

## Staff Summary for June 11-12, 2025

**4. Market Squid****Today's Item**Information ☐Action ☒

- (A) **Market Squid Fishery Management Plan (FMP):** Conduct a public hearing on the revised draft amended Market Squid FMP.
- (B) **Commercial take of market squid:** Discuss proposed amendments to regulations for the commercial take of market squid.

**Summary of Previous/Future Actions**

- Adopted Market Squid FMP and implementing regulations December 2004
- Referred market squid fishery management and FMP review to Marine Resources Committee (MRC) April 2021
- Process updates and MRC vetting 2021-2023, various; MRC
- Department Squid Fishery Advisory Committee (SFAC) meetings February 2023-May 2024
- Received and discussed SFAC report and proposed recommendations July 17-18, 2024; MRC
- MRC recommendation for amended Market Squid FMP and regulations November 7, 2024; MRC

**(A) Market Squid FMP**

- Received and discussed a draft amended Market Squid FMP April 16-17, 2025
- Today discuss the revised draft amended Market Squid FMP** **June 11-12, 2025**
- Adopt amended Market Squid FMP August 13-14, 2025

**(B) Amend regulations for commercial take of market squid**

- Notice hearing April 16-17, 2025
- Today's discussion hearing** **June 11-12, 2025**
- Adoption hearing August 13-14, 2025

**Background**

In April 2025, the Commission received the Department's draft amended Market Squid FMP for public review and potential adoption. Additionally, the Commission authorized publication of a notice of its intent to amend sections 53.01, 149 and 149.1 related to market squid commercial fishing regulations, consistent with updates in the draft amended Market Squid FMP. The Department's proposed amendments to market squid commercial fishing regulations were discussed and recommended through the multi-year SFAC process, incorporating scientific and enforcement input. Background information and a summary of the proposed changes is included as Exhibit 1. This staff summary provides updates since the April meeting.

## Staff Summary for June 11-12, 2025

**(A) *Market Squid FMP***

Following receipt of the draft amended Market Squid FMP at the April Commission meeting, the Commission directed staff to work with the Department to integrate updates to align with proposed regulatory descriptions and the status of seabird species.

Following the meeting, the Department integrated updates supported by the Commission, in coordination with staff, and posted a revised draft amended Market Squid FMP online on April 29. A table summarizing the substantive changes is presented in Exhibit 3.

For the final amended FMP, staff requests to update the SFAC process summary with a link to its process documents (including the final report). Additionally, for increased transparency and improved archiving, staff proposes updating the acknowledgements to indicate the specific stakeholder group each SFAC member was selected to represent, and to add the modeling team members.

**(B) *Amend Regulations for the Commercial Take of Market Squid***

Following the April Commission meeting, staff made minor edits to finalize the initial statement of reasons (ISOR, Exhibit 5); a notice of proposed changes in regulations was published in the California Regulatory Notice Register on May 30, 2025.

Subsequent to publishing the notice, staff identified several sufficiently related changes to the proposed regulatory language, as well as necessary changes to the ISOR and informative digest. The recommended changes are detailed in Exhibit 7 and include:

- Title of Section 149: Change “Taking” to “Take.”
- Lighting restrictions:
  - In subsection 149(d), clarify that the restriction on lighting in the Greater Farallones National Marine Sanctuary only applies within the boundaries of the previously-defined “Gulf of the Farallones” National Marine Sanctuary boundaries.
  - In subsection 149(g)(1)(A), clarify the language specifying that use of lights to aggregate squid is a form of take.
- Update the ISOR and/or informative digest to describe and justify each revision to the proposed regulatory language.
- Update the ISOR and informative digest relating to incidental take of squid in other fisheries (subsection (m)) to justify the requirements to comply with subsection (g) related to the use of lights for the incidental take of squid.
- Update the ISOR relating to the weekend lighting exceptions for live bait purposes, to justify the requirements for squid taken for live bait (prohibiting its use aboard the vessel that took it, and mandating its return to water if unsold).
- Correct the date of the original Market Squid FMP in the list of supporting documents.

## Staff Summary for June 11-12, 2025

**Significant Public Comments**

The California Wetfish Producers Association (CWPA), representing harvesters and processors in California's coastal pelagic species fisheries, strongly supports the proposed Market Squid FMP amendments stemming from the comprehensive SFAC process. CWPA states the SFAC emphasized the fishery's sustainability under current management and supports the product of SFAC's process, which is composed of regulatory amendments and voluntary industry measures. Specifically, CWPA supports:

- **Regulatory Amendments**
  - Requiring rib and non-metal purse lines to reduce bottom contact.
  - Extending weekend closures (including a longer Monterey Bay area closure to potentially reduce user conflicts).
- **Voluntary Industry Measures**
  - Developing a best practices guide for mitigating lighting impacts to seabirds to build comprehensive and consistent compliance.
  - Implementing a pilot program for electronic logbooks to improve data accuracy and streamline data collection.
- **Fishery Entry**
  - Relying on experimental fishing permits as the most appropriate method for considering any new entry into the fishery, as cost-free opportunities could undermine significant investments by current participants.

**Recommendation**

**Commission staff:** Support the additions to the revised draft amended Market Squid FMP proposed by staff, and direct staff to issue a 15-day notice of sufficiently related changes to the proposed regulations as described in Exhibit 7.

**Exhibits**

1. [Staff summary for Agenda Item 24, April 16-17, 2025 Commission meeting](#) (for background purposes only)
2. [Revised Draft 2025 draft Market Squid, \*Doryteuthis \(Loligo\) opalescens\*, Fishery Management Plan – Amendment 1](#) (also available online at <https://wildlife.ca.gov/Conservation/Marine/MSFMP>)
3. [Department table summarizing substantive changes in the revised draft Market Squid Fishery Management Plan Amendment 1](#), received May 23, 2025
4. [Department memo transmitting draft ISOR](#), received April 10, 2025
5. [ISOR](#), dated May 20, 2025
6. [Proposed regulatory language](#)
7. [List of staff-recommended revisions to the ISOR, proposed regulatory language, and informative digest](#), dated June 4, 2025
8. [Letter from Mark Fina, Executive Director, California Wetfish Producers Association](#), received May 29, 2025

## Staff Summary for June 11-12, 2025

**Motion**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission directs staff to work with the Department to integrate updates into the draft amended Market Squid Fishery Management Plan, as discussed today, and authorizes publication of a 15-day notice of sufficiently related changes to proposed regulations regarding the commercial take of market squid with changes to the regulatory language, initial statement of reasons, and informative digest, as discussed today.

Staff Summary for April 16-17, 2025  
*(For background purposes only)*

## 24. Market Squid

### Today's Item

Information ☐

Action ☒

- (A) **Market Squid Fishery Management Plan (FMP):** Receive and conduct a public hearing on the draft amended Market Squid FMP.
- (B) **Commercial take of market squid:** Consider authorizing publication of notice of intent to amend regulations for the commercial take of market squid.

### Summary of Previous/Future Actions

- |   |                         |
|---|-------------------------|
| • Adopted Market Squid FMP and implementing regulations                                       | December 2004           |
| • Referred market squid fishery management and FMP review to Marine Resources Committee (MRC) | April 2021              |
| • Process updates and MRC vetting   | 2021-2023, various; MRC |
| • Department Squid Fishery Advisory Committee (SFAC) meetings                                 | February 2023-May 2024  |
| • Received and discussed SFAC report and proposed recommendations                             | July 17-18, 2024; MRC   |
| • MRC recommendation for amended Market Squid FMP and regulations                             | November 7, 2024; MRC   |

#### (A) *Draft amended Market Squid FMP*

- |   |                          |
|---|--------------------------|
| • <b>Receive and discuss draft amended Market Squid FMP</b> | <b>April 16-17, 2025</b> |
| • Discuss draft amended Market Squid FMP                    | June 11-12, 2025         |
| • Adopt amended Market Squid FMP                            | August 13-14, 2025       |

#### (B) *Amended regulations for commercial take of market squid*

- |                                 |                          |
|---------------------------------|--------------------------|
| • <b>Today's notice hearing</b> | <b>April 16-17, 2025</b> |
| • Discussion hearing            | June 11-12, 2025         |
| • Adoption hearing              | August 13-14, 2025       |

### Background

The California market squid fishery is regularly the largest commercial fishery in California, in both landings volume and value. Managed under the Commission's authority since 2001, the fishery has operated within the framework of the Market Squid FMP adopted by the Commission in 2004 pursuant to the requirements and guidelines of the Marine Life Management Act (MLMA) (Section 7072 et seq., California Fish and Game Code). The Market Squid FMP defines fishery control rules, a restricted access program, environmental considerations, and fishery administration.

Staff Summary for April 16-17, 2025  
(For background purposes only)

While regulations have been periodically adopted to adaptively manage various aspects of the fishery, 2021 marked initiation of the first comprehensive review of market squid fishery management since the FMP's adoption in 2004. The Department developed a multi-phase management review supported by the Commission, and anchored it in a Squid Fishery Advisory Committee (SFAC) established in 2023 by the Department's director in accordance with Commission regulations (Section 53.02). SFAC played a crucial role in assisting with developing and reviewing fishery assessments, management options and proposals, and in advising the Department on potential FMP amendments and regulatory changes.

In November 2024, MRC recommended the Commission schedule Market Squid FMP amendments and management changes for the Commission's consideration based on the [SFAC's management review](#) and Department-proposed recommendations. The Department subsequently prepared the draft amended Market Squid FMP, and proposed regulations necessary to implement the amended plan and management recommendations, based on SFAC recommendations and MRC and Commission input.

**(A) Draft Amended Market Squid FMP**

Following tribal review, the Department is now submitting the draft amended Market Squid FMP for public review and potential adoption by the Commission (exhibits 1-3). The draft amended FMP integrates information from the Department's market squid enhanced status report (Exhibit 4), SFAC recommendations on proposed management measures, and other updated information regarding market squid. Proposed changes to management components from the original Market Squid FMP are shown in Exhibit 2, Executive Summary (pages i-iii).

