date \_\_\_\_\_ Ending Date \_\_\_\_\_

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### Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

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Signature of Lead Agency Representative: \_\_\_\_\_ Date: \_\_\_\_\_

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

# Summary Form for Electronic Document Submittal

**Form F**

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: \_\_\_\_\_

Project Title: Proposed Amendments to Title 14, CCR, Title 14:White Sturgeon Catch-and-Release Fishing

Lead Agency: California Fish and Game Commission

Contact Name: Melissa Miller-Henson

Email: fgc@fgc.ca.gov Phone Number: (916) 653-4899

Project Location: Statewide

*City*

*County*

Project Description (Proposed actions, location, and/or consequences).

The Fish and Game Commission proposes to amend a variety of regulations related to white sturgeon sport fishing for the 2026 season and onward. The proposed changes to the white sturgeon sport fishing regulations will continue catch-and-release fishing regulations established by the emergency regulatory action on September 6, 2024. The existing emergency regulations would expire in September 2025 following proposed readoption of the emergency regulations in December 2024 (readopt 1) and April 2025 (readopt 2). The proposed amendment is necessary to continue the catch-and-release fishery through candidacy and after the Commission decides on the CESA listing status of white sturgeon. This action also changes the Sturgeon Fishing Report Card from a year-long season (January 1 through December 31) to match the sturgeon fishing season established by the emergency action (October 1 through June 30). These proposed regulation changes would continue the catch-and-release fishery regardless of the CESA listing decision outcome and are necessary to both ensure the species is protected from overharvest and that losses to the recreational fishing industry are mitigated.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

The initial study and the Commission's review of the project showed that the project will not have any significant or potentially significant effects on the environment and therefore no alternatives or mitigation measures are proposed to avoid or reduce any significant effects on the environment.

The project will not have a significant effect on aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.

Therefore, a negative declaration is filed pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21080, subdivision (c).



If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

During the California Fish and Game Commission meeting considering an emergency regulation to limit harvest, the industry expressed concerns about the effect closure of harvest would have on their business and livelihoods, particularly in light of a recent closure of the salmon fishery and changes to other popular fisheries such as halibut and rockfish. Prior to white sturgeon being considered a candidate for CESA listing, there was a significant amount of discussion about the appropriate level of harvest to allow the population to remain stable without overburdening the industry.

Provide a list of the responsible or trustee agencies for the project.

The Department of Fish and Wildlife

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT**

DEPARTMENT NAME California Fish and Game Commission	CONTACT PERSON David Thesell	EMAIL ADDRESS fgc@fgc.ca.gov	TELEPHONE NUMBER 916 201-6201
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Amend Sections 1.74, 5.80, 5.81, 27.60 and 27.90, repeal 5.78, 5.79, 27.92, 27.93 and 27.95, Title 14, CCR			NOTICE FILE NUMBER Z

**A. ESTIMATED PRIVATE SECTOR COST IMPACTS** *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- |  |   |
|--|---|
| <input type="checkbox"/> a. Impacts business and/or employees  | <input type="checkbox"/> e. Imposes reporting requirements                |
| <input type="checkbox"/> b. Impacts small businesses           | <input type="checkbox"/> f. Imposes prescriptive instead of performance   |
| <input type="checkbox"/> c. Impacts jobs or occupations        | <input type="checkbox"/> g. Impacts individuals                           |
| <input type="checkbox"/> d. Impacts California competitiveness | <input checked="" type="checkbox"/> h. None of the above (Explain below): |

No new costs incurred; certificate of compliance rulemaking.

*If any box in Items 1 a through g is checked, complete this Economic Impact Statement.*

*If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.*

2. The California Fish and Game Commission estimates that the economic impact of this regulation (which includes the fiscal impact) is:  
(Agency/Department)

- ☒ Below \$10 million
- ☐ Between \$10 and \$25 million
- ☐ Between \$25 and \$50 million
- ☐ Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a Standardized Regulatory Impact Assessment as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: \_\_\_\_\_

Describe the types of businesses (Include nonprofits): \_\_\_\_\_

Enter the number or percentage of total businesses impacted that are small businesses: \_\_\_\_\_

4. Enter the number of businesses that will be created: \_\_\_\_\_ eliminated: \_\_\_\_\_

Explain: \_\_\_\_\_

5. Indicate the geographic extent of impacts: ☐ Statewide  
☐ Local or regional (List areas): \_\_\_\_\_

6. Enter the number of jobs created: \_\_\_\_\_ and eliminated: \_\_\_\_\_

Describe the types of jobs or occupations impacted: \_\_\_\_\_

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? ☐ YES ☐ NO

If YES, explain briefly: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

**B. ESTIMATED COSTS** *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ \_\_\_\_\_

a. Initial costs for a small business: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

b. Initial costs for a typical business: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

c. Initial costs for an individual: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

d. Describe other economic costs that may occur: \_\_\_\_\_

2. If multiple industries are impacted, enter the share of total costs for each industry: \_\_\_\_\_

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements.  
*Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ \_\_\_\_\_

4. Will this regulation directly impact housing costs? ☐ YES ☐ NO

If YES, enter the annual dollar cost per housing unit: \$ \_\_\_\_\_

Number of units: \_\_\_\_\_

5. Are there comparable Federal regulations? ☐ YES ☐ NO

Explain the need for State regulation given the existence or absence of Federal regulations: \_\_\_\_\_

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ \_\_\_\_\_

**C. ESTIMATED BENEFITS** *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: \_\_\_\_\_

2. Are the benefits the result of: ☐ specific statutory requirements, or ☐ goals developed by the agency based on broad statutory authority?

Explain: \_\_\_\_\_

3. What are the total statewide benefits from this regulation over its lifetime? \$ \_\_\_\_\_

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: \_\_\_\_\_

**D. ALTERNATIVES TO THE REGULATION** *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 1: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 2: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: \_\_\_\_\_

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? ☐ YES ☐ NO

Explain: \_\_\_\_\_  
\_\_\_\_\_

**E. MAJOR REGULATIONS** *Include calculations and assumptions in the rulemaking record.*

***California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.***

1. Will the estimated costs of this regulation to California business enterprises **exceed \$10 million**? ☐ YES ☐ NO

***If YES, complete E2. and E3***

***If NO, skip to E4***

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: \_\_\_\_\_

Alternative 2: \_\_\_\_\_

*(Attach additional pages for other alternatives)*

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 1: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 2: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

☐ YES ☐ NO

*If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.*

5. Briefly describe the following:

The increase or decrease of investment in the State: \_\_\_\_\_  
\_\_\_\_\_

The incentive for innovation in products, materials or processes: \_\_\_\_\_  
\_\_\_\_\_

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: \_\_\_\_\_  
\_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**FISCAL IMPACT STATEMENT**

**A. FISCAL EFFECT ON LOCAL GOVERNMENT** *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

- ☐ a. Funding provided in \_\_\_\_\_

Budget Act of \_\_\_\_\_ or Chapter \_\_\_\_\_, Statutes of \_\_\_\_\_

- ☐ b. Funding will be requested in the Governor's Budget Act of \_\_\_\_\_

Fiscal Year: \_\_\_\_\_

- ☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

*Check reason(s) this regulation is not reimbursable and provide the appropriate information:*

- ☐ a. Implements the Federal mandate contained in \_\_\_\_\_

- ☐ b. Implements the court mandate set forth by the \_\_\_\_\_ Court.

