



CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

NOTICE OF PROPOSED RULEMAKING ACTION

Certificate of Compliance

Amend Sections 150.06 and 150.16

Title 14, California Code of Regulations

Re: Rescinding Select Commercial Groundfish Management Measures

January 16, 2026

PURPOSE OF THIS ACTION

Sections 150.06 and 150.16 were amended by emergency action, and subsequently approved by the Office of Administrative Law on August 21, 2025 (OAL #2025-0811-05E). This emergency action lifted certain restrictions on the commercial groundfish fishery due to updated information about the health of quillback rockfish (*Sebastes maliger*). Therefore, the previous conservation emergency no longer exists, and the associated depth-based restrictions and prohibition on the retention of non-nearshore groundfish stocks are unwarranted. This Certificate of Compliance, in accordance with Government Code Section 11349.6, Review of Proposed Regulations, proposes to permanently adopt regulations which are not materially different from those recently approved by prior emergency action. The proposed Certificate of Compliance is necessary to make the rescission of the earlier restrictions permanent.

The proposed regulation described below may be adopted after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held virtually via webinar/teleconference:

Public Hearing Date: Wednesday, March 4, 2026, 1:00 to 2:00 pm PST

Location: Teleconference Details will be provided at least seven days in advance of the meeting at <https://wildlife.ca.gov/Notices/Regulations/commercial-groundfish-2025>

WRITTEN COMMENT PERIOD

Written comments may be submitted at any time before or on March 4, 2026, by mail or email to the contact as follows:

California Department of Fish and Wildlife
Regulations Unit
Attn: Mike Randall, Analyst
P.O. Box 944209
Sacramento, CA 94244-2090
Email: Regulations@wildlife.ca.gov

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).

Sections 150.06 and 150.16 were amended by emergency action and subsequently approved by the Office of Administrative Law on August 21, 2025 (OAL #2025-0811-05E). This emergency action lifted certain restrictions on the commercial groundfish fishery due to updated information, indicating that the quillback rockfish (*Sebastes maliger*) stock is healthier than previously understood. Therefore, the previous conservation needs no longer exists, and the associated depth-based restrictions and prohibition on the retention of non-nearshore groundfish stocks are unwarranted. This Certificate of Compliance, in accordance with Government Code Section 11349.6, Review of Proposed Regulations, proposes to permanently adopt regulations which are not materially different from those originally approved by emergency action. The proposed Certificate of Compliance is necessary to make the rescission of the prior restrictions permanent.

Occurring on a similar timeline to this proposed certificate of compliance rulemaking, the Department will be pursuing readoption of the emergency regulations amending sections 150.06 and 150.16 (OAL #2025-0811-05E). This will afford the Department sufficient time to complete the proposed certificate of compliance rulemaking, otherwise commercial groundfish regulations would revert back to the more constraining regulations in place at the start of 2025. It should be noted, that identical amendments are proposed to the original emergency regulations in both the readoption and this certificate of compliance rulemakings.

Due to a federal inseason regulatory change on September 18, 2025, the trip limits for lingcod and the other flatfish complex now apply to all federal waters, where previously, they only applied to a discrete portion. As a result, subsection (f), as proposed to be amended, continues to extend federal trip limits into state waters and applies to all non-nearshore federal groundfish.

The Department does propose some amendments to the original emergency regulations which either reduce regulatory complexity or are non-substantive. Specifically, the proposed amendments either remove redundant references from the trip limit tables or remove specific versions of federal trip limit tables from the State's regulatory text pertaining to lingcod and the other flatfish complex. However, these amendments do not change what is currently permissible under the emergency regulations. As a result, the Department's proposed amendments reduce regulatory complexity or are non-substantive.

Background

Results of a 2021 quillback rockfish data-moderate stock assessment concluded that the population of quillback rockfish off California was in severe decline and estimated the population at only 14 percent of the unfished population. This data-moderate stock assessment utilized limited data sources and incorporated proxy data from other states. At the time, the 2021 stock assessment was deemed acceptable for use in federal

management and NMFS subsequently declared the California stock of quillback rockfish as overfished, resulting in constraining state (e.g., CGRA, etc.) and federal regulations being implemented.

Prior to the Department's emergency rulemaking, regulations defined the California Groundfish Restriction Area (CGRA) as the area between the 20-fathom boundary line and the seaward extent of the Exclusive Economic Zone north of 37° 07' N latitude (Año Nuevo). Regulations also prohibited the take and retention or possession of federal groundfish within the CGRA, except for the purposes of continuous transit. Trip limits for nearshore groundfish species were established statewide, though the area north of 37° 07' N latitude was constrained to fishing shoreward of the 20-fathom boundary line. Further, the take of all other non-nearshore groundfish, except for an allowance for the take of yellowtail rockfish by salmon trollers, in state waters north of 37° 07' N latitude.

On June 9, 2025, a draft stock assessment for quillback rockfish off California became available. This new, more robust assessment considered all available data sources, including newly available California-specific life history information, and did not rely on proxy data from other states as the 2021 data-moderate assessment had. The 2025 assessment results indicate that the California quillback stock is healthy and not overfished, a major reversal from the 2021 data-moderate stock assessment.