MLMA requires that the Commission hold at least two public hearings prior to adopting an FMP amendment; however, the Commission has opted to hold three public meetings for this proposed Market Squid FMP amendment process to provide ample time for stakeholder and public input. MLMA also requires that the draft be available to the public for review at least 30 days prior to the first hearing and discussion. The Department complied with this 30-day requirement by [posting the draft amended Market Squid FMP on its website](#). After the Department posted the draft, Commission staff identified several revisions necessary to align the amended Market Squid FMP language with final proposed regulatory language concerning gear definitions, and to update references to the status of seabird species with respect to special status or listing under the California Endangered Species Act or federal Endangered Species Act. Commission staff requests Commission direction to make updates to the draft amended Market Squid FMP, which the Department would again make available for public review at least 30 days prior to the next hearing and discussion in June.

Today marks the first amendment process for any fishery management plan adopted by the Commission pursuant to the MLMA.. The MLMA master plan for fisheries clarifies the adoption process and provides that, in addition to public hearings, written comments may be submitted at any time up to adoption. The Commission may either adopt the FMP amendment, or, if it determines changes are warranted, may reject the FMP amendment for the Department to revise and resubmit for further public review before adoption.

## Staff Summary for April 16-17, 2025

*(For background purposes only)***(B) Amended Regulations for Commercial Take of Market Squid**

Consistent with updates in the draft amended Market Squid FMP, several regulatory amendments are necessary to implement management recommendations. Draft proposed amendments to market squid regulations reflect Department recommendations discussed and agreed upon during the multiyear SFAC process, and include scientific and enforcement input (see exhibits 5-7 for details).

- *Add a definition for “rib line” and require the use of a rib line on all purse seine nets after December 31, 2030.*

Current squid fishing regulations permit purse seine nets – the most widely-used of authorized gear types – which Department data suggests can scrape the seafloor when fishing in shallow areas, potentially increasing benthic bycatch and damaging squid eggs. To address the potential for damage, proposed regulations will require the use of a “rib line” on all purse seine nets after December 31, 2030. Defined as a non-metallic line, “rib line” is positioned at least 36 inches above the leadline and within 60 feet of both net ends, creating a “ribbing” effect that makes the net flutter rather than drag and reducing seafloor contact. The 2030 timeline allows for net retrofitting.

- *Extend the current market squid fishery weekend closure*

Current regulations prohibit squid fishing from noon on Friday to noon on Sunday statewide to allow for uninterrupted spawning. The proposed regulations extend the closure by five hours (from noon to 7 a.m.) on Friday statewide and an additional twelve-hour extension (from noon to 11:59 pm) on Sundays in the Monterey Bay area to allow additional uninterrupted spawning and benefit squid reproduction and spawning success (Table 1).

**Table 1: Summary of draft proposed amendments to extend weekend closure**

Location	Current Squid Fishing Closure	Proposed Squid Fishing Closure
Statewide	noon Friday to noon Sunday	7 a.m. Friday to noon Sunday
Monterey Bay area	noon Friday to noon Sunday	7 a.m. Friday to midnight (11:59 p.m.) Sunday

The Department recommends additional amendments to the regulations that were developed outside the SFAC process, including:

- *Reference to Market Squid FMP:* Remove the definition and incorporation by reference in Title 14, as the FMP is an informational document, not a regulation.
- *Repeal sections:* Repeal sections 53.02 and 53.03 as they either duplicate existing authority or are general policy statements, not regulations.
- *Define “purse seine skiff”:* Define and explicitly state that it does not require its own market squid vessel permit.

## Staff Summary for April 16-17, 2025

*(For background purposes only)*

- *Fishery closure notification*: Change the method of notification of fishery closure from broadcast by the U.S. Coast Guard (USCG) on VHF Channel 16 to the Department's website, due to USCG discontinuing VHF notifications.
- *National Marine Sanctuary name*: Update the name Gulf of the Farallones National Marine Sanctuary to the current name, Greater Farallones National Marine Sanctuary in regulations concerning the prohibition of using attracting lights for squid fishing within the sanctuary to protect seabirds.
- *Lights as take and weekend closure*: Clarify that using lights to attract and aggregate squid constitutes a form of take and is prohibited during the weekend closures, with the exception of live bait vessels, specifying that the use of such lights serves as "prima facie" evidence of commercial intent.
- *Live bait lighting exemption conditions*: Amend the weekend exemption for lighting on the weekend to take market squid as live bait, to ensure vessels do not use lights for other purposes while claiming to be engaged in the take of live bait, through the following exemption conditions:
  - Weekend use of lights is permitted only to aggregate squid when actively fishing for squid for live bait, to minimize use of lights and disturbance to squid spawning.
  - All squid taken must be maintained in a condition to be sold as live bait, not be used as live bait aboard the vessel that took it, and returned to the water prior to the end of the weekend closure if not sold.
  - Vessels intending to use this exemption to take squid for live bait during a weekend closure must notify the Department by email before leaving port on that fishing trip.
- *Lighting Shield Requirements*: Update lighting requirements that reduce light scatter of fishing operations from shielding the entire filament "of each light" to the entire filament "of each device capable of emitting light," to accommodate evolving lighting technology.
- *Minor Clarifications*: Make other minor changes for improved clarity and consistency throughout the regulations.

The MRC recommendation approved by the Commission at its December 2024 meeting included requiring electronic logs. The intent was to support the development of electronic logs for future implementation; therefore, electronic log requirements are not included in this rulemaking.

For today's meeting, the Department will give a presentation covering both the draft amended Market Squid FMP (A), and draft proposed amendments to Commission regulations governing the commercial take of market squid (B) (Exhibit 9).

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



## Staff Summary for April 16-17, 2025

*(For background purposes only)***Recommendation**

**Commission staff:** (A) Direct staff to work with the Department to update the draft amended FMP to align with proposed regulatory descriptions and the status of seabird species; and (B) authorize staff to publish notice of the Commission's intent to amend commercial market squid regulations as discussed today and recommended by the Department.

**Department:** (B) Authorize staff to publish notice of the Commission's intent to amend commercial fishing regulations as reflected in exhibits 6 and 7, and identify a proposed effective date of January 1, 2026 for amendments to the regulations.

**Exhibits**

1. Department memo transmitting draft amended Market Squid FMP, received March 27, 2025
2. 2025 draft *Market Squid, Doryteuthis (Loligo) opalescens, Fishery Management Plan – Amendment 1*
3. *Market Squid Fishery Management Plan*, dated April 1, 2005, with draft 2025 Amendment 1 revisions in track changes
4. 2024 market squid enhanced status report, extracted from the California Marine Species Portal on February 3, 2025
5. Department memo transmitting ISOR, received April 10, 2025
6. Draft ISOR
7. Draft proposed regulatory language
8. Draft Form 399 economic and fiscal impact statement
9. Department presentation

**Motion**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission directs staff to work with the Department to integrate updates into the draft Market Squid Fishery Management Plan – Amendment 1, as discussed today, and authorizes the publication of a notice of its intent to amend sections 53.01, 149 and 149.1, and repeal sections 53.02 and 53.03, related to commercial take of market squid.

**California Department of Fish and Wildlife**  
**Substantive changes - Market Squid Fishery Management Plan Amendment 1**

First Public Draft Compared to Revised Public Draft

<b>Section</b>	<b>Page #</b>	<b>Change Description</b>
Exec Summary and 3.2.3.	ii and 3-4	Changed "catch limitation" to "limit" for consistency and grammar.
Exec Summary and 3.1.1.	ii and 3-1	Changed "midnight" to "2359" to be consistent with proposed regulations.
Exec Summary	ii	Changed "round haul" to "purse seine" and removed rope from last bullet to be consistent with proposed regulations.
1.1.3	4	Changed "proposed" to "authorized" harvest statewide to update to current status.
1.6.1.	18	Changed "project" to "private projects" for consistency with statutory language.
2.9 and 4.2	14 and 23	Changed an "FMSY Proxy" to "a proxy for MSY fishing mortality rates" to clarify the acronym "FMSY."
2.12.	28	Added that nets are required to be pursed using a "non-metallic" rib line "located above the leadline" for clarity and consistency.
Table 2-9	40	Added "the use of non-metallic" rib line for consistency.
3.3.	14	Added "formerly Xantus's murrelet complex" to state-listed birds and added "one federally-listed threatened species" to update to current status.
3.4.1.	17	Added this statement "Given the Department has the ability to establish informal advisory committees, 53.02 is unnecessary and will be repealed" to clarify the process used.
Literature Cited	L-2	Added two references to the California Natural Diversity Database (CNDDDB) that had been omitted.

State of California  
Department of Fish and Wildlife

## Memorandum

Date: April 8, 2025

Received 4/10/2025  
Original signed copy on file

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

From: Charlton H. Bonham  
Director

Subject: **Submission of Initial Statement of Reasons for the April 16-17, 2025 Fish and Game Commission Meeting to Amend Sections 53.01, 149, and 149.1, and Repeal Sections 53.02 and 53.03, Title 14, California Code of Regulations, re: Commercial Taking of Market Squid**

Please find attached the Initial Statement of Reasons to amend sections 53.01, 149, and 149.1, and repeal sections 53.02 and 53.03, Title 14, California Code of Regulations. The proposed amendments were developed through a multiyear constituent advisory group process and include scientific and enforcement input. Changes to market squid regulations reflect Department recommendations discussed and agreed upon during the multiyear Squid Fishery Advisory Committee process. The proposed amendments add definitions, require the use of a purse seine rib line placed above the purse seine leadline, update the name of the Greater Farallones National Marine Sanctuary, extend the current weekend market squid fishery closure, and establish a new method of informing market squid fishermen about closures. Additionally, the proposed amendments clarify the requirements of the use of lights to aggregate squid and repeal sections 53.02 and 53.03.

The Department recommends that the new regulations become effective January 1, 2026. The proposed management measures are necessary to reduce potential bycatch and impacts to the sea floor. These changes will benefit squid reproduction and spawning success and increase the likelihood of the fishery remaining sustainable in the face of future environmental uncertainty.