Case of: \_\_\_\_\_ vs. \_\_\_\_\_

- ☐ c. Implements a mandate of the people of this State expressed in their approval of Proposition No. \_\_\_\_\_

Date of Election: \_\_\_\_\_

- ☐ d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: \_\_\_\_\_  
\_\_\_\_\_

- ☐ e. Will be fully financed from the fees, revenue, etc. from: \_\_\_\_\_

Authorized by Section: \_\_\_\_\_ of the \_\_\_\_\_ Code;

- ☐ f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

- ☐ g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in \_\_\_\_\_

- ☐ 3. Annual Savings. (approximate)

\$ \_\_\_\_\_

- ☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

- ☒ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

- ☐ 6. Other. Explain \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

**FISCAL IMPACT STATEMENT (CONTINUED)****B. FISCAL EFFECT ON STATE GOVERNMENT** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

*It is anticipated that State agencies will:*☐ a. Absorb these additional costs within their existing budgets and resources.☐ b. Increase the currently authorized budget level for the \_\_\_\_\_ Fiscal Year☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

☒ 3. No fiscal impact exists. This regulation does not affect any State agency or program.☐ 4. Other. Explain \_\_\_\_\_**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_


☐ 2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

☒ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.☐ 4. Other. Explain \_\_\_\_\_

FISCAL OFFICER SIGNATURE

DocuSigned by:

Matthew Dyson

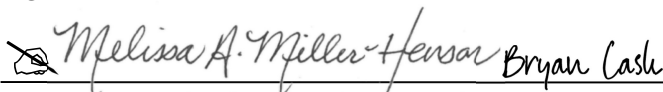
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DATE

3/27/2025

*The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

AGENCY SECRETARY

Melissa A. Miller-Henson Bryan Cash

3/31/2025

DATE

3/25/2025

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER

DATE



## **STD399 Economic and Fiscal Impact Statement Addendum**

### **Amend Sections 1.74, 5.80, 5.81, 27.60 and 27.90, and Repeal Sections 5.78, 5.79, 27.92, 27.93 and 27.95 of Title 14, California Code of Regulations Regarding White Sturgeon Catch-and-Release Sport Fishing**

#### **Background**

On November 9, 2023, a petition to list white sturgeon as threatened under the California Endangered Species Act (CESA) was submitted to the California Fish and Game Commission (Commission) by San Francisco Baykeeper, The Bay Institute, Restore the Delta, and California Sport Fishing Protection Alliance. The petition pointed to habitat degradation, overfishing, pollution, climate change, and other threats. In June 2024, the Commission designated white sturgeon a candidate species under CESA, for potential listing as a threatened or endangered species after further review. The California Department of Fish and Wildlife (Department) initiated a detailed review of the species' status in 2024; during this review and until the Commission makes a final decision on whether to list white sturgeon under CESA, the take, possession, importation and purchase or sale protections afforded to threatened and endangered species also apply because of its status as a candidate species.

At the August 2023 Commission meeting, members of the sturgeon guide and angling business communities testified that CESA's prohibition on the recreational take or possession of white sturgeon would significantly hurt their businesses. At the same meeting, the Department presented a potential emergency regulation under Section 2084 of the California Fish and Game Code that would allow a catch-and-release fishery during the candidacy period. The Department indicated that the proposed action was expected to have minimal impact on the white sturgeon population, while providing recreational opportunities for anglers and mitigating adverse economic impacts to businesses that serve sturgeon anglers. The Commission adopted the Section 2084 emergency regulation, which went into effect on September 6, 2024 and will be effective for approximately one year.

#### **Proposed Regulations**

The proposed changes to white sturgeon sport fishing regulations through a regular rulemaking will continue the catch-and-release fishing regulations established by emergency action pursuant to Fish and Game Code Section 2084. Fundamentally the same as the emergency regulations, the proposal reorganizes some sections of Title 14 for better clarity. Specifically, some sections will be repealed and the pertinent information contained within them moved to sturgeon-specific sections.

The pre-emergency recreational sturgeon fishing regulations for inland (5.80) and ocean (27.90) waters will be modified so that they mirror language in the emergency regulations (5.78 and 27.93). The language includes both white and green sturgeon recreational fishing regulations and report card regulations. Additionally, the fee for a sturgeon fishing report card will be set within a range of \$5 to \$11 and the duplicate report card fee will be eliminated.

## Economic Impact Statement

### A. Estimated Private Sector Cost Impacts

1. **Answer:** b. Impacts small businesses and g. Impacts individuals

No new private sector costs are incurred by a representative private person or business in compliance with the proposed regulations. No change in gear or equipment requirements are introduced for the recreational white sturgeon fishery, and the proposed fee range of \$5 to \$11 may lower the fee for the sturgeon report card below the current 2025 price of \$11.06, providing some slight economic benefit to fishers who wish to participate in the fishery.

Additionally, during CESA review and until the Commission makes a final decision on whether to list white sturgeon under CESA, the take, possession, importation and purchase or sale protections afforded to threatened and endangered species also apply to candidate species; without the proposed regulations, the baseline condition for the fishery would be a complete closure once emergency regulations expire. Fewer sport fishing trips would have the potential to reduce revenues for charter boats, boat rentals, or fishing guide services, as well as other retail businesses that serve sport fishers. On the other hand, the proposed regulation would keep the related economic activity the same – i.e., no net change in trips from the previous year under the emergency regulations, and increased economic activity over a complete closure if the emergency regulations expire without adoption of the proposed regulation.

Recreational fishing for white sturgeon is often conducted via chartered boats, with many fishing guides in the San Francisco Bay and Sacramento-San Joaquin River Delta area (known as the Bay-Delta) offering sturgeon fishing trips. Advertised rates for chartered fishing trips to catch white sturgeon vary by season and guide and range from \$200 to \$450 per person per day. Information from commercial passenger fishing vessels and sturgeon fishing report cards provide data for estimating the total number of white sturgeon caught in the fishery. Other studies have estimated that 1,200 anglers participated in guided trips in 2018, showing that the recreational white sturgeon fishery is a relatively small contributor to California's \$2.9 billion annual recreational fishing industry<sup>1</sup>.