The new scientific information provided by the 2025 quillback rockfish assessment indicated that the constraining regulations implemented to protect the stock were unwarranted. To reduce harm to the general welfare of the nearshore fishery, commercial groundfish fishery and coastal communities that rely upon them, the Department adopted emergency regulations to rescind the depth constraint and prohibition on the take of non-nearshore groundfish stocks in state waters. Through this proposed certificate of compliance, the Department would ensure these unwarranted constraints are removed permanently.

Benefits of the Proposed Regulation

The Department anticipates this proposed certificate of compliance action will have positive impacts on the commercial nearshore and non-nearshore fisheries and the coastal economies that rely upon them. Thus, this regulation will promote general welfare among Californians by increasing availability of sustainable seafood protein and reestablishing economic opportunities for commercial groundfish fishers and those that rely upon them. The current constraining regulations were put into place to protect quillback rockfish and are no longer needed based upon the latest updated science. By allowing these regulations to remain in place, impacted parties face unwarranted economic harm.

The proposed regulations are informed by the most current understanding of the quillback rockfish stock, which indicates the stock is healthy. These regulations are designed to restore access, economic opportunity and relieve commercial groundfish participants of undue burden.

Consistency and Compatibility with Existing Regulations

The Legislature may delegate to Department such powers relating to the protection and commercial fishery resources as the Legislature sees fit, including the authority to adopt regulations pertaining to commercial fisheries (Fish and Game Code Section 7652). Department staff has searched the California Code of Regulations and has determined that other state regulations that apply to management of commercial groundfish fisheries are not inconsistent nor incompatible with the proposed regulations. The Department therefore finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

The Proposed Regulation Does Not Differ or Conflict with Federal Law

The proposed regulation does not differ substantially or conflict with an existing comparable federal regulation or statute. Whereas the federal government has corresponding regulations for Nearshore Rockfish trip limits in federal waters, these trip limits will apply only in state waters. The Magnuson Stevens Act specifically reserves to the states jurisdiction to regulate fisheries in state waters. See 16 U.S.C. § 1856. The proposed regulations are designed to correspond with the federal regulations.

AUTHORITY AND REFERENCE

Section 150.06

Authority cited: Sections 7071, 7652 and 8587.1, Fish and Game Code.
Reference: Sections 7071, 7652, 8585.5 and 8587.1, Fish and Game Code.

Section 150.16

Authority cited: Sections 702, 7071 and 8587.1 Fish and Game Code.
Reference: Sections 1802, 8585.5, 8586, 8587 and 8587.1, Fish and Game Code.

Documents Incorporated By Reference:

Due to the federal inseason change, trip limits for lingcod and other flatfish may be taken in all federal waters. Therefore, the level of specificity and incorporation by reference of certain federal tables (Tables 2b and 3b North; and 2b and 3b South) in Section 150.16 amended through the original emergency action, is no longer needed. Therefore the tables previously incorporated by reference are removed from incorporation by reference with this action.

Documents Relied Upon:

Langseth, B.J., M.H. Monk, J.H. Coates, 2025. Status of the Quillback rockfish stock in U.S. waters off the coast of California in 2025. Pacific Fishery Management Council, Portland, OR.

https://pam.pcouncil.org/documents/quillback_rockfish_sar_2025-pdf/

September 2025, 90 Federal Register 44998 – Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2025-2026 Biennial Specifications and Management Measures; Inseason Adjustments:

<https://www.federalregister.gov/documents/2025/09/18/2025-18079/magnuson-stevens-act-provisions-fisheries-off-west-coast-states-pacific-coast-groundfish-fishery>

Pacific Coast Groundfish Fishery Management Plan for California, Oregon, and Washington Groundfish Fishery. June 2025. Pacific Fishery Management Council.
<https://www.pcouncil.org/documents/2022/08/pacific-coast-groundfish-fishery-management-plan.pdf/>

Langseth, B.J., C.R. Wetzel, J.M. Cope, J.E. Budrick. 2021. Status of quillback rockfish (*Sebastes maliger*) in U.S. waters off the coast of California in 2021 using catch and length data. Pacific Fisheries Management Council, Portland, Oregon.
<https://www.pcouncil.org/documents/2021/12/status-of-quillback-rockfish-sebastes-maliger-in-u-s-waters-off-the-coast-of-california-in-2021-using-catch-and-length-data-december-2021.pdf/>

DISCLOSURES REGARDING THE PROPOSED ACTION:

Impact Of The Regulatory Action/ Results Of The Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulation 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: None.

The Department does not anticipate that the proposed action will have significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations removing the CGRA and extending federal trip limits for non-nearshore groundfish stocks into state waters north of 37° 07' N latitude, will increase commercial groundfish fishing opportunity. No new fees are imposed as a result of the proposed regulations, nor are any indirect costs imposed, such as the travel costs that would arise from forcing commercial fishers to target groundfish in federal waters or from costs associated with new reporting requirements.