If you have any questions or need additional information, please contact Dr. Craig Shuman, Marine Regional Manager at [R7RegionalMgr@wildlife.ca.gov](mailto:R7RegionalMgr@wildlife.ca.gov). The notice for this rulemaking should identify the Department point of contact as Trung Nguyen, Environmental Scientist.

ec: **Department of Fish and Wildlife**

Chad Dibble, Deputy Director  
Wildlife and Fisheries Division

Craig Shuman, D. Env., Region Manager  
Marine Region

Melissa Miller-Henson, Executive Director  
Fish and Game Commission  
April 8, 2025  
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State of California  
Fish and Game Commission  
Initial Statement of Reasons for Regulatory Action

Amend Sections 53.01, 149 and 149.1,  
Repeal Sections 53.02 and 53.03,  
Title 14, California Code of Regulations  
Re: Commercial Taking of Market Squid

I. Date of Initial Statement of Reasons: May 20, 2025

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: April 16-17, 2025

Location: Sacramento

(b) Discussion Hearing:

Date: June 11-12, 2025

Location: Sacramento

(c) Adoption Hearing:

Date: August 13-14, 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), “Department” refers to the California Department of Fish and Wildlife, and “Commission” refers to the California Fish and Game Commission.

The Department recommends that the Commission adopt the following proposed changes focusing on the commercial take of market squid. The last time market squid regulations were subject to major amendment was at the adoption of the Market Squid Fishery Management Plan (FMP) in 2004. The proposed amendments here represent the results of a significant multi-year long constituent advisory group process as well as scientific and enforcement input. The proposed changes are necessary to reduce potential bycatch and increase the likelihood of the fishery remaining sustainable in the face of future environmental uncertainty.

### **Background**

The market squid fishery is regularly the largest commercial fishery in California, in both volume and ex-vessel value. Managed under the Commission’s authority since 2001, the fishery operates within the framework of the Market Squid FMP. The FMP defines harvest control rules (i.e., rules to manage a fishery developed under provisions of the Marine Life Management Act), a restricted access program, environmental protections, and fishery administration.

While regulations have been periodically adopted to adaptively manage various aspects of the fishery, 2021 marked the initiation of the first comprehensive review of the Market Squid

FMP since its adoption in 2004. The Department developed a multi-phase management review, supported by the Commission, and anchored in a Squid Fishery Advisory Committee (SFAC). Established by the Department's Director according to Section 53.02, the SFAC played a crucial role in assisting with developing and reviewing fishery assessments, management options and proposals, and FMP amendments.

During the final SFAC meeting in May 2024, the Department presented draft recommendations and adjusted the recommendations to reflect discussion points and expression of support from SFAC members. The SFAC recommended regulation changes, as well as non-regulatory actions.

In addition, the Department recommends changes for administrative topics not discussed during SFAC meetings. The first addresses the notification method used for closing a fishing season. Additional administrative changes clarify that a purse seine skiff does not need its own market squid vessel permit, correct the name of the Greater Farallones National Marine Sanctuary to its present name, and modify the definition of light shields to reflect possible changes to the manner in which light is emitted.

The proposed regulations define rib line and will require the use of a purse seine rib line, which must be placed above the purse seine leadline. The proposed regulations will extend the current weekend market squid fishery closure from noon to 7am on Friday statewide as well as an additional extension from Sunday at noon to Sunday at 2359 hour in the Monterey Bay Area (between a line due west from Point Lobos [36° 31.461' North Latitude] and a line due west from Pigeon Point [37° 11.000' North Latitude]).

The proposed regulations clarify that using lights to attract squid is considered a form of take and that such lights generally may not be used during the weekend closures. The existing exemption for lighting on the weekend when taking market squid as live bait will be amended to make the provision clearer and more enforceable. The amendment will clarify that lighting on the weekend is only allowed when actively taking market squid for live bait. Revisions to the regulation will specify that live market squid must be kept in a condition to be sold as live bait and returned to the water if it is not sold as live bait. Also, vessels engaged in the take of market squid for live bait must notify the Department in advance, to indicate their intent to take live bait during a weekend closure.

## **Current Regulations**

Current regulations in Section 53.01 specify definitions related to the market squid fishery. Section 53.02 describes process and timing of the market squid fishery as it relates to implementing the Market Squid FMP, including monitoring and regular updates; establishment of an advisory committee by the Department director to aid in assessing and responding to fishery concerns; and development of management actions consistent with the Administrative Procedure Act. Section 53.03 describes the set of management actions described in the original Market Squid FMP (Department, 2005).

Current regulations in Section 149 specify requirements applicable to vessels taking squid and vessels attracting squid with lights for the purpose of commercial take. The regulations specify that a permit is required; set a seasonal catch limit of 118,000 short tons statewide;

specify the process to close the fishery when the seasonal catch limit is expected to be reached; provide a statewide closure between noon on Friday and noon on Sunday of each week; provide exemptions that allow the take of squid for live bait purposes and allow squid to be taken incidentally in other fisheries; prohibit use of attracting lights in the Greater Farallones National Marine Sanctuary for the protection of seabirds; require the completion and submittal of logbooks; prohibit the use of lights to attract squid except as authorized under permits described in subsection 149.1(b); prescribe maximum wattage and shielding requirements for attracting lights; specify that squid taken in violation of the regulations must be forfeited to the Department; specify to whom citations may be issued; and specify that operators and crewmembers of a commercial market squid vessel or lightboat operating under the provisions of a commercial market squid permit are not required to possess a Tidal Invertebrate Permit.

### **Proposed Regulations**

The proposed regulations implement the amended Market Squid FMP.

#### **Repeal subsection 53.01(m)**

Subsection 53.01(m) is proposed to be repealed to remove the definition of Market Squid FMP. The Market Squid FMP does not require a definition, as it is described in Section 53.00. Furthermore, it is not necessary to incorporate the document by reference as the Market Squid FMP is not intended to have the force of law because it is an informational document, rather than a regulation.

#### **Current subsections (n) through (u) are proposed to be renumbered as (m) through (t) to reflect the repeal of subsection (m).**

#### **Amend current subsection 53.01(t), renumbered as subsection (s)**

The proposed regulations revise the definition of purse seine, specifying that the net is closed near the bottom instead of on the bottom. This change is necessary to correctly define the net. In addition, language is added to specify that purse seines used to take market squid or onboard vessels in possession of market squid are fitted with a rib line. This change is necessary to ensure that commercial fishermen are aware the seine configuration clearly includes a rib line.

#### **Add new subsection 53.01(t), Rib line**

The regulations in proposed subsection 149(f) will require the use of a purse seine rib line, which must be placed above the purse seine leadline. This amendment adds the definition of a rib line to read, "Rib line means a separate line made of soft rope or other non-metallic line that is a minimum of 36 inches above the leadline on a purse seine net. The rib line must encompass the purse seine net within 60 feet of both ends of the net."

Department sampling data indicate that current purse seine fishing practices allow the net to scrape the seafloor in relatively shallow fishing areas and may increase benthic species bycatch or damage to squid egg beds. Requiring a rib line on purse seine nets will reduce contact with the seafloor. In addition, the proposed regulations will require

the use of a non-metallic rib line to purse the net instead of cables or chains (i.e., no metal lines), which will also reduce impacts to the sea floor. The requirement to use a rib line made of soft rope or other non-metallic line to purse the net mitigates potential impacts to seafloor habitats and enhances sustainability by protecting squid egg beds and other benthic species.

**Repeal Section 53.02, Process and Timing, and repeal Section 53.03, Market Squid Fishery Management Plan (Market Squid FMP) Project.**

These sections are proposed to be repealed, as they are either duplicative of existing authority, or are general policy statements rather than regulations, and therefore are not necessary. Existing statutory authority provides processes and purposes for development of an FMP, adopting regulations to implement an FMP, amending an FMP, convening stakeholders for advisory committees, and for monitoring and assessment of the fishery (e.g., Fish and Game Code sections 7070 *et seq.*). It is necessary to repeal these sections to reduce confusion of the regulated community and to conform to the clarity and non-duplication requirements of the Administrative Procedure Act

**Amend subsection 149(a)**

The proposed regulations add new subsection 149(a)(1), “A permit is not required for the seine skiff of a permitted vessel. For the purposes of this section, a seine skiff is a vessel that does not use lights to attract squid and its primary purpose is to assist the deployment of a net for a permitted vessel.”

This change is necessary to make it clear that a seine skiff vessel does not require a market squid permit because it is part of a purse seine vessel and its function is to help wrap the purse seine net and does not use lights to attract squid.

**Amend subsection 149(b)(2), Closure Process.**

The proposed regulations replace language in subsection 149(b)(2)(A) relating to public announcement of the effective date of squid closures on Very High Frequency (VHF) Channel 16 between the hours of 10:00 p.m. and 12:00 a.m. (midnight) with language specifying that the announcement will be posted on the Department’s website at [wildlife.ca.gov/marine](http://wildlife.ca.gov/marine). The time of day of the announcement is repealed.

The proposed regulations replace language in subsection 149(b)(2)(B) related to the responsibility of operators to determine when the seasonal catch limit is expected to be reached and the fishery closed by monitoring VHF/channel 16 with language specifying they should monitor the Department’s website [wildlife.ca.gov/marine](http://wildlife.ca.gov/marine). Additional proposed changes in this subsection regarding what constitutes official notice of the closure replace VHF/channel 16 with the Department’s website.

Current regulation (subsections 149 (b)(2)(A) and (B)) require the Department to notify the United States Coast Guard (USCG) to broadcast on VHF Channel 16 any upcoming closures to the market squid fishery. However, the USCG has indicated in a letter to the Department that it will no longer post notices via VHF 16 Broadcast Notice to Mariners because the “communication tools are reserved for important navigational safety information and deficiencies in aids to navigation.” The proposed regulation is



necessary to provide a revised communication tool that market squid operators can use to be informed about market squid fishery closure. The time of day of the announcement is no longer necessary as the website is accessible at any time of day.

**Amend subsection 149(c), Time Closures. North of a westerly extension of the United States -- Republic of Mexico boundary line:**

Current regulations specify that market squid may not be taken for commercial purposes between noon on Friday and noon on Sunday of each week. The proposed regulations change the start time of the closure to 0700 hours on Friday; the end time remains noon on Sunday in most of the State. The proposed changes further specify that market squid may not be taken for commercial purposes in the area between Point Lobos (36° 31.461' North Latitude) and Pigeon Point (37° 11.000' North Latitude) from 0700 hours on Friday through 2359 hours on Sunday of each week.

These changes are necessary for added conservation in squid fishery management and a buffer for sustainability at little expense, or potential improvement, to fishery yields and performance. The extension of the weekend closure will increase the uninterrupted spawning time for market squid, which will benefit squid reproduction and spawning success. Department analyses during the SFAC process showed a difference between the northern and southern fishery areas, supporting the difference in closure end time proposed for the Monterey Bay Area.