The Department's status review report being prepared pursuant to CESA requires at least 12 months to complete and the status of the fishery in the future is unknown. Offering catch-and-release fishing will provide immediate financial opportunities and allow the industry to continue to operate without a negative impact on the white sturgeon population. Failure to allow for catch-and-release fishing under the proposed regulation while white sturgeon is under CESA review could result in the loss of some fishing businesses and infrastructure that support the sturgeon fishery; such a loss of resources, including guiding opportunities, bait sources, and fishery knowledge, would negatively impact guides, their clients, unaffiliated recreational anglers, and communities economically dependent upon recreational fishing.

### D. Alternatives to the Regulation

1. List alternatives considered and describe them. If no alternatives were considered, explain why not.

Without the proposed changes, the fishery would close entirely when the emergency regulations expire. Ultimately, if white sturgeon is not listed under CESA, and these

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<sup>1</sup> American Sportfishing Association (ASA), 2019.



regulations are not adopted, the regulations will revert to the pre-candidacy regulations that permitted harvest of one fish per day between 40 and 60 inches in fork length, harvest of up to three fish per year, and no closures in the rivers to protect migration and spawning; it is widely held, including by the Department, that this level of angling is not sustainable.

## **Fiscal Impact Statement**

### **A. Fiscal Effect on Local Government**

**Answer:** 5. No fiscal impact.

The proposed amendments will not have the potential for a negative fiscal effect on local governments. During CESA review and until the Commission makes a final decision on whether to list white sturgeon under CESA, the take, possession, importation and purchase or sale protections afforded to threatened and endangered species also apply to candidate species. Without the proposed amendments, the white sturgeon fishery would revert to a state of complete closure, and halting angler activity in that fishery would result in a loss of direct expenditures from white sturgeon anglers, indirect expenditures from businesses supported by those anglers, and induced expenditures from employees of those businesses supported by anglers that would ultimately lead to a loss of local government sales tax revenue and transient occupancy tax revenue. Adopting the proposed regulations will maintain the current level of expenditures.

### **B. Fiscal Effect on State Government**

**Answer:** 4. Other.

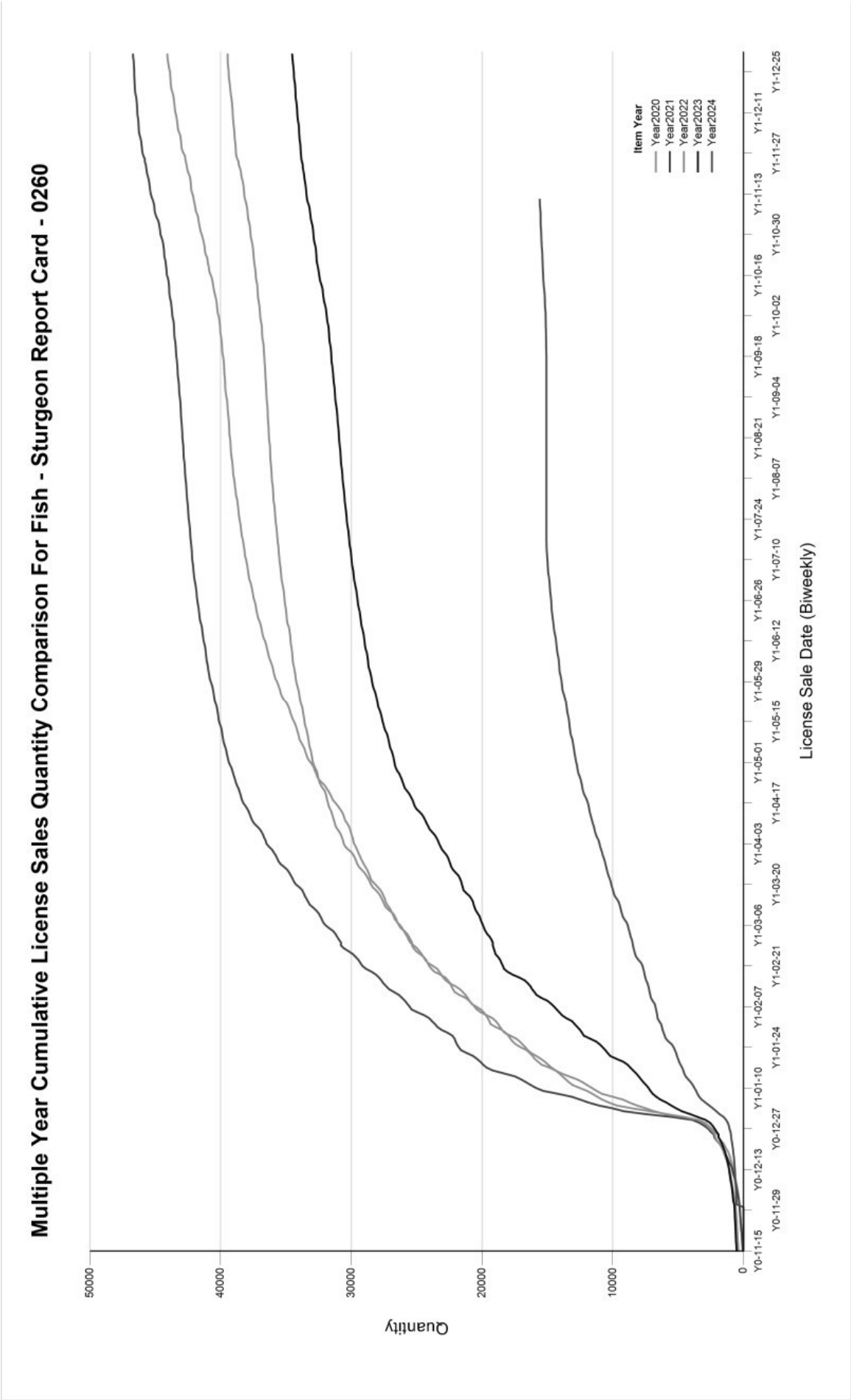
The Commission anticipates that the proposed action will not introduce new costs or savings for any state agency or program. The Department's existing level of monitoring and enforcement activities is expected to be unchanged.

However, the Commission anticipates that the reduction of take limits during CESA candidacy would result in changes to sturgeon fishing report cards sales should the proposed regulation not be adopted. If the proposed regulation is adopted to allow catch-and-release fishing to continue, sturgeon fishing report cards would remain available for purchase and the fee to duplicate report cards would be removed. The potential reduction in sturgeon fishing report card sales and removal of sturgeon report card duplication fees could result in lower Department revenue, but would ultimately be a net increase in revenue from the baseline condition of a CESA closure while white sturgeon is under review pursuant to CESA.

