

TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections **200, 205, 265, 270, and 275** of the Fish and Game Code and to implement, interpret or make specific Sections **110, 200, 205, and 265** of said Code, proposes to **amend** Sections 5.75 and 27.85, Title 14, California Code of Regulations, relating to **recreational striped bass harvest size limits**.

Informative Digest/Policy Statement Overview

Currently, any striped bass 18 inches or greater may be harvested within anadromous and marine waters north of Point Conception with a daily bag limit of two fish. The proposed regulation change would impose a slot limit within these waters whereby only striped bass from 18 to 30 inches total length would be available for harvest in the sport fishery, with no proposed change to the bag limit or season.

Striped bass are native to the East and Gulf Coasts of North America, and were introduced to San Francisco Bay in 1879. A commercial fishery was established in the San Francisco Bay area by the late 1880s but closed in 1935. Prior to 1956, fishing regulations generally included a 12-inch minimum length limit (MLL) and a five fish daily bag limit. From 1956–1981 the MLL increased to 16 inches with a daily bag limit reduction to three fish. In response to declines in legal-size striped bass in the 1970's and at the request of anglers, the California legislature established a Striped Bass Management program in 1981, which included stocking striped bass in California rivers using private and state-run hatcheries. In the same year, striped bass regulations were further restricted to an 18-inch MLL and a daily bag limit of two fish, which remain in effect today. The Striped Bass Management Plan was ended in 2004 due to increases in the striped bass population and concern over the impact of striped bass predation on native fish species. In 2020, the Fish and Game Commission committed to sustain striped bass populations in support of a recreational fishery.

The Nor-Cal Guides and Sportsmen's Association (NCGASA) submitted a regulation change proposal to the Fish and Game Commission on August 1, 2022 (Tracking number [TN] 2022–12). The proposal was to change the MLL from 18 inches to 20 inches and impose a maximum size of 30 inches. The stated goals were:

- To protect the species by increasing the minimum length to allow more fish to mature and successfully spawn prior to harvest and
- To protect the larger fish that tend to be the best spawners and are becoming increasingly rare in the fishery

The Department developed a report, California Department of Fish and Wildlife Evaluation of Nor-Cal Guides and Sportsmen's Association (NCGASA) Proposed 20-30 Inch Harvest Slot Limit (HSL) for Striped Bass. On September 12, 2024, the Department provided the Wildlife Resources Committee with a presentation of the report's findings. The Department supported an 18-30-inch HSL because it would benefit anglers by creating a trophy fishery and increasing total catch.

The Department is proposing changes to the following regulations in Title 14, CCR:

- Amend Section 5.85 Striped Bass, subsection (c)
 - Add the maximum harvest size limit of 30 inches.
 - Add reference to the section defining anadromous waters.
 - Amend text to replace references to “minimum size limit” with “harvest size limit”.
- Add Section 5.85 Striped Bass, subsection (d)(2)
 - Add section that specifies that in non anadromous waters not mentioned in 5.75(d)(1), a minimum size of 18 inches total length and a harvest bag limit of 2 applies.
- Amend Section 27.85 Striped Bass, subsection (c)
 - Add the maximum harvest size limit of 30 inches.

Amend text to replace references to “minimum size limit” with “harvest size limit”.

Benefits of the Regulations:

As stated in Fish and Game Code Section 1700, Conservation of Aquatic Resources, it is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant water fisheries based in California in harmony with international law, respecting fishing and the conservation of the living resources of the ocean and other waters under the jurisdiction and influence of the state. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence, and the maintenance of a sufficient resource to support a reasonable sport use. Adoption of scientifically based harvest size limits, and bag and possession limits provide for the maintenance of sufficient sport fish populations to ensure their continued existence.

The benefits of the proposed regulations are consistent with the sustainable management of California’s sport fisheries, general health and welfare of California residents, and promotion of businesses that rely on sport fishing throughout California.

Consistency and Compatibility with Existing Regulations:

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Commission such powers related to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated authority to the Commission to promulgate recreational fishing regulations (Fish and Game Code sections 200 and 205). Commission staff has searched the California Code of Regulations and has found no other state regulations that address the recreational take of striped bass. The Commission has reviewed its own regulations and finds that the proposed regulations are consistent with other recreational fishing regulations in Title 14, CCR, and therefore finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulation.

Public Participation

Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before **5:00 p.m. on September 25, 2025** at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office, must be received before **12:00 noon on October 3, 2025**. If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, PO Box 944209, Sacramento, CA 94244-2090.

Meetings

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the **California Natural Resources Building, Second Floor, 715 P Street, Sacramento, California**, which will commence at **8:00 a.m. on August 13, 2025**, and may continue at **8:00 a.m., on August 14, 2025**. The Commission will make a reasonable effort to allow for remote public participation through the Zoom videoconference platform. Instructions for participation in the **webinar/teleconference** hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling 916-653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the **East End Complex Auditorium, 1500 Capitol Avenue, Sacramento, California**, which will commence at **8:00 a.m. on October 8, 2025** and may continue at **8:00 a.m., on October 9, 2025**. The Commission will make a reasonable effort to allow for remote public participation through the Zoom videoconference platform. Instructions for participation in the **webinar/teleconference** hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling 916-653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

Availability of Documents

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout format can be accessed through the Commission website at www.fgc.ca.gov. The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Melissa Miller-Henson, Executive Director, Fish and Game Commission, 715 P Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Melissa Miller-Henson or **David Haug** at FGC@fgc.ca.gov or at the preceding address or phone number. **Erin Ferguson, Senior Environmental Scientist, Fisheries Branch, Department of Fish and Wildlife, stripedbass@wildlife.ca.gov**, has been designated to respond to questions on the substance of the proposed regulations.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to

public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 265 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in sections 11343.4, 11346.4, 11346.8 and 11347.1 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Assessment

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 Business, Including the Ability of California Businesses to Compete with Businesses in Other States:**

The Commission does not anticipate any statewide adverse economic impacts that would directly affect businesses within the state or would affect their ability to compete with businesses in other states. The proposed changes provide clarification of existing regulations regarding the size limits for taking striped bass that are necessary for the continued preservation of the resource without changing fishing opportunities via changes to take limits and thus, the prevention of adverse economic impacts.

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

The Commission is not aware of any impacts from the proposed action that would affect the creation or elimination of jobs, creation or elimination of existing businesses, the expansion of businesses doing business within California, or any benefits to the health and welfare of California residents or to worker safety. The proposed action is not anticipated to change the level of fishing activity enough to affect the demand for goods and services related to striped bass sportfishing enough to impact the demand for labor, nor induce the creation of new businesses, nor eliminate or induce the expansion of businesses in California. The adoption of scientifically based harvest size limits and bag and possession limits provide for the maintenance of sufficient sport fish populations to ensure their continued existence. The Commission believes Californians will benefit generally from stable populations of striped bass in California's waters and the associated recreational outdoor opportunities and responsible management of environmental resources.

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

The Commission is not aware of any private sector cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The proposed changes do not change any fees or create new penalties to be fined and are not anticipated to change the level of fishing activity enough to affect the demand for goods and services related to the recreational sport fishing industry.

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

The Commission does not anticipate any costs or savings to state agencies as a result of the proposed regulations, nor does it anticipate costs or savings in Federal Funding to the State.

(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.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated: July 22, 2025

Melissa Miller-Henson
Executive Director