**Amend subsection 149(d), Closed Areas for Seabirds.**

The proposed regulations change "Gulf of Farallones National Marine Sanctuary" to "Greater Farallones National Marine Sanctuary" for consistency with the name of the national marine sanctuary changed in 2015 and currently in Code of Federal Regulations (CFR), Part 922, subpart H.

**Add new subsection 149(f), Rib Line.**

The proposed regulations add new subsection 149(f), "Rib line: After December 31, 2030, it is unlawful to take market squid for commercial purposes using a purse seine net that is not pursed using a rib line as defined in Section 53.01. All purse seine nets onboard any vessel taking or possessing market squid for commercial purposes must have a rib line attached and the rib line must be used to purse the net. A rib line must be made of soft rope or other non-metallic line. All rib lines must be made available for inspection upon demand by authorized Department personnel pursuant to Fish and Game Code Section 2012."

This addition for use of a soft rope or other non-metallic rib line to "purse" the seine net is necessary to mitigate potential impacts to sandy bottom habitat and enhances sustainability by protecting squid egg beds and other benthic species. The regulation will take into effect after December 31, 2030 in order to give the fishing community adequate time to retrofit fishing gear.

**Amend current subsection 149(f), renumbered as subsection (g). Lights to Aggregate Squid.**

The proposed regulations add subsection 149(g)(1). The first full sentence of current subsection 149(f) is moved to this subsection along with a new heading of “General Regulations”. Language specifying “of these regulations” is repealed due to redundancy.

The proposed regulations add subsection 149(g)(1)(A), “Lights used to aggregate squid are considered a form of take. Lights commonly used to aggregate squid that are turned on or in use are prima facie evidence that the vessel’s operator and crew are attempting to attract squid for commercial purposes.” The proposed language clarifies that use of lights to aggregate squid is considered a form of take consistent with Section 1.80 and informs the public how the Department considers the use of lights as it relates to the commercial take of market squid.

The proposed regulations add subsection 149(g)(1)(B), “Lights used to aggregate squid for commercial purposes shall not be turned on or in use during weekend closures as defined by subsection (c)(1) of this section.” This change is necessary to emphasize that “take” of market squid via attracting lights is prohibited during the weekend closure to allow for uninterrupted spawning time for market squid.

The proposed regulations add subsection 149(g)(2), Exceptions for Live Bait Purposes.

The proposed regulations add subsection 149(g)(2)(A), “Notwithstanding subsection (g)(1), vessels pursuing squid for live bait purposes only are not required to possess a permit described in subsection 149.1(b)”. This change restates and clarifies language in current subsection (f) that states, “This regulation does not apply to...vessels pursuing squid for live bait purposes only.” Language in current subsection (f) regarding seine skiffs is repealed as proposed subsection 149(a)(1) states that seine skiffs do not require a permit issued pursuant to Section 149.1 and do not use lights to attract squid.

The proposed regulations add subsection 149(g)(2)(B), “Subsection (g)(1)(B) does not apply to vessels pursuing squid for live bait purposes only during the weekend closure, if the following conditions are met:

“1. Lights shall only be used to aggregate squid while actively taking or searching for squid and shall be turned off immediately upon completion of fishing for live bait.

“2. All squid taken shall be maintained in a condition to be sold as live bait. Squid taken under this exemption shall not be used as live bait aboard the vessel that took it, and any squid not sold shall be returned to the water prior to the end of the weekend closure.

“3. The operator of any vessel intending to utilize this live bait exemption shall provide prior notification via email to LEDMarineNotifications@wildlife.ca.gov prior to the vessel leaving port on that fishing trip. The notification shall include all of the following: operator’s name, vessel name, anticipated fishing date(s), port of departure, expected port of landing, fishing block(s) where live bait fishing activity will occur, live bait method

of take, description of how sales of live bait will occur, Dealer ID number, and, if applicable, Live Bait Dealer ID number.”

This subsection is necessary to lay out the requirements for the commercial take of squid for live bait purposes during the weekend closure for the sustainable management of the fishery and to ensure vessels do not use lights for other purposes while claiming to be engaged in the take of live bait. Minimizing the use of lights by only allowing their use while actively fishing is important for spawning and completion of life history requirements. Maintaining squid in a condition to be sold as live bait is necessary to ensure freshness of live bait. Advance notification of take is necessary so that the Department has record of those taking market squid for live bait on the weekend.

**Amend current subsection 149(h), renumbered as subsection (i), Light Shields.**

Current regulation requires that the light scatter of fishing operations be reduced by shielding “the entire filament of each light.” The proposed regulation replaces “of each light” with “or device capable of emitting light”.

This change is necessary to address potential changes to lighting devices in the future.

**Amend current subsection 149(l), renumbered as subsection (m), Incidental Take Allowance.**

Current regulations specify that the other requirements of this Section do not apply to incidental take. The proposed amendment states that other requirements of this Section, except subsection (g), do not apply to incidental take. This amendment was needed to clarify that vessels incidentally taking squid may not use lights.

**Additional minor changes are proposed in Section 149 for clarity and consistency in re-numbering subsections, and updating pronouns and cross-references.**

**Amend Section 149.1. Market Squid Fishery Restricted Access Program.**

Amendments are proposed to subsection 149.1(a) to update references to renumbered subsections in Section 149. No other amendments are proposed for Section 149.1.

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

The California Legislature has declared that the Pacific Ocean and its rich marine living resources are of great environmental, economic, aesthetic, recreational, educational, scientific, nutritional, social, and historic importance to the people of California.

It is the policy of the state to ensure the conservation, sustainable use, and, where feasible, restoration of California’s marine living resources for the benefit of all the citizens of the state. The objectives of this policy include but are not limited to conserving the health and diversity of marine ecosystems and marine living resources; allowing and encouraging only those activities and uses of marine living resources that are sustainable; recognizing the importance to the economy and the culture of California of sustainable commercial fisheries; managing marine living resources on the basis of the best available scientific information and other relevant information that the Commission or Department possesses

or receives; and involving all interested parties in marine living resource management decisions.

Consistent with this policy, the proposed changes to weekend closure and requirement of rib line to the market squid regulations reflect what was discussed and agreed upon during the multiyear SFAC process. These changes will help to ensure long-term conservation and sustainability of the market squid resource.

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

Section 53.01

Authority: Sections 7071, 7078 and 8425, Fish and Game Code.

Reference: Sections 7071, 7075, 7078, 7083, 7086, 8420 and 8425, Fish and Game Code

Section 53.02

Authority cited: Section 7071, 7078 and 8425, Fish and Game Code.

Reference: Sections 7071, 7075, 7083, 7652, 8420 and 8425, Fish and Game Code.

Section 53.03

Authority cited: Section 7071, 7078 and 8425, Fish and Game Code.

Reference: Sections 7071, 7075, 7082, 7083, 8420 and 8425, Fish and Game Code.

Section 149

Authority: Sections 7078, 7701, 7708, 8026, 8425 and 8429.5, Fish and Game Code.

Reference: Sections 7701, 7708, 8026, 8425, 8429.5, 8429.7, 12159 and 12160, Fish and Game Code

Section 149.1

Authority: Sections 713, 1050, 7071, 7078, 7923, 8026, 8425, 8428 and 8429.5, Fish and Game Code.

Reference: Sections 1050, 7050, 7071, 7701, 7708, 7852.2, 7923, 8026, 8101, 8425, 8428, 8429.5 and 8429.7, Fish and Game Code.

(d) Specific Technology or Equipment Required by Regulatory Change

The proposed change to require a rib line to purse seine nets by December 31, 2030 does not specify a specific rib line that is needed. It must adhere to the specifications described in subsections 53.01(t) and 149(f), which state that the rib line must be rope or non-metallic, a minimum of 36 inches above the headline, and encompass the purse seine net within 60 feet of both ends of the net.

(e) Identification of Reports or Documents Supporting Regulation Change

California Department of Fish and Wildlife. 2005. Final Market Squid Fishery Management Plan, dated March 25, 2025.

California Department of Fish and Wildlife. 2024 Market Squid, *Doryteuthis (Loligo) opalescens*, Enhanced Status Report. Available from:  
<https://marinespecies.wildlife.ca.gov/market-squid/>

California Department of Fish and Wildlife. 2024. Squid Fishery Advisory Committee Review of California - Market Squid Fishery Management and Proposed Recommendations. Presented to the Marine Resources committee Meeting of the Fish and Game Commission, July 18, 2024.

(f) Identification of Reports or Documents Providing Background Information

Commission 2024, Staff Summary for July 17-18, 2024 Marine Resource Committee Meeting on Market Squid Fishery Management and Fishery Management Plan (FMP) Review.

Commission 2024, Staff Summary for November 6-7, 2024 Marine Resource Committee Meeting on Market Squid Fishery Management and Fishery Management Plan (FMP) Review.

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

Ten public meetings of the SFAC were held, specifically focused on developing options for market squid fishery management updates. Following those meetings, two meetings of the Commission's Marine Resources Committee included discussions of the proposed recommendations as follows:

- Meeting 1 – February 9, 2023; Virtual
- Meeting 2 – April 18, 2023, Santa Cruz
- Meeting 3 – May 16, 2023, Virtual
- Meeting 4 – July 12, 2023, Virtual
- Meeting 5 – August 15, 2023, Seal Beach
- Meeting 6 – October 6, 2023, Virtual,
- Meeting 7 – November 15, 2023, Virtual
- Meeting 8 – January 26, 2024, Oakland
- Meeting 9 – March 21, 2024, Santa Barbara
- Meeting 10 – May 1-2, 2024, Long Beach
- Marine Resource Committee Meeting – July 18, 2024, Santa Rosa
- Marine Resource Committee Meeting – November 7, 2024, Sacramento

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives to changes to sections 53.01, 53.02, and 53.03 were identified.

No alternatives to the market squid fishery closure notification were identified by or brought to the attention of Commission staff.

Other alternatives to the extended weekend closure included extending the closure from Friday at 7am to Monday at 7am, statewide. However, the SFAC expressed that losing one

day of production each week is not cost effective because processors need to employ people five days a week. SFAC members also wanted a specific closure to the Monterey area due to greater concern about the impact on squid spawning and on-the-water conflicts with recreational users.