### ***Pandemic and 365-day License Impacts***

Sales of sturgeon fishing report cards are plotted in Figure 1, showing purchases throughout the year in 2000 through most of 2024. Most report cards are sold in the first months of the year, with a small bump in sales in the later months of the year. Sales in the years 2020 and 2021 may have been elevated due to the Covid-19 pandemic surge in outdoor recreation. From December 2023 through November 2024, sturgeon fishing report card sales have reached about 15,600, which is about 53% less than the amount sold in 2023 over the same time period and 62% less than 2019 (40,851 report cards); 2019 was a more typical year with no pandemic effects.

Figure 1. Cumulative License Sales Quantity 2020-2024 for Sturgeon Fishing Report Card



Source: Department License and Revenue Branch sales statistics, 2024.

Broader trends show that the total sales of 34,530 sturgeon fishing report cards in 2023 is about 15% lower than the 40,844 pre-pandemic average. The downturn may have been influenced not only by white sturgeon population declines, but also the 365-day sport fish license implemented in 2022 and the closure of salmon fisheries. Many other states that implemented 365-day licenses experienced absolute declines in license sales and, for some sport fishers, a lack of salmon opportunity induces them to forego all fishing trips for any other fish. Thus, acknowledging the probable influence of those factors, 2023-24 fiscal year total sales were already projected to be less than the 40,844 average sold during a typical pre-pandemic and pre-365-day license year.

### ***Proposed Regulation Impacts***

A 2023 Department survey of white sturgeon fishery participants showed that over 67% report the main reason to fish for white sturgeon is recreational pursuit and 70% state that their goal is only or mostly catch-and-release. The survey results support the expectation that a majority of white sturgeon fishers will continue to fish while catch-and-release is permitted. On the other hand, 17 to 18% stated their primary goal is to fish for food; those fishers may decline to fish under a catch-and-release only fishery.

**Table 1. Current Sturgeon Fishing Report Card Price 2025**

<b>2025 Base Fee</b>	<b>ALDS 3% Surcharge</b>	<b>2025 Revenue Per Report Card</b>	<b>Agent Fee (not state revenue)</b>	<b>Agent Price</b>
\$10.25	\$0.31	\$10.56	\$0.50	\$11.06

Recent spatial and temporal take patterns suggest that the proposed January to May upper spawning ground closure is the one component that may induce a small decline in report card sales. It is reasonable to project a similar level of report card sales in 2025 as was in 2024, given that the proposed regulations will maintain the same level of opportunity.

The total number of sturgeon fishing report cards sold from December 1, 2023 to November 11, 2024 was 15,600, or 53% less than the previous year. Assuming that the total report cards sold in 2025 will continue to be at least 53% less than in 2023, which includes the 18% of fishers who decline to fish catch-and-release and the 6% decline in report card sales from the spawning ground closure in 2024, then the expected number of report cards is roughly the same at 15,600. At this level of report cards sold at the current 2025 price of \$11.06 — and Department revenue from each card of \$10.56 — the Department projects no decline in revenue for the 2025-26 fiscal year, with a total estimated revenue from report card sales of \$164,736. However, if the report card fee is lowered to the bottom of the range to approximately \$5, then the expected revenue from report card sales would be \$78,000, representing a decline of \$86,736 in revenue. It is unknown if the lowered price would induce an increase in the number of report cards sold, but approximately 17,347 additional report cards would need to be sold at the lower price in order for revenue to remain the same.

Given remaining uncertainty about fisher's choices, and a number of unknown influences such as weather, fuel prices, opportunities in alternative fisheries, reporting a relatively unchanged level of sturgeon report card sales is reasonable.

Finally, removing the duplication fee as proposed would potentially cost the Department about \$1,206 in annual revenue based on the number of duplicates issued for the 2022 and 2023

seasons (71 and 60, respectively), with a fee of \$18.28 per duplicate applied to the average of 66 duplicated report cards. When added to the decline of \$86,736 in revenue if the Commission adopts the lower fee of \$5, the total revenue loss would be approximately \$87,942.

Importantly, if the proposed regulations to keep the catch-and-release fishery open during CESA candidacy are not adopted, there will be no revenue from sturgeon report card sales, a loss of approximately \$164,736. A sturgeon fishery closure may also result in a decline in licenses sales if fishers who only fish for sturgeon decline to purchase a license due to lack of opportunity. Therefore, the revenue generated from adopting this proposed regulation is fiscally beneficial to the state.

### **C. Fiscal Effect on Federal Funding of State Programs**

**Answer:** 3. No fiscal impact.

The proposed action will not have the potential for a fiscal effect on the federal funding of state programs.





Photo: CDFW

# WHITE STURGEON RECREATIONAL FISHING CERTIFICATE OF COMPLIANCE

**PRESENTATION TO THE CALIFORNIA FISH AND GAME COMMISSION**



April 16, 2025 | Dr. John Kelly  
Fisheries Branch

# CESA Emergency Regulation Background

## July 2024

Start of CESA candidacy period, Species Status Review initiated

- White Sturgeon receive full CESA protections
- **All fishing for White Sturgeon is closed**

## August 2024

CDFW proposes an Emergency angling regulation under CESA to allow a catch-and-release only fishery

- Concern that full closure will cause substantial economic harm
- Scientific evidence indicate that sturgeon tolerate C&R well and support successful fisheries
- **FGC votes in support of the proposed regulation**

