

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

Amend Sections 5.75(c) and (d), and 27.85(c)  
Title 14, California Code of Regulations  
Re: Striped Bass Harvest Size Limits

I. Date of Initial Statement of Reasons: March 27, 2025

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing

Date: June 11, 2025

Location: Sacramento, CA

(b) Discussion Hearing

Date: August 13, 2025

Location: Sacramento, CA

(c) Adoption Hearing

Date: October 8, 2025

Location: Sacramento area

III. Description of Regulatory Action

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

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations (CCR). “Commission” refers to the California Fish and Game Commission unless otherwise specified. “Department” or CDFW refers to the California Department of Fish and Wildlife unless otherwise specified.

The Department sets management actions and regulations for the striped bass (*Morone saxatilis*) fishery in California. 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. A slot limit is a management tool that is designed to allow fish within the size range “slot” to be legally harvested while protecting fish outside that slot.

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 (Scofield 1930). To protect the increasingly popular sport fishery, the commercial striped bass fishery 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 (Stevens and Kohlhorst 2001). In response to declines in legal-size striped bass in the 1970’s (Kohlhorst 1999) and at the request of anglers, the California legislature established a Striped Bass Management Plan 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 (Title 14 CCR 5.75, Title 14 CCR 27.85), which remain in effect today.

The Striped Bass Management Plan was terminated in 2004 due to observed increases in the striped bass population and growing concern over the impact of striped bass predation on native fish species (SB 692, 2003). In 2020, the Commission unanimously adopted an amendment to the striped bass policy that eliminated a numeric target for population size and replaced it with a broader commitment to sustain striped bass populations in support of a robust and self-sustaining recreational fishery (Commission, 2020).

The Nor-Cal Guides and Sportsmen's Association (NCGASA) submitted a regulation change proposal to the 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 most prolific spawners and are becoming increasingly rare in the fishery

At its December 2022 meeting, the Commission granted the petition, 2022-12, for consideration in a future rulemaking, along with previously-granted Petition 2020-005 requesting a freshwater striped bass slot limit. The Commission directed staff to align specific proposed regulations with those developed for Petition 2020-005. Initial discussions took place at the January 2023 Wildlife Resources Committee meeting.

The Department examined the necessity of the proposed changes and 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 recommendation is as follows:

"The Department does not recommend a 20-30-inch Harvest Slot Limit (HSL) as proposed in the petition. The Department recommends maintaining the current 18-inch MLL regulation and is supportive of establishing an upper HSL. Modeling suggests a 30-inch upper limit could result in decreased risk of recruitment overfishing (and thus stock conservation benefits) and increased catch and trophy fishing opportunity, but it cannot confirm if 30 inches is the most appropriate size due to the narrow scope of the current analysis. While there is public support for maintaining the 18-inch MLL (71% of respondents) and establishing a catch-and-release trophy fishery (64% of respondents), the highest percentage of respondents supported no change in harvest regulations (54% of respondents) in the Striped Bass Angler Preference Questionnaire. Creel data suggest that the Striped Bass fishery in California is currently stable, and the current regulations are not contributing to perceived population declines; however, modeling results suggest that the current 18-inch MLL on its own may not be adequate for long-term population stability and growth."

At the September 12, 2024, Commission's Wildlife Resources Committee meeting, the Department presented its support of an 18-30-inch HSL rather than a 20-30 inch HSL. The data show it would benefit anglers by creating a trophy fishery and increasing total catch. Additionally,

modeling indicates it would decrease risk of recruitment overfishing, and increase egg contribution from older fish to total fecundity.

The Department does not support increasing the MLL from 18-20 inches because it would likely not produce the biological or fisheries responses described in the petition. The Department has determined that increasing the current MLL from 18- 20 inches fails to provide sufficient protections to sexually mature female striped bass and would not provide the fisheries response sought. The potential for increased population fecundity contributed by mature females between 18 and 20 inches is negligible based on the percentage of female maturity in that size and age range. Additionally, increasing the MLL to 20 inches is not supported by the angling public contacted through an electronic questionnaire distributed by the Department (n = 18,751). The Striped Bass Angler Preference Questionnaire indicated that 71% supported the current 18-inch MLL. The Department is proposing changes to the following regulations in Title 14, CCR:

- Amend Section 5.75 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 of “minimum size limit” to “harvest size limit”.
    - These changes are necessary to address the petition’s request to provide a 30-inch upper limit which could result in decreased risk of recruitment overfishing (and thus stock conservation benefits) and increased catch and trophy fishing opportunity.
- Add Section 5.75 Striped Bass, subsection (d)(2)
  - Add subsection 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.
    - This change is necessary to clarify that the proposed regulation change only applies to anadromous waters and that non-anadromous water regulations for striped bass will not change.
- Amend Section 27.85 Striped Bass, subsection (c)
  - Add the maximum harvest size limit of 30 inches.
  - Amend text to replace references of “minimum size limit” to “harvest size limit”.
    - This change is necessary to address the petition’s request to provide a 30-inch upper limit which could result in decreased risk of recruitment overfishing (and thus stock conservation benefits) and increased catch and trophy fishing opportunity.

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

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.

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

Authority: Section(s) 200, 205, 265, 270, and 275, Fish and Game Code

Reference: Section(s) 110, 200, 205 and 265, Fish and Game Code

(d) Specific Technology or Equipment Required by Regulatory Change

None.

(e) Identification of Reports or Documents Supporting Regulation Change

Commission Petition 2020-005: Striped Bass Slot Limit

Commission Petition 2022-12: Striped Bass Slot Limit (inland & marine)

California Department of Fish and Wildlife, 2024. Evaluation of Regulation Change Petition 2022-12: Proposed 20 – 30-inch harvest slot limit for Striped Bass (*Marone saxatalis*).

California Department of Fish and Wildlife, 2024. Evaluation of Nor-Cal Guides and Sportsmen's Association (NCGASA) Proposed 20 – 30-inch harvest slot limit for Striped Bass (Appendices) (*Marone saxatalis*).

Kohlhorst, D. W. 1999. Status of striped bass in the Sacramento–San Joaquin Estuary. California Fish and Game 85(1):31–36.

Scofield, E.C. 1930. The Striped Bass of California (*Roccus lineatus*). Division of Fish and Game of California Fish Bulletin No. 29. 84 pp.

Stevens, D.E. and D.W. Kohlhorst. 2001. California's Marine Living Resources: A Status Report. California Department of Fish and Game. pp 460–464. Available at <https://wildlife.ca.gov/Conservation/Marine/Status/2001#28129681-frontmatter-introduction-background>.

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

The rulemaking was proposed by stakeholders at the public Striped Bass Town Hall meeting on August 24, 2022. CDFW also sent out an Angler Preference Survey to ~1 million anglers in summer-fall 2022.

Proposed regulations were discussed at the January 11, 2023, September 12, 2024 and January 15, 2025 Fish and Game Commissions Wildlife Resources Committee meetings.

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

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

The petitioners requested the implementation of a 20-30 inch harvest slot limit. In its evaluation, the Department found that this slot limit would reduce recreational fishing opportunities while not producing sufficiently improved biological or fisheries responses beyond the proposed 18-30 inch harvest slot limit recommendation. Upon consultation, NCGASA endorsed the 18-30 inch harvest slot limit. No other alternative regulation was identified by or brought forward to the Department that would result in the same desired regulatory effect.

##### (b) No Change Alternative

The no change alternative would leave the current regulations in place.

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

None.

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

The proposed regulatory action will have no significant adverse effect on the environment, and 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 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.

VII. Economic Impact Assessment

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

The Commission is not aware of any impacts from the proposed action that would affect the creation or elimination of jobs within the state, as 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.

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

The Commission is not aware of any impacts from the proposed action that would affect the creation of new businesses or the elimination of existing businesses, as they are not

anticipated to change the level of fishing activity enough to affect the demand for goods and services related to striped bass sportfishing in a way that would induce the creation of new businesses or eliminate any existing businesses in California.

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

The Commission is not aware of any impacts from the proposed action that would affect the expansion of businesses doing business within California, as they are 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 induce the expansion of businesses currently doing business within California.

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

None.

(e) Benefits of the Regulation to Worker Safety

None.

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

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.

(g) Other Benefits of the Regulation

None.

## 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.