An alternative to the rib line requirement would be to require a net depth restriction. This would require fishing vessels to use a shallower net to reduce any bottom contact without the need for retrofitting of the purse seine net. This was discussed during the SFAC process, and it was determined that the Department does not have the ability to enforce a net depth restriction. Also, members of the SFAC have said that operators can own several different purse seine nets with varying depths and requiring shorter nets will reduce access to deeper water and will put more pressure on shallower fishing areas.

An alternative subsection (g) - Lights to Aggregate Squid would be to not allow squid lighting on the weekend while fishing for market squid as live bait. This was not considered because it would have a negative effect on the recreational fishing fleet purchasing market squid as live bait from the market squid fishing fleet.

An alternative to prohibit lighting around all or portions of the California Channel Islands was discussed during the SFAC process to additionally protect seabirds. Based on improved seabird breeding and population status in the area, existing marine protected areas around seabird colonies, and potential impacts to the squid fishery, this alternative was determined to be unnecessary.

#### (b) No Change Alternative

Without the proposed changes, the outstanding issues concerning the regulations currently governing impacts to seafloor habitats, reduced spawning potential, weekend lighting for market squid exemption, and VHF channel 16 notifications would remain unaddressed.

### 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 Commission anticipates that the proposed regulations will directly impact commercial market squid vessel permit holders and the market squid lighting boats that service those commercial fishing operations. The proposed live bait weekend light use reporting requirements are expected to have a direct economic impact of approximately \$9,988, the total loss to light boats from the closures is expected to be approximately \$399,902, the proposed rib line requirements are expected to cost approximately \$885,000, the direct impacts to purse seine and brail vessels from the closures are expected to be

approximately \$1,999,510, and the estimated total economic effect, including indirect and induced effects, of the proposed closures is \$3,298,987. Combined, the total economic impact from the proposed regulations is estimated to be \$4,593,877. See the economic analysis in the addendum to the economic and fiscal impact statement (STD 399) for more information. The change in costs is not anticipated to affect the competitiveness of the California commercial market squid fishery with other states, as the regulations are intended to protect squid egg beds on the sea floor and preserve the sustainability of the fishery.

(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 proposed weekend closures are expected to have a total economic effect of \$3,298,987, which is expected to eliminate up to 19 jobs (3 from the statewide closure and 16 from the Monterey closure). The proposed regulations for rib lines and the reporting requirements for light boats participating in the live bait fishery are not anticipated to have any additional impacts to job creation or elimination.

The Commission does not anticipate that the proposed regulations will affect the creation of new businesses, the elimination of existing businesses, or the expansion of businesses within the state.

The Commission anticipates benefits to the state's environment including but not limited to the following: conserving the health and diversity of marine ecosystems and marine living resources; allowing and encouraging only those activities and uses of marine living resources that are sustainable; recognizing the importance to the economy and the culture of California of sustainable commercial fisheries; managing marine living resources on the basis of the best available scientific information and other relevant information that the Commission or Department possesses or receives; and involving all interested parties in marine living resource management decisions. No benefits to the health and welfare of California residents or to worker safety are anticipated as a result of these proposed regulations.

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

The Commission anticipates that the per business costs for the proposed regulations is approximately \$46,736 per business using purse seines, \$14,639 per light boat, \$2,648 per brail vessel, and an average small business cost of approximately \$17,746 per vessel. See the economic analysis in the addendum to the STD 399 for further details.

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

The Commission anticipates that the proposed regulatory action will incur a fiscal impact on state government. Enforcement of the proposed regulations will require some of the Department's wildlife officers to undergo additional training to learn the new regulations, which is estimated to be \$27,255.

(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 anticipates that the proposed regulations for a weekend closure may impact jobs within the state. The proposed weekend closures are expected to have a total economic effect of \$3,298,987, which is expected to impact up to 19 jobs (3 from the statewide closure and 16 from the Monterey closure). Information for how these estimates were arrived at using the California Ocean Fish Harvester Economic (COFHE) model may be found in the addendum to the STD 399.

- (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 that the proposed regulations will affect the creation of new businesses or the elimination of existing businesses within the state. While the proposed regulations are anticipated to generate some economic impacts, none of the anticipated impacts are expected to make entry into the market squid fishery more difficult or continued activity less viable.

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

The Commission does not anticipate an expansion of businesses currently doing business within the state as a result of the proposed regulations.

- (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 impacts to worker safety.

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

The Commission anticipates benefits to the state's environment including but not limited to the following: conserving the health and diversity of marine ecosystems and marine living resources; allowing and encouraging only those activities and uses of marine living resources that are sustainable; recognizing the importance to the economy and the culture of California of sustainable commercial fisheries; managing marine living resources on the basis of the best available scientific information and other relevant information that the Commission or Department possesses or receives; and involving all interested parties in marine living resource management decisions.



(g) Other Benefits of the Regulation

None.

## Informative Digest/Policy Statement Overview

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

The market squid fishery is regularly the largest commercial fishery in California, in both volume and ex-vessel value. Managed under the Commission's authority since 2001, the fishery operates within the framework of the Market Squid Fishery Management Plan (FMP) adopted by the Commission in 2004. The FMP defines harvest control rules, a restricted access program, environmental protections, and fishery administration.

While regulations have been periodically adopted to adaptively manage various aspects of the fishery, 2021 marked the initiation of the first comprehensive review of market squid FMP since its adoption. The Department developed a multi-phase management review, supported by the Commission, and anchored in a Squid Fishery Advisory Committee (SFAC). Established by the Department's Director according to Title 14, Section 53.02, the SFAC played a crucial role in assisting with developing and reviewing fishery assessments, management options and proposals, and FMP amendments.

The following proposed changes to market squid regulations reflect Department recommendations and include regulatory changes discussed and agreed upon during the multiyear SFAC process.

### Proposed Amendments

The proposed regulations add a definition of a rib line and will require the use of a purse seine rib line which must be placed above the purse seine leadline after December 31, 2030.

Proposed regulations will extend the current weekend market squid fishery closure from noon to 7am on Friday statewide as well as an additional extension from Sunday at noon to Sunday at 11:59pm in the Monterey Bay Area (between a line due west from Point Lobos (36° 31.461' North Latitude) and a line due west from Pigeon Point (37° 11.000' North Latitude)).

In addition, the Department is proposing changes for an administrative topic not discussed during SFAC meetings addressing the notification method used for closing a fishing season. The proposed regulations replace language in subsection 149(b)(2)(B) related to the responsibility of operators to determine when the seasonal catch limit is expected to be reached and the fishery closed by monitoring VHF/channel 16 with language specifying they should monitor the Department's website [wildlife.ca.gov/marine](http://wildlife.ca.gov/marine). Additional proposed changes in this subsection regarding what constitutes official notice of the closure replace VHF/channel 16 with the Department's website.

Other changes not discussed during the SFAC process include cleaning up language for taking market squid for live bait during the weekend closure, updating lighting regulation in anticipation of changes in lighting technology, and clarifying that a purse seine skiff does not need its own market squid vessel permit.

The proposed regulations clarify that using lights to attract squid is considered a form of take and that such lights generally may not be used during the weekend closures. The exemption for lighting on the weekend when taking market squid as live bait is proposed to be amended

to ensure vessels do not use lights for other purposes while claiming to be engaged in the take of live bait. The amendment will clarify that lighting on the weekend is only allowed when actively taking market squid for live bait. Revisions to the regulation specify that live market squid must be kept in a condition to be sold as live bait and returned to the water if it is not sold as live bait. Also, vessels engaged in the take of market squid for live bait must notify the Department in advance, to indicate their intent to take live bait during a weekend closure.

The “Gulf of Farallones National Marine Sanctuary” will be updated to “Greater Farallones National Marine Sanctuary”. This change updates the name of the national marine sanctuary currently in Code of Federal Regulations (CFR), Part 922, subpart H.

Proposed amendments also remove the definition of the Market Squid FMP. The FMP does not require a definition, as it is described in Section 53.00. Furthermore, it is not necessary to incorporate the document by reference as the FMP is not intended to have the force of law, because it is an informational document rather than a regulation.

Amendments are proposed to subsection 149.1(a) to update references to renumbered subsections in Section 149.

Sections 53.02 and 53.03 are proposed to be repealed as they are either duplicative of existing authority or are general policy statements rather than regulations and therefore are not necessary.

Finally, other minor changes are proposed for clarity and consistency.

#### Benefit of the Regulations:

It is the policy of the state to ensure the conservation, sustainable use, and, where feasible, restoration of California’s marine living resources for the benefit of all the citizens of the state. The objectives of this policy include but are not limited to conserving the health and diversity of marine ecosystems and marine living resources; allowing and encouraging only those activities and uses of marine living resources that are sustainable; recognizing the importance to the economy and the culture of California of sustainable commercial fisheries; managing marine living resources on the basis of the best available scientific information and other relevant information that the Commission or Department possesses or receives; and involving all interested parties in marine living resource management decisions.

Consistent with this policy, the proposed changes to market squid regulations reflect what was discussed and agreed upon during the multiyear SFAC process. These changes will help to ensure long-term conservation and sustainability of the market squid resource.