## October 2024

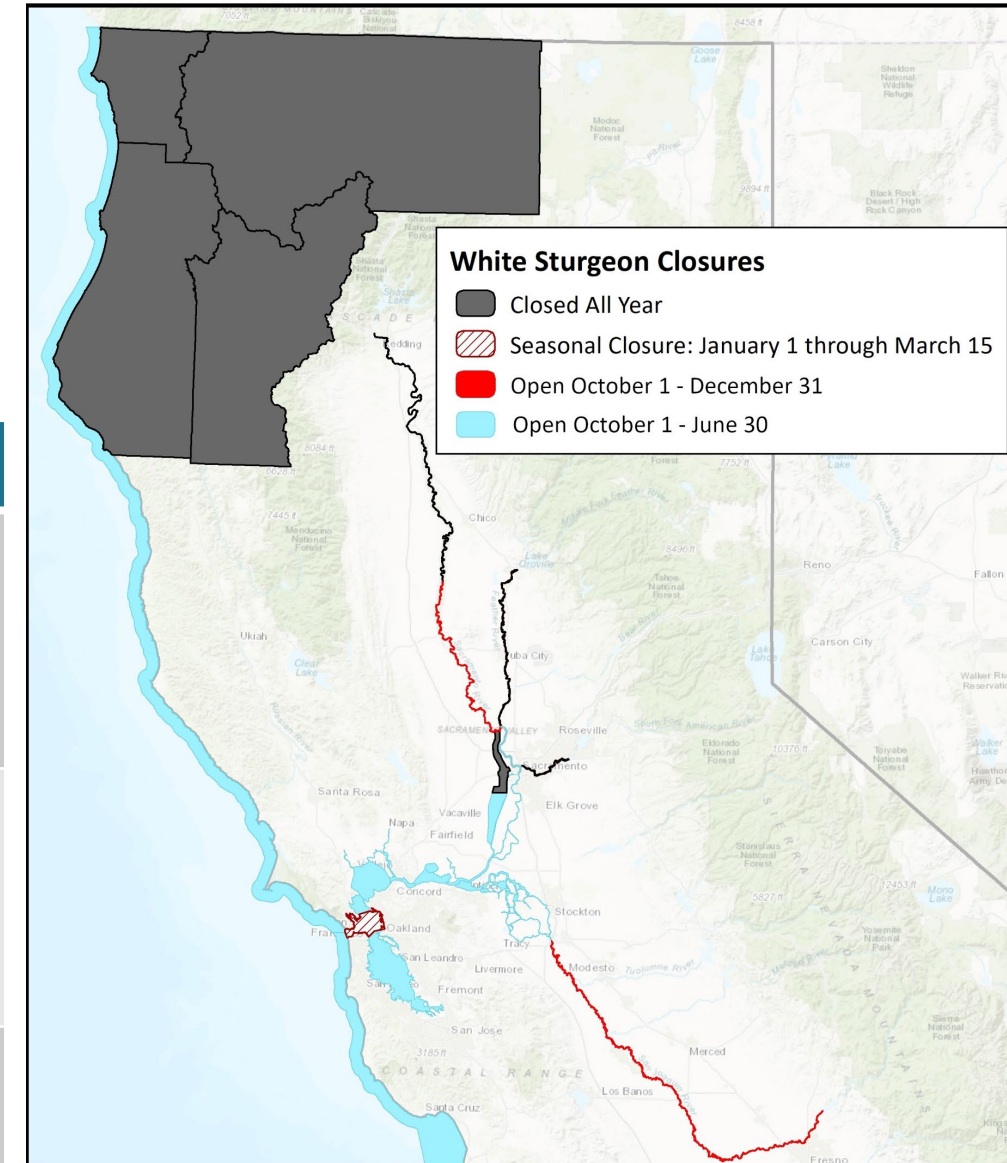
**Catch-and-release fishery opens** for White Sturgeon



# Current Emergency Regulation (part 1)

- Two Title 14 sections (§5.78 and §27.93) supersede existing sections during candidacy
  - **Report card required**
  - **Catch and release only**, no harvest
  - **Fishing season and area closures**

Area	Season
Downstream of the confluence of the Feather/Sacramento rivers & San Joaquin River I-5 Bridge	Open October 1 – June 30
Upstream of the confluence of the Feather/Sacramento rivers & San Joaquin River I-5 Bridge	Open October 1 – December 31
Tributaries of the Sacramento and San Joaquin rivers	Closed



# Current Emergency Regulation (part 2)

## Handling restrictions

- White Sturgeon >60 in. FL may not be removed from the water and must be released immediately
- Sturgeon of any size shall not be held out of water suspended by the gills, gill plates, mouth, or solely by the tail, and shall not be dragged across the ground, boat decks, or piers



Photo: CDFW



# CESA Emergency Regulation Timeline

## December 2024

Emergency Catch-and-Release sportfishing regulation renewed by FGC for 90 days

- March-May 2025

## May 2025

2<sup>nd</sup> proposed 90-day renewal at FGC

- June-September 2025

## Without action:

- emergency regulation will expire on Sep. 5, 2025
- **catch-and-release fishery will close** for the remainder of CESA candidacy.

CDFW is proposing a Certification of Compliance to maintain the current catch-and-release regulations



# Certificate of Compliance: Title 14 sections

**Content is the same as the original emergency ruling with the following clarifications:**

- Existing sections for inland (5.80) and ocean (27.90) will be changed to match the emergency regulations (5.78 and 27.93). These include both species and report card regulations
- The emergency sections (5.78 and 27.93) will be repealed to avoid confusion and duplication
- Existing sections 5.79 and 27.92 will be repealed. All relevant report card information is now included in 5.80 and 27.90
- Edits to general report card section (1.74) to remove sturgeon specific information that is now found in 5.80 and 27.90
- Addition of language to 5.80 and 27.90 to clarify that fish lip grippers (e.g. BogaGrip, etc.) are prohibited for use on sturgeon

# Changes to Report Card

	Existing “Calendar Year” card	Proposed “Season” card
<b>Sales start</b>	November 15, 2024	August 15, 2025
<b>Valid dates</b>	January 1 – December 31, 2025	October 1, 2025 – June 30, 2026 <i>*rivers close December 31</i>
<b>Deadline to report</b>	January 31, 2025	July 31, 2026
<b>Data collected</b>	Date, zone, species, length, reward tag number	Date, zone, tally by species/size, hours fished
<b>Multiple cards?</b>	One card per year per angler. Replacement card fee \$18.28	Must buy additional card when data table is filled (same as other state report cards)
<b>Fee for card</b>	<b>\$11.06</b> (2025)	CDFW recommends <b>\$7.50</b>

- Report card season changes to match the fishing season rather than the calendar year
  - Data collection encompasses the fishing season
  - Improves data management
  - Allows assessment of non-compliance



# Overlap Between Report Cards in Year 1

2025												2026								
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Sturgeon Season						closed			Sturgeon Season						closed					
Current Card (calendar year)																				
									2025-2026 Seasonal Card											



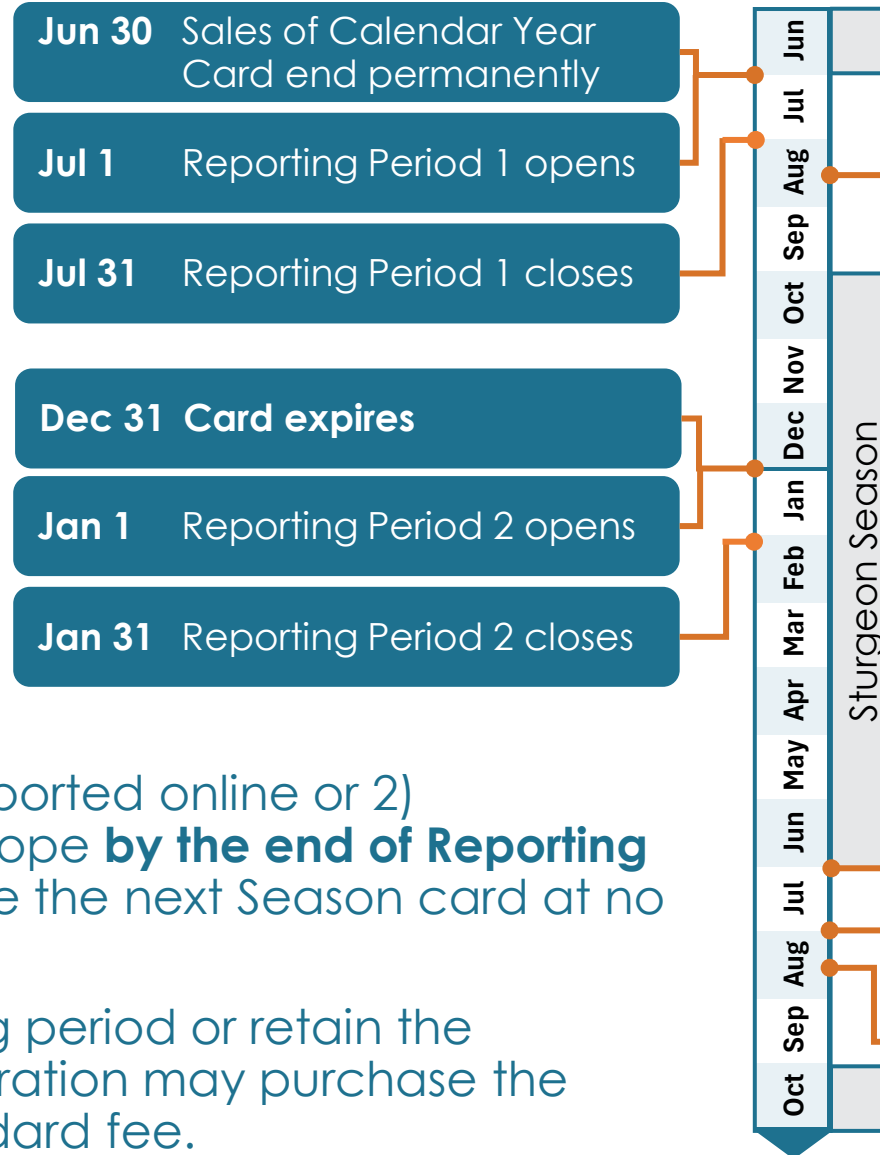
# Transition Between Cards

Only one card may be in use.

Anglers may either:

- report Calendar Year card in Period 1 and then buy new card for next season.
- continue to use Calendar Year card until expiration and report in Period 2. Will then need to buy new Season Card to finish the season.
- Anglers that have either 1) reported online or 2) postmarked their return envelope **by the end of Reporting Period 1** are eligible to receive the next Season card at no additional cost.
- Anglers that miss the reporting period or retain the Calendar Year card until expiration may purchase the next Season card at the standard fee.

## CURRENT “CALENDAR YEAR” CARD



## PROPOSED “SEASON” CARD

**Aug 15** Card sales start

**Jun 30** Card sales end

**Jul 1** Reporting opens

**Jul 31** Reporting closes

**Aug 15** Card sales start for next season



# Credits | Questions | Contact



Photo: CDFW

## Contributors:

John Kelly, Jonathan Nelson, Daniel Kratville

[Sturgeon@wildlife.ca.gov](mailto:Sturgeon@wildlife.ca.gov)



# SUPPORTING MATERIAL FOR “WHITE STURGEON RECREATIONAL FISHING CERTIFICATE OF COMPLIANCE” POWERPOINT

*Prepared by CDFW Fisheries Branch*

The intent of this document is to provide additional information in support of the California Department of Fish and Wildlife, Fisheries Branch, slide presentation to the Fish and Game Commission, 16 April 2025. Direct any questions about this document to [Sturgeon@wildlife.ca.gov](mailto:Sturgeon@wildlife.ca.gov).

## Objective:

The Department is proposing to implement changes to the Sturgeon Report Card intended to improve the quality of angler reported data, provide timely analyses of angling seasons, assess non-compliance and enforce penalties as needed, and provide cost savings to anglers.

These changes include:

- 1) Transition from a calendar year Card to a season Card
- 2) Updated data reporting categories
- 3) Reset of card fee

## Background

White sturgeon (*Acipenser transmontanus*) were advanced as a candidate species for listing under the California Endangered Species Act (CESA) on July 12, 2024, in response to a petition filed with the California Fish and Game Commission (FGC). Candidate species receive full CESA protection from take while a status review is completed. The fishery was closed after this decision and all projects that may impact white sturgeon now require CESA permitting. In August 2024, the FGC supported a CDFW-proposed emergency regulation under Section 2084 in Fish and Game Code Title 14 to allow a catch-and-release only fishery due to concern that a full closure would cause economic harm to businesses that support sturgeon fishing. The catch-and-release white sturgeon fishery now runs from October 1 through June 30 with timing, area, and handling restrictions.

The Sturgeon Report Card (SRC or "Card") program started in 2007. It was one of several regulation changes that occurred after green sturgeon (*A. medirostris*) were listed as threatened under the federal Endangered Species Act (ESA) in 2006 and were protected from take. The card was offered free to fishing license holders for the first five years to acclimate anglers to the new program. Starting in 2013, a fee of \$7.50 was instituted to offset the costs of running the program. As with other license fees, the card fee is adjusted for inflation every year by statute. The current fee is \$11.06 (2025) with an \$18.28 replacement fee.

The original intent of the SRC was to 1) track the levels of catch of white and green sturgeon in the fishery, 2) record the total harvest of white sturgeon, and 3) aid law enforcement in monitoring bag and possession limits via harvest tags. Anglers have been required to fill out their SRC for every fishing trip, recording all sturgeon caught, including species, length of retained fish, fishing zone, and the presence of any external reward tags.