#### 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 market squid (California Fish and Game Code Section 8425). No other state agency has the authority to adopt regulations governing market squid. 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 market squid regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

## Proposed Regulatory Language

Section 53.01, Title 14, CCR, is amended to read:

### § 53.01 Definitions.

- (a) *Brail gear, dip nets or scoop nets* means any net attached to a rigid frame operated by hand or mechanical device deployed from the vessel to scoop fish or invertebrates.
- (b) *Daily trip limit* means a routine management measure which may be used to limit take of squid on a per-vessel basis within a calendar day.
- (c) *Drum seine* means a purse seine net which is stored, deployed and retrieved with the aid of a mechanized drum (reel) mounted on the stern of the vessel.
- (d) *Egg escapement* means the number or proportion of a female squid's lifetime supply of eggs that she is able to deposit, on average, before being taken in the fishery.
- (e) *Egg escapement method* means a management tool which may be used to determine whether the fleet is fishing above or below a predetermined sustainable level of exploitation. The method requires establishing a threshold value to ensure that an adequate number of eggs are deposited prior to harvest.
- (f) *Fishing year or fishing season* under the Market Squid FMP means the period April 1 through March 31.
- (g) *Fishery Control Rules* means specific management strategies such as seasonal catch limits, daily trip limits, area closures, time closures, and sustainable levels of egg escapement which provide for a sustainable market squid fishery.
- (h) *Fleet capacity goal* means an optimal number of vessels where the number of vessels matches the available squid resource.
- (i) *Forage* means the role of market squid in the food chain as a critical source of food for higher predators, including birds, fish and marine mammals.
- (j) *Lampara* means a rectangular net constructed with graduated mesh sizes, a definite bunt (bag), and fitted with floats. It is laid out by the fishing vessel in a circle and closed at least partially on the bottom by pulling the headline in advance of the float line.
- (k) *Light boat* means a vessel engaged in the commercial taking or attempting to take market squid which uses bright lights to aggregate squid for commercial purposes including live bait.
- (l) *Market squid* means *Doryteuthis opalescens*.
- ~~(m) *Market Squid Fishery Management Plan (Market Squid FMP)* means Chapters 1 through 5 of the Market Squid Fishery Management Plan approved by the Commission on August 27, 2004, hereby incorporated by reference.~~

~~(n)-(m)~~ National Marine Fisheries Service, NMFS or NOAA Fisheries means the federal fisheries management agency which is contained in the United States Department of Commerce.

~~(o)-(n)~~ Overfished is defined at Fish and Game Code Section 97.5, and in the Market Squid FMP also means a condition that may exist when either the egg escapement threshold is not met, or catches of squid exceed any specified allowable level.

~~(p)-(o)~~ Overfishing is defined at Fish and Game Code Section 98, and in the Market Squid FMP also may mean that harvests of squid are occurring at times when either the egg escapement threshold is not being met, or catches are exceeding specified allowable levels. These catches may not be sustainable.

~~(q)-(p)~~ PFMC or Council means the Pacific Fishery Management Council established pursuant to the Magnuson-Stevens Fishery Conservation and Management Act.

~~(r)-(q)~~ Point of concern means one or more of the following conditions affecting market squid that, if found or are expected to exist, may trigger the application or adjustment of one or more management measures by the commission:

- (1) Catch is projected to significantly exceed the current seasonal catch limitation.
- (2) Any adverse or significant change in the biological characteristics of the market squid (age composition, size composition, age at maturity, or recruitment) is discovered.
- (3) An overfished condition exists or is imminent (defined as when the egg-escapement method threshold is not realized in two consecutive years).
- (4) Any adverse or significant change in the availability of market squid as forage or in the status of a dependent species is discovered.
- (5) An error in data or a change to an indicator of stock status is detected that requires adjustment to fishery control rules to ensure sustainable resource management.

~~(s)-(r)~~ Points of concern process means a process authorizing the commission to apply or adjust fishery management measures at any time during the year based on the confirmation of the existence of one or more resource-based points of concern identified in a fishery management plan pursuant subsection 50.03(a), Title 14, CCR.

~~(t)-(s)~~ Purse seine means a rectangular net constructed with uniform mesh sizes, without a prominent bunt (bag), and fitted with floats. It is laid out with the end attached to a skiff while the deploying vessel encircles the squid. The end of the net is then brought up to the deploying vessel and is closed ~~on~~ near the bottom by pulling a purse line (draw string) threaded through rings along the leadline, preventing the catch from escaping. Purse seines used to take market squid or onboard vessels in possession of market squid are fitted with a rib line.

(t) *Rib line* means a separate line made of soft rope or other non-metallic line that is a minimum of 36 inches above the leadline on a purse seine net. The rib line must encompass the purse seine net within 60 feet of both ends of the net.

(u) *Round haul vessels* mean those that employ the use of lampara, purse seine, and drum seine net gear to commercially harvest squid.

(v) *Seasonal catch ~~limitation~~ limit* means an amount of allowable catch which may be taken within a designated geographic area in a fishing season, specified in short tons and excluding discard mortality. The attainment (or expected attainment) of this limit will cause closure of the directed commercial fishery as specified in regulation.

(w) *Tons* means short tons, and is the standard unit of weight for purposes of describing catches and limits for the market squid fishery, notwithstanding subsection 50.00(c), Title 14, CCR.

(x) *Vessel capacity* means the gross registered tonnage, as listed on a federal Coastal Pelagic Species permit or calculated from length, breadth and depth measurements provided on United States Coast Guard documentation papers.

(y) *Weekend closures* mean a routine management measure which may be used to prohibit take of market squid during certain days of a week.

(z) Definitions contained in Chapter 1, and Article 1 of Chapter 5.5, of Subdivision 1, Division 1, Title 14, CCR, and Chapters 1 and 2 of Division 0.5 of the Fish and Game Code apply to the market squid fishery in addition to definitions of this Section.

Note: Authority cited: Sections 7071, 7078 and 8425, Fish and Game Code. Reference: Sections 7071, 7075, 7078, 7083, 7086, 8420 and 8425, Fish and Game Code.

## Proposed Regulatory Language

Section 53.02, Title 14, CCR, is repealed:

### **~~§ 53.02. Process and Timing.~~**

~~(a) Management of market squid stocks will conform to the goals, objectives, criteria, procedures, and Fishery Control Rule guidelines of the Market Squid FMP, and other applicable state and federal laws and regulations.—~~

~~(b) Periodic monitoring and assessment of squid fisheries will be conducted, and, at a minimum, will include the collection and review of reported catches. The department will provide management recommendations to the commission as needed, and in-season if a need is identified.—~~

~~(c) The director may establish and appoint members to an advisory committee to assist the department with development and review of fishery assessments, management options and proposals, and plan amendments.—~~

~~(d) Management measures and actions may be developed, considered, and adopted in compliance with the Administrative Procedure Act and implemented at any time of year to achieve management plan goals and objectives, and may apply to any or all management areas, or portions of management areas at the discretion of the commission.—~~

~~NOTE: Authority cited: Section 7071, 7078 and 8425, Fish and Game Code.—~~

~~Reference: Sections 7071, 7075, 7083, 7652, 8420 and 8425, Fish and Game Code.—~~



## Proposed Regulatory Language

Section 53.03, Title 14, CCR, is repealed:

### ~~§ 53.03. Market Squid Fishery Management Plan (Market Squid FMP) Project.—~~

~~(a) The Department's Recommended Proposed Project in the Market Squid FMP involves a combination of limitations on total harvest, regulation on the use of squid fishing gear (including lights), use of time closures to allow for periods of uninterrupted spawning, restricted access and other limits on the commercial fleet capacity, mechanisms to allow for adequate squid escapement, and area closures designed to minimize impact to sensitive non-target species and habitat. These management measures described in the Market Squid FMP will be utilized in managing the squid fishery toward meeting goals and objectives of the Market Squid FMP.—~~

~~(b) Other management measures as described in the Market Squid FMP, including but not limited to vessel trip limits, squid replenishment areas, seasonal closures, and marine protected areas may be used as needed to achieve the goals and objectives of the Market Squid FMP.—~~

~~(c) A fishery management measure may be adopted by the commission instead of, or in addition to, measures included in the adopted Market Squid FMP Project where specified in statute or state or federal regulation.—~~

~~(d) Consistent with the goals of the Restricted Access program, the Commission established a sixth permit class for Non-Transferable Market Squid Light Boat Permits in addition to the original five permit classes and an experimental permit class identified in the discussion of the program in the Market Squid Fishery Plan.—~~

~~NOTE: Authority cited: Section 7071, 7078 and 8425, Fish and Game Code.—~~

~~Reference: Sections 7071, 7075, 7082, 7083, 8420 and 8425, Fish and Game Code.—~~

## Proposed Regulatory Language

Section 149, Title 14, CCR, is amended to read:

### § 149. Commercial Taking of Market Squid.

Requirements of this Section apply both to vessels taking squid and to vessels attracting squid with lights for the purpose of commercial take. Incidental commercial take of market squid that meets the criteria specified in subsection ~~(l)-(m)~~ below, and commercial take of market squid for live bait as described in subsection ~~(m)-(n)~~ below are not subject to the requirements of this Section, unless expressly specified.

(a) Permit Required. No person shall take, land, or attract squid by light for commercial purposes, except as provided in subsections (a)(1), ~~(l)~~ and (m), and (n) below, unless the owner of that vessel has a valid market squid permit issued pursuant to Section 149.1 of these regulations for use on that vessel that has not been suspended or revoked.

(1) A market squid permit is not required for the seine skiff of a permitted vessel. For the purposes of this section, a seine skiff is a vessel that does not use lights to attract squid and its primary purpose is to assist the deployment of a net for a permitted vessel.

(b) Seasonal Catch ~~Limitation~~-Limit.

(1) For the period from April 1 through March 31 of the following year, a total of not more than 118,000 short tons of market squid may be taken statewide for commercial purposes.

(2) Closure Process

(A) The department shall estimate, from the current trend in landings, when the Seasonal Catch Limit will be reached, and will publicly announce the effective date of closure of the directed commercial fishery on the department's website at: wildlife.ca.gov/marine. ~~VHF/channel 16 between the hours of 10:00 p.m. and 12:00 a.m. (midnight).~~

(B) It shall be the responsibility of all operators of permitted market squid vessels to monitor ~~VHF/channel 16~~ the department's website at: wildlife.ca.gov/marine to determine when the Seasonal Catch Limit is expected to be reached and the fishery closed. Any announcement issued or made by the department on ~~VHF/channel 16~~ its website shall constitute official notice.

(c) Time Closures. North of a westerly extension of the United States — Republic of Mexico boundary line:

(1) Fishing Days: Market squid may not be taken for commercial purposes ~~between 1200 from 0700 hours (noon) on Friday and through 1200 hours (noon) on Sunday of each week,~~ except between a line due west from Point Lobos (36° 31.461'

North Latitude) and a line due west from Pigeon Point (37° 11.000' North Latitude) where market squid may not be taken for commercial purposes from 0700 hours on Friday through 2359 hours on Sunday of each week.

(2) Seasonal Closure: When the Seasonal Catch Limit defined in subsection (b) has been reached and the commercial fishery is closed, squid may be taken for commercial purposes only incidentally to the take of other target species and subject to the limitations defined in subsection ~~149(l)~~ (m) below or for live bait as defined in subsection ~~149(m)~~ (n) below through March 31.

(d) Closed Areas for Seabirds. Market squid may not be taken for commercial purposes utilizing attracting lights in all waters of the ~~Gulf of the Greater~~ Farallones National Marine Sanctuary. Boundaries of the Sanctuary are defined as those in effect on August 27, 2004, pursuant to Title 15, Code of Federal Regulations (CFR), Part 922, Subpart H. This regulation also applies to vessels pursuing squid for live bait purposes.

(e) Records. Pursuant to Section 190 of these regulations, any operator of a commercial market squid vessel, or person who possesses a valid Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit shall complete and submit an accurate record of ~~his/her~~ their squid fishing, lighting, or brailing activities on a form (Market Squid Vessel Logbook — DFW 149a (Rev. 05/01/15), or Market Squid Light/ Brail Boat Logbook — DFW 149b (Rev. 05/01/15), which are located in Appendix A of Subdivision 1 of Division 1 of Title 14, CCR) provided by the department, as appropriate to the type of fishing activity. Logbook records shall be transmitted to the department on or before the 10th day of each month following the month that fishing activity occurred.

(f) Rib Line. After December 31, 2030, it is unlawful to take market squid for commercial purposes using a purse seine net that is not pursed using a rib line as defined in Section 53.01. All purse seine nets onboard any vessel taking or possessing market squid for commercial purposes must have a rib line attached and the rib line must be used to purse the net. A rib line must be made of soft rope or other non-metallic line. All rib lines must be made available for inspection upon demand by authorized Department personnel pursuant to Fish and Game Code Section 2012.

~~(f)~~ (g) Use of Lights to Aggregate Squid.

(1) General Regulations. It is unlawful to attract squid by light except as authorized under permits described in subsection 149.1(b) ~~of these regulations.~~

(A) Lights used to aggregate squid are considered a form of take. Lights commonly used to aggregate squid that are turned on or in use are prima facie evidence that the vessel's operator and crew are attempting to attract squid for commercial purposes.

(B) Lights used to aggregate squid for commercial purposes shall not be turned on or in use during weekend closures as defined by subsection (c)(1) of this section.

(2) Exceptions for Live Bait Purposes.

(A) Notwithstanding subsection (g)(1), This regulation does not apply to seine skiffs of a permitted vessel, or to vessels pursuing squid for live bait purposes only are not required to possess a permit described in subsection 149.1(b).

(B) Subsection (g)(1)(B) does not apply to vessels pursuing squid for live bait purposes only during the weekend closure, if the following conditions are met:

1. Lights shall only be used to aggregate squid while actively taking or searching for squid and shall be turned off immediately upon completion of fishing for live bait.

2. All squid taken shall be maintained in a condition to be sold as live bait. Squid taken under this exception shall not be used as live bait aboard the vessel that took it, and any squid not sold shall be returned to the water prior to the end of the weekend closure.

3. The operator of any vessel intending to utilize this live bait exception shall provide prior notification via email to LEDMarineNotifications@wildlife.ca.gov prior to the vessel leaving port on that fishing trip. The notification shall include all of the following: operator's name, vessel name, anticipated fishing date(s), port of departure, expected port of landing, fishing block(s) where live bait fishing activity will occur, live bait method of take, description of how sales of live bait will occur, Dealer ID number, and, if applicable, Live Bait Dealer ID number.

~~(g)~~(h) Maximum Wattage. Each vessel fishing for squid or lighting for squid shall utilize a total of no more than 30,000 watts of lights to attract squid at any time.

~~(h)~~(i) Light Shields. Each vessel fishing for squid or lighting for squid will reduce the light scatter of its fishing operations by shielding the entire filament ~~of each or device~~ capable of emitting light used to attract squid and orienting the illumination directly downward, or providing for the illumination to be completely below the surface of the water. The lower edges of the shields shall be parallel to the deck of the vessel.

~~(i)~~(j) Forfeiture. Squid landed or possessed in violation of this Section or any other provision of the Fish and Game Code or these regulations shall be forfeited to the department. The squid shall be sold or disposed of in a manner to be determined by the department. The proceeds from all sales shall be paid into the Fish and Game Preservation Fund.

~~(j)~~(k) Citations for violations of this Section may be issued to the vessel operator, crewmembers, and/or the holder of a market squid permit issued pursuant to Section 149.1 ~~of these regulations~~.

~~(k)~~(l) Exemption from Tidal Invertebrate Permit. Operators and crewmembers of a commercial market squid vessel or light boat operating under the provisions of a commercial market squid permit are not required to possess a Tidal Invertebrate Permit, but are subject to the provisions of Section 123 ~~of these regulations~~.

~~(l)~~(m) Incidental Take Allowance. Pursuant to this subsection, market squid may be taken for commercial purposes incidentally when engaged in fishing activities for other target species. Other requirements of this Section, except subsection (g), do not apply to incidental take. Incidentally-taken squid shall meet all of the following criteria:

(1) The volume of squid landed or possessed on a vessel shall not exceed 2 tons per trip.

(2) Market squid taken incidentally to other fisheries shall not exceed 10 percent of the total volume by weight of all fish landed or possessed on a vessel.

~~(m)~~(n) Exemption for Live Bait. Squid taken for live bait purposes shall only be possessed for use as live bait or sold as live bait. Other requirements of this Section do not apply to take of live squid for bait, unless expressly specified.

NOTE: Authority cited: Sections 7078, 7701, 7708, 8026, 8425 and 8429.5, Fish and Game Code.

Reference: Sections 7701, 7708, 8026, 8425, 8429.5, 8429.7, 12159 and 12160, Fish and Game Code.

## **Proposed Regulatory Language**

Section 149.1, Title 14, CCR, is amended to read:

### **§ 149.1 Market Squid Fishery Restricted Access Program.**

(a) Permit Required. On and after April 1, 2005, no person shall take, land, or attract squid by light for commercial purposes, except as provided in subsections ~~149(l) and 149(m)~~ 149(a)(1), 149(m) and 149(n), unless the owner of that vessel has a valid market squid permit for use on that vessel that has not been suspended or revoked.

*[... No changes to subsections (b) through (r) ...]*

Authority cited: Sections 713, 1050, 7071, 7078, 7923, 8026, 8425, 8428 and 8429.5, Fish and Game Code. Reference: Sections 1050, 7050, 7071, 7701, 7708, 7852.2, 7923, 8026, 8101, 8425, 8428, 8429.5 and 8429.7, Fish and Game Code.

# List of Commission Staff Recommended Revisions to the Initial Statement of Reasons, proposed regulatory language, and informative digest

June 4, 2025

Commission staff recommends the following sufficiently-related changes to the proposed regulatory language and updates to the initial statement of reasons and informative digest.

## I. Regulatory Language

- In the title of Section 149, change “Taking” to “Take”  
§ 149. Commercial ~~Taking~~Take of Market Squid.
- In subsection 149(d), clarify that the restriction on lighting in the Greater Farallones National Marine Sanctuary (NMS) only applies within the boundaries of the previously-defined “Gulf of the Farallones” NMS.

Closed Areas for Seabirds. Market squid may not be taken for commercial purposes utilizing attracting lights in ~~all waters that portion of~~ the Gulf of the Greater Farallones National Marine Sanctuary that was previously defined as the Gulf of the Farallones National Marine Sanctuary with boundaries ~~Boundaries of the Sanctuary are~~ defined as those in effect on August 27, 2004, pursuant to Title 15, Code of Federal Regulations (CFR), Part 922, Subpart H. This regulation also applies to vessels pursuing squid for live bait purposes.

- In subsection 149(g)(1)(A), clarify the use of lights as a form of take.  
(A) Use of lights ~~Lights used~~ to aggregate squid ~~are is considered~~ a form of take. Lights commonly used to aggregate squid that are turned on or in use are prima facie evidence that the vessel’s operator and crew are attempting to attract squid for commercial purposes.

## II. Initial Statement of Reasons (ISOR)

- Under the Background Heading, update the high-level description of the proposed regulations on page 4 of the ISOR for clarity and consistency  
...~~The proposed regulations will extend the current weekend market squid fishery closure from noon to 7am on Friday statewide as well as an additional extension from Sunday at noon to Sunday at 2359 hour in the Monterey Bay Area (between a line due west from Point Lobos [36° 31.461' North Latitude] and a line due west from Pigeon Point [37° 11.000' North Latitude]).~~

...The proposed regulations will extend the current weekend market squid fishery closure, from the current language of “between 1200 hours (noon) on Friday and 1200 hours (noon) on Sunday” to “0700 hours on Friday through 1200 hours (noon) on Sunday” to apply statewide, except for the area between a line due west from Point Lobos (36° 31.461’ North Latitude) and a line due west from Pigeon Point (37° 11.000’ North Latitude), commonly referred to as the Monterey Bay area, where the closure will extend through 2359 hours on Sunday.

- Add a description of the proposed change from “taking” to “take” in the title of Section 149 immediately before the description of changes to subsection 149(a) on page 4 of the ISOR

#### **Amend title of Section 149**

The proposed changes replace the word “Taking” with “Take.” This change is necessary to align the terminology with established and commonly understood usage of 'take' as a noun in commercial fisheries management throughout the California Fish and Game Code and associated regulations, thereby enhancing clarity and consistency within the regulatory framework.

- Update in the section “**Amend subsection 149(c), Time Closures. North of a westerly extension of the United States -- Republic of Mexico boundary line**” on page 4 of the ISOR, the description of the proposed changes to subsection 149(c) on page 5 of the ISOR
  - ... Department analyses during the SFAC process showed a difference between the northern and southern fishery areas, supporting the difference in closure end time proposed for the Monterey Bay **Area area**.
- Update the description of the proposed changes to subsection 149(d) on page 5 of the ISOR:

#### **Amend subsection 149(d), Closed Areas for Seabirds**

The proposed regulations change “Gulf of Farallones National Marine Sanctuary” to “Greater Farallones National Marine Sanctuary” for consistency with the name of the national marine sanctuary changed in 2015 and currently in Code of Federal Regulations (CFR), Part 922, subpart H.

The proposed regulations that change the name of “Gulf of the Farallones National Marine Sanctuary to “Greater Farallones National Marine Sanctuary,” are further amended to clarify that the area closed for seabirds by the Commission in 2004 applies to “...that portion of the Greater Farallones National Marine Sanctuary that was previously defined as the Gulf of the Farallones National Marine Sanctuary with boundaries defined...”