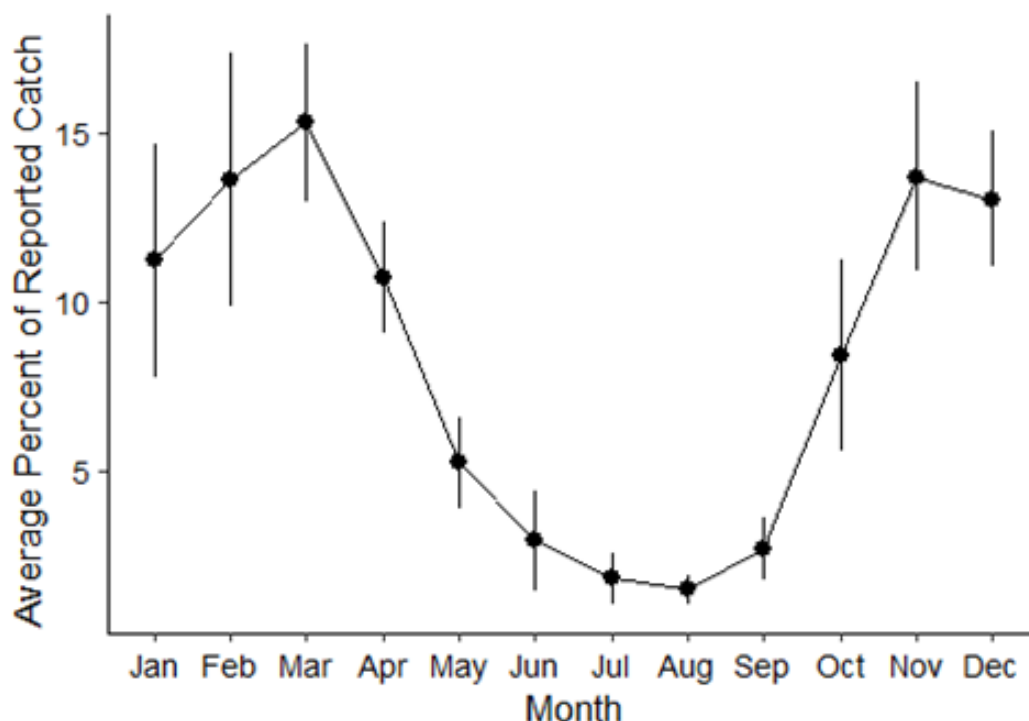
Prior to CESA candidacy, each SRC came with three attached harvest tags. Anglers that wished to retain a legal sized sturgeon were required to fill out their card and the harvest tag, then detach the harvest tag from the card and secure it to the retained fish. Because the card included the harvest tags, anglers were not able to purchase more than one SRC per year to comply with annual possession limits. Selling multiple cards created a risk of anglers exceeding the possession limit. Because of this, if anglers filled up the data tables on the front of the card, they were requested, but not required, to write additional catch data on the back of the card. Since this data entry was optional, angler compliance was not uniform.

With CESA candidacy and the implementation of a catch-and-release only fishery, the SRC was modified, removing the harvest tags, highlighting the emergency regulations, and specifying that harvest is not permitted. Moving forward, harvest tags (if allowed in future regulations) will not be associated with the SRC and will be issued as separate unique harvest tags, similar to big game species. With this change to the SRC, the Department can now allow for the purchase of multiple cards without the risk of exceeding harvest limits and be in alignment with the North Coast Salmon, Steelhead, and Lobster Report Card programs which require that anglers purchase additional cards when they fill up their current card within a season.



## Card Season

Prior to the emergency regulations that were enacted due to CESA candidacy, the sturgeon sport fishery was open year-round on the calendar year (January 1 – December 31). When the SRC program started, fishing license sales also followed the calendar year and SRC sales were timed to match license sales; however, the sturgeon fishery is not well suited to calendar year management. After the CESA candidacy, the Department evaluated the white sturgeon fishery and determined that the angling season should be reduced to be more protective during months with consistently elevated water temperatures and to allow sturgeon a recovery period from fishing pressure, which is highest from November through April (Fig. 1). Based on these factors, a new angling season was approved from October 1 to June 30 and closed July–September. In January of 2023, California sportfishing license sales were changed to follow the 365-day model with anglers able to purchase a new license at any time of year. Given these factors, there is no current benefit to structuring the SRC around the calendar year and anglers and data collection would be better supported by aligning the Report Card Season to the angling season (October 1–June 30).

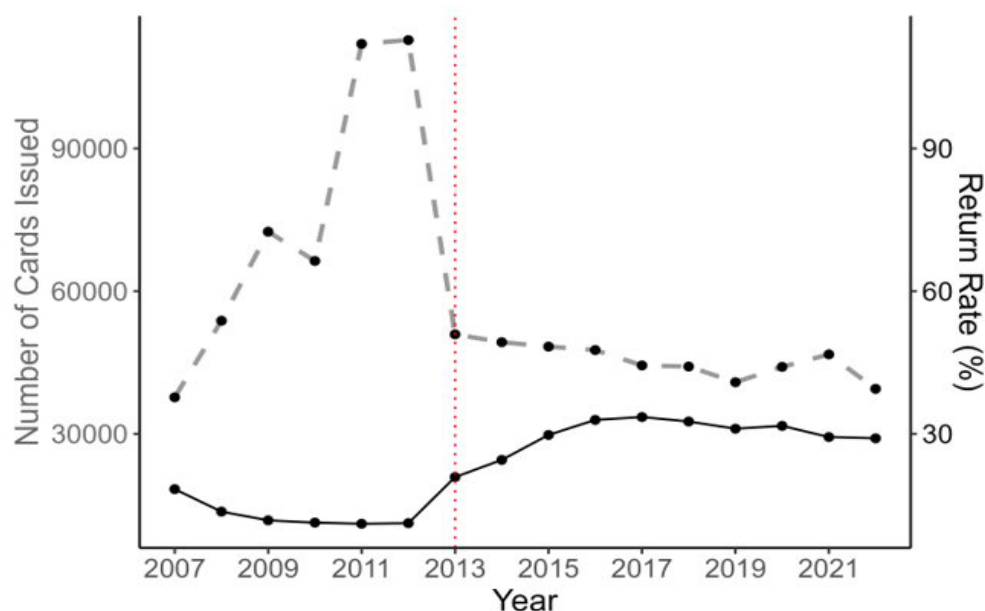


**FIGURE 1** THE AVERAGE PERCENT OF THE TOTAL REPORTED CATCH OF WHITE STURGEON PER MONTH SINCE THE INCEPTION OF THE STURGEON REPORT CARD PROGRAM IN 2007. THESE DATA DO NOT ACCOUNT FOR THE AMOUNT OF FISHING EFFORT IN EACH MONTH.

## Card Returns and Assessing Compliance

At the conclusion of each calendar year, anglers have been required to return their SRC between January 1 and January 31. Cards may be returned by entering the data online or by mailing the physical card to CDFW Fisheries Branch in West Sacramento where it is processed by Department staff. The return rate of report cards has been consistently low with approximately 30% of anglers submitting cards on time (Fig. 2). To address this issue, the Department has the ability to implement non-compliance penalties as outlined in Title 14 §174(d)(1)(A) that states:

“Any report card holder who fails to return or report his salmon, steelhead, sturgeon, or abalone report card to the department by the deadline may be restricted from obtaining the same card in a subsequent license year or may be subject to an additional fee for the issuance of the same card in a subsequent license year.”



**FIGURE 2.** SALES OF THE STURGEON REPORT CARD (DASHED LINE, LEFT AXIS) PLOTTED WITH THE RETURN RATE OF CARDS PER YEAR (SOLID LINE, RIGHT AXIS). THE DOTTED RED VERTICAL LINE INDICATES WHEN A FEE WAS FIRST CHARGED FOR THE REPORT CARD.

However, the Department is unable to implement a non-compliance penalty for 12-month calendar year report card programs because the next season's cards need to go on sale before the current year cards are required to be returned.

The Department, Commissioners, and angling community have expressed support for implementing non-compliance penalties for failing to return report cards on time. The new SRC season (October 1–June 30) will allow the Department to assess non-compliance and implement options outlined in Title 14 § 174(d)(1)(A) prior to the sale of the next season's card, similar to the Lobster Report Card program.

## Proposed Changes

As part of the proposed rulemaking package, the Department proposes the following changes to the Sturgeon Report Card:

### **1) Change the timing of the Sturgeon Report Card so that the card season matches the fishing season rather than the calendar year**

This will improve the efficiency and timeliness of data collection and management in the sport fishery. Under the proposed model, Sturgeon Report Cards will be valid only for the sturgeon fishing season from October 1 through June 30 and cards must be returned between July 1 and July 31. Card sales will begin August 15 to allow anglers to prepare in advance of the start of the next season. This schedule will provide the Department with report card data immediately after the close of the season. Under the current calendar year model in which the card expires in the middle of fishing season, the Department must wait until the January following the June end of fishing in order to assess seasonal fishing activity. Additionally, a season card will provide an interval of up to 6 weeks to receive and process cards before opening sales for the next season. This will allow the Department to assess how many anglers are following the regulations and explore ways to improve rates of compliance, ranging from enhanced outreach to restrictions or penalty fees for subsequent sales.

### **2) Anglers will be required to purchase an additional card when they have filled up the data table on their current card**

Because the sturgeon report cards no longer have harvest tags attached, purchasing multiple cards would no longer risk allowing overharvest by anglers. Fishing report cards for North Coast salmon, steelhead, and lobster all require that anglers purchase additional cards when they fill up their current card. To minimize the need to purchase additional cards, the data entry table for the new card will be expanded from 18 to 30 lines, comparable to steelhead (30) and North Coast salmon (32). Expanding the

table beyond 30 lines would further increase the already considerable size of the card that anglers are required to have in possession and is not recommended. The Department recognizes this change will create additional costs to anglers, but is estimated to be a small percentage based on historic SRC data and comparison to other Report Card programs. Data from the Steelhead Report Card program indicates that 3% of anglers buy a second card, 0.1% a third, 0.01% a fourth based on an average of 48,500 cards sold annually.

### **3) Changes to data collected on the SRC**

Length information will transition from anglers recording the precise lengths of landed sturgeon to a number tally of fish caught within four ranges (white sturgeon <40 in, 40-60 in, >60 in, and green sturgeon). The Department is collecting extensive population length data through monitoring efforts and no longer requires anglers to provide precise length information. This change will reduce the amount of time an angler handles a fish out of water, minimizing handling stress on captured sturgeon prior to release. The updated ranges will still provide valuable catch and biological information on important size ranges of white sturgeon and bycatch of green sturgeon. An additional section of the report card will include information on angler effort hours fished per zone. This information will provide the ability to assess the amount of fishing pressure in different times and reporting zones.

### **4) CDFW recommends that the fee for the Sturgeon Report Card be reset from \$11.06 to \$7.50**

The cost of the SRC would be reset to the original fee of \$7.50. The revenue from the SRC contributes to the Department's overall license sales revenue; however, it is not allocated to a dedicated sturgeon program fund. The SRC revenue broadly supports the administration, management, and enforcement of the sturgeon fishery. In review of the changes to the sturgeon fishery, including the shortened fishing season (9 month vs. 12 months), prohibition of harvest, and requirement to purchase additional cards, the Department has determined that it can accommodate a reset of the fee to \$7.50. The reduced cost will have a minimal impact on the Department's efforts to manage sturgeon and it will provide cost savings to anglers.

## Transitioning from Calendar Year to Season Cards

The primary challenge will be the transition between the current 12-month calendar-based card to the 9-month season card which begins in the same year. The 2025 calendar year cards are currently in use and will be valid through December 31, 2025. That time frame will overlap with the start of the new season card on October 1. The 2025 calendar year card also includes the closed period from July–September (Fig. 3).

2025												2026								
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Sturgeon Season						closed			Sturgeon Season						closed					
Current Card (calendar year)																				
									2025-2026 Seasonal Card											

**FIGURE 3.** COMPARISON OF THE TIMING OF STURGEON FISHING SEASON AND THE CALENDAR YEAR AND SEASON REPORT CARDS. THE HASH-MARKED AREA INDICATES WHEN FISHING IS CLOSED (JULY-AUGUST) AND WHEN THERE IS OVERLAP WITH THE RELEASE OF THE SEASONAL REPORT CARD.

The goal of the Department is to create as smooth a transition as possible for anglers, avoid requiring them to pay for a new card when their current calendar year 2025 card is still valid, and to incentivize anglers to return their report cards at the end of the new season structure. To accomplish these goals, the Department proposes the following approach:

- 1) 2025 calendar year Sturgeon Report Cards will only be sold through the close of the 2024–2025 sturgeon fishing season, June 30, 2025.
- 2) There will be a 31-day optional reporting period for the calendar year Card from July 1–July 31.
- 3) Starting August 15, sales will begin for the 2025–2026 season Card (October 1 – June 30)
- 4) For anglers who purchased the calendar year SRC by June 30, 2025, the Department will provide an incentive option for cards that are returned online or are postmarked by July 31, 2025. **Anglers that report during this period may request the 2025–2026 season Card at no cost.**
  - a. Cards reported online by July 31 would automatically be registered in the Automated License Data System (ALDS).
  - b. Cards received by mail postmarked by July 31 would be verified by Fisheries Branch and entered into ALDS. When those data are entered, staff would confirm if the account qualifies for a no cost card.
  - c. When new season Cards go on sale on August 15, anglers would be able to request the card online through their CDFW account or get it printed at a license sales vendor (e.g. Walmart).

- d. Cards received with a postmark after July 31 will not be entered into the system and will be held until the second reporting window from January 1–31, 2026.
- 5) If an angler that purchased a 2025 calendar year report card does not opt to get the free card or misses the July 31 report deadline, they can continue to use their calendar year card through December 31, 2025.
  - a. Anglers that did not report during the July period must still report their Annual card by the January 31, 2026, deadline, regardless of if they purchase the 2025–2025 season card.
  - b. Anglers wishing to continue to fish in the 2025–2026 season from January 1 through June 30, 2026, will have to purchase a 2025–2026 season Card.
- 6) 2025–2026 season Report Cards will be sold through June 30, 2026, which coincides with the close of the 2025–2026 sturgeon fishing season.
- 7) There will be a 31-day reporting period for the season Card from July 1–July 31, 2026.
- 8) Season Card sales for the 2026–2027 (October 1 – June 30) season will start August 15, 2026.