- Add justification, in section “**Amend current subsection 149(f), renumbered as subsection (g). Lights to Aggregate Squid.**” on pages 6 and 7 of the ISOR, for the live bait squid exceptions and requirements specified in subsection 149(g)(2)(B)2. to page 7 of the ISOR

This subsection is necessary to lay out the requirements for the commercial take of squid for live bait purposes during the weekend closure for the sustainable management of the fishery and to ensure **that** vessels **legitimately engage in live bait operations and** do not use lights for **other unauthorized** purposes while claiming to be engaged in **the** take of live bait. Minimizing the use of lights, by only allowing their use while actively fishing, is **important-crucial** for **protecting squid during their spawning periods** and **supporting successful** completion of life history requirements.

Maintaining squid in a condition **suitable** to be sold as live bait **is** necessary to ensure freshness **and marketability of live bait**. **Prohibiting the use of squid taken for live bait aboard the vessel that took it is necessary to prevent a regulatory loophole. Without this rule, vessels could falsely claim they are taking squid for their own use, potentially circumventing established lighting restrictions and undermining the overall management of the market squid fishery.**

**Requiring any unsold squid to be returned to the water prior to the end of the weekend closure is necessary to prevent vessels from using lights over the weekend to hold squid for general take after the weekend closure (using their squid vessel permit), under the guise of live bait operations.** Advance notification of take is necessary **so that to provide** the Department **has with a** record of those **engaging in** taking market squid for live bait on the weekend.

- Update the description of the proposed changes to subsection 149(m) on page 7 of the ISOR

Current regulations specify that the other requirements of this Section do not apply to incidental take. The proposed amendment **states-clarifies** that other requirements of this Section, **except with the exception of** subsection (g), **do not apply-remain inapplicable** to incidental take. This amendment **was is** needed to **clarify ensure** that vessels incidentally taking squid **under subsection 149(m) are expressly prohibited from using may not use** lights. **Allowing lights during incidental squid take in other fisheries would create a loophole, enabling vessels to use lights over the weekend to hold squid for later general take (under a squid vessel permit), effectively circumventing regulations by claiming to target other species under incidental take provisions, or to claim to be engaged in lighting for live bait.**

- Correct the date of the original Market Squid Fishery Management Plan on page 8 of the ISOR

California Department of Fish and Wildlife. 2005. Final Market Squid Fishery Management Plan, dated March 25, **2025 2005**.

- Update, in Section IV (a) Alternatives to Regulation Change on pages 9 through 10 of the ISOR, the description of a specific closure wanted by the Squid Fishery Advisory Committee (SFAC)  
...SFAC members also wanted a specific closure to the Monterey **Bay** area due to greater concern about the impact on squid spawning and on-the-water conflicts with recreational users.
- Update, in Section VI (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 on page 10 of the ISOR and in Section VII (a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State on page 11 of the ISOR, the description of expected impacts to jobs.  
...The proposed weekend closures are expected to have a total economic effect of \$3,298,987, which is expected to eliminate up to 19 jobs (3 from the statewide closure and 16 from the Monterey **Bay area** closure)...

### **III. Informative Digest**

- Add a description of the proposed change from “taking” to “take” in the title of Section 149  
**The proposed changes replace the word “Taking” with “Take” in the title of Section 149.**
- Revise the description of the proposed changes for use of lights and for squid taken for live bait  
The proposed regulations clarify that ~~using lights~~ **the use of lights to attract aggregate** squid is ~~considered~~ a form of take and that such lights generally may not be used during the weekend closures. The exemption for lighting on the weekend when taking market squid as live bait is proposed to be amended to ensure vessels do not use lights for other purposes while claiming to be engaged in ~~the take of taking~~ live bait. The amendment will clarify that lighting on the weekend is only allowed when actively taking market squid for live bait. Revisions to the regulation specify that live market squid must be kept in a condition **suitable** to be sold as live bait, **that squid taken under this provision may not be used by the vessel that took it, and that squid must be** returned to the water if it is not sold as live bait **prior to the end of the weekend closure**. Also, vessels engaged in the take of market squid for live bait must notify the Department in advance, to indicate their intent to take live bait during a weekend closure.

- Revise the description of the proposed changes to the boundaries of the area closed for seabirds

~~The “Gulf of Farallones National Marine Sanctuary” will be updated to “Greater Farallones National Marine Sanctuary”. This change updates the name of the national marine sanctuary currently in Code of Federal Regulations (CFR), Part 922, subpart H.~~

**The proposed regulations change “Gulf of Farallones National Marine Sanctuary” to “Greater Farallones National Marine Sanctuary” for consistency with the name of the national marine sanctuary changed in 2015 and currently in Code of Federal Regulations (CFR), Part 922, subpart H.**

**The proposed regulations that change the name of “Gulf of the Farallones National Marine Sanctuary to “Greater Farallones National Marine Sanctuary,” are further amended to clarify that the area closed for seabirds by the Commission in 2004 applies to “...that portion of the Greater Farallones National Marine Sanctuary that was previously defined as the Gulf of the Farallones National Marine Sanctuary with boundaries defined...”**

- Revise the description of the proposed changes to weekend closures

~~Proposed regulations will extend the current weekend market squid fishery closure from noon to 7am on Friday statewide as well as an additional extension from Sunday at noon to Sunday at 11:59pm in the Monterey Bay Area (between a line due west from Point Lobos (36° 31.461' North Latitude) and a line due west from Pigeon Point (37° 11.000' North Latitude)).~~

**The proposed regulations will extend the current weekend market squid fishery closure, from “between 1200 hours (noon) on Friday and 1200 hours (noon) on Sunday” to be “from 0700 hours on Friday through 1200 hours (noon) on Sunday” statewide, except for the area between a line due west from Point Lobos (36° 31.461' North Latitude) and a line due west from Pigeon Point (37° 11.000' North Latitude), commonly referred to as the Monterey Bay area, to extend through 2359 hours on Sunday.**

- Add a description of lighting restrictions when taking squid incidentally in other fisheries

**The proposed regulations specify that subsection (g), regarding the requirements applicable to the use of lights to aggregate squid, are applicable to the incidental take of squid in other fisheries.**



CALIFORNIA WETFISH PRODUCERS ASSOCIATION  
1621 W. 25th Street, #191, San Pedro, CA 90732 \* [www.Californiawetfish.org](http://www.Californiawetfish.org) \* (907) 317-9127

May 29, 2025

Ms. Erika Zavaleta, President  
California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

Re: Market Squid Fishery Management Plan

Dear President Zavaleta and Honorable Commissioners:

Thank you for the opportunity to comment on the Commission's consideration of amending the California Market Squid Fishery Management Plan (MSFMP). The California Wetfish Producers Association (CWPA) strongly supports the recommendations of the California Department of Fish and Wildlife (the Department).

CWPA is a trade group representing harvesters and processors in the California coastal pelagic fisheries (CPS), including market squid. The market squid fishery is the State's largest commercial fishery by volume and often by value. It is by far the most important fishery for our members, typically representing over three-fourths of our catch and revenues. Our members and their operations are a critical part of California's fishing economy, playing an important role in coastal communities such as Monterey, Moss Landing, Ventura, and San Pedro/Terminal Island, where we support both fishing infrastructure and regional economies.

The process used by the Department to review the FMP was both thorough and comprehensive. The Squid Fishery Advisory Committee (SFAC) brought together stakeholders from a broad range of interests over several months to undertake an issue-by-issue consideration of the management of the fishery and the fishery's impacts on the stock, the ecosystem, habitat, and local economies. The open dialog supported by fishery managers and industry and public stakeholders ensured that issues were addressed from all angles and perspectives. The iterative process used by the committee to discuss topics repeatedly across multiple meetings also provide members with the opportunity for reflection and thoughtful,

complete consideration of all issues. The outcome of that process is a well-developed set of recommendations that has deservedly received the support of SFAC members.

A primary takeaway from the SFAC is that the fishery is sustainable under its current management. This conclusion is consistent with and reinforced by the Marine Stewardship Council's certification of the fishery and the Monterey Bay Aquarium's Seafood Watch rating of the fishery as a green "best choice". The fishery has a small footprint relative to the distribution of the stock from Mexico to Alaska, with some areas unfished because of closures and others unfishable due to marine conditions (e.g., depth, weather, or rocky bottom) or proximity to ports. These unfished areas and the fishery's weekend closures together provide the spawning opportunities needed for the fishery to thrive with favorable environmental conditions.

The work product of the SFAC process includes a mix of regulatory amendments and measures to be undertaken by industry in coordination with the Department. The substantive regulatory changes recommended by the Department are:

- 1) A requirement that vessels use rib lines and non-metal purse lines to reduce bottom contact, and
- 2) An extension of the weekend closure to provide a longer uninterrupted spawning opportunity (with a longer closure in Monterey that also could reduce user conflicts).

SFAC members supported the Department's pursuit of these changes, as precautionary measures that may provide some uncertain benefit at acceptable costs.

The measures adopted through voluntary implementation include the development of best practices to mitigate potential lighting impacts and a pilot program for the development of electronic logbooks. Although the best practices recommendations are already largely adhered to by our fleet, reinforcing those practices by developing specific guidelines will build comprehensive and consistent compliance without creating infeasible enforcement that would be costly to the Department.

The development of electronic logs will improve data accuracy, streamline data collection, and provide an opportunity for more complete fishery data. Industry is supporting the pilot through grants that fund equipment purchases, as well as direct participation of several vessels. In time, this pilot should yield a fleetwide electronic logbook program that improves data available for fishery management and analysis.

Many participants in the existing fishery have invested millions of dollars to acquire the permit, vessel, and gear needed to enter. Through our organization, participants have also invested in research to support the sustainability of the fishery, most significantly a long term paralarval survey that has fed research on fishery productivity. To recover these investments,

participants have fished coastwide throughout the season. Processors in the fishery have distribution networks across the State, throughout the country, and worldwide. We remain concerned that any cost-free entry opportunities could undermine these investments. The suggestion of an EFP to assess small-scale opportunities and their impacts is the most appropriate way to consider any such entry.

Thank you again for the opportunity to comment on the proposed amendment and the work undertaken to safeguard the sustainability of our fishery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Fina', written over the printed name.

Mark Fina  
Executive Director