- (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 Department does not anticipate adverse impacts on the creation or elimination of jobs within the state given that the proposed amendments are to increase commercial groundfish opportunities in state waters. The Department does not anticipate adverse impacts on the creation of new business, the elimination of existing businesses, or the expansion of businesses in California. The proposed changes are to remove unnecessary restrictions, which would increase opportunity not only for nearshore fishery participants, but also for the greater commercial groundfish fishery. The proposed regulations would allow commercial groundfish fishers who do not hold nearshore permits to take and retain non-nearshore groundfish stocks in state waters. Meanwhile, commercial nearshore fishery participants would be able to retain non-nearshore groundfish stocks they encounter while engaging in the nearshore fishery. Taken together, the proposed certificate of compliance action is not anticipated to change the annual level of harvest activity or the demand for goods and

services related to marine resource harvest that could impact the demand for labor, induce the creation of new businesses, eliminate existing businesses, or cause the expansion of businesses in California. The Department does not anticipate any benefits to the health and welfare of California residents or to worker safety from the proposed action. The Department anticipates benefits to the State's environment through adoption of scientifically-based management measures and maintaining the harvest of healthy stocks.

(c) Cost Impacts on Representative Person or Business:

The Department does not anticipate that the proposed action will have significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations to remove the CGRA and extended federal trip limits for non-nearshore groundfish stocks north of 37° 07' N latitude will expand commercial groundfish fishing opportunity. No new fees are imposed as a result of the proposed regulations, nor are any indirect costs imposed, such as the travel costs that would arise from forcing commercial fishers to target groundfish in federal waters or from costs associated with new reporting requirements.

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

This certificate of compliance adoption of the emergency rulemaking will not result in any costs or savings to state agencies and does not affect federal funding to the state. The Department has determined that the certificate of compliance action for this commercial groundfish rulemaking will not affect license or landing fee revenues or the Department's existing level of expenditures on monitoring and enforcement activities. Additionally, no other state agencies would be affected by this regulatory action.

(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

The Department does not anticipate any adverse cost impacts given that the proposed amendments are to increase commercial groundfish opportunities in state waters. The proposed changes are to remove unnecessary restrictions, which would increase opportunity not only for nearshore fishery participants but also for the greater commercial groundfish fishery. The proposed regulations would allow commercial groundfish fishers who do not hold nearshore permits to take and retain non-nearshore groundfish stocks in state waters. The improved access means they would no longer have to fish in federal waters north of 37° 07' N latitude to pursue these stocks.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department concludes that the proposed regulation will not create additional job opportunities; result in the elimination of jobs or existing businesses, create new businesses,

eliminate existing businesses, or expand businesses in the state.

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

The Department does not anticipate that the proposed regulation will prompt the creation or the elimination of jobs within the state. The proposed amendments would restore commercial access to all groundfish stocks in state waters north of 37° 07' N latitude. Prior to the emergency regulations currently in place, only groundfish authorized for take under a nearshore permit could be taken and retained shoreward of the CGRA. Commercial fishers pursuing other non-nearshore groundfish would have to do so outside of state waters. As a result, the proposed amendments are not expected to negatively affect current harvest activity, nor would they precipitate the creation of jobs or the elimination of jobs.

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

The Department does not anticipate that the proposed regulation would induce impacts on the expansion of businesses currently doing business within the state. The proposed regulation is not anticipated to increase demand for services or products from the existing businesses that serve individuals who engage in groundfish harvest. The proposed amendments would restore commercial access to all groundfish stocks in state waters north of 37° 07' N latitude.

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

The Department does not anticipate that the proposed regulation would induce impacts on the expansion of businesses currently doing business within the state. The proposed amendments would restore commercial access to all groundfish stocks in state waters north of 37° 07' N latitude. Prior to the emergency regulations currently in place, only groundfish authorized for take under a nearshore permit could be taken and retained shoreward of the CGRA. Commercial fishers pursuing other non-nearshore groundfish would have to do so outside of state waters. As a result, it is not anticipated to increase demand for services or products from the existing businesses that serve individuals who engage in commercial groundfish harvest.

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

The Department does not anticipate benefits to the health and welfare of California residents because the proposed regulatory change has no relation to health or welfare.

(e) Benefits of the Regulation to Worker Safety:

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

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

The Department anticipates benefits to the State's environment directly through maintaining the harvest of healthy stocks while mitigating mortality of quillback rockfish. These regulations are designed to restore access, economic opportunity and relieve commercial

groundfish participants of undue burden, while also not adversely impacting quillback rockfish. Commercial retention of quillback rockfish will remain prohibited under the proposed regulations and as a result there is little risk to the resource. It is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Department must determine that no reasonable alternatives to the proposed regulation it considered or that have otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the regulation is proposed or 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.

The Department invites interested persons to present statements or arguments with respect to alternatives to the regulations during the written comment period.

AVAILABILITY OF RULEMAKING DOCUMENTS AND CONTACT PERSONS

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 Department website at <https://wildlife.ca.gov/Notices/Regulations/commercial-groundfish-2025>.

The proposed text (the “express terms”) of the regulations, as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review at 715 P Street, Sacramento, CA 95814 (17th floor). The rulemaking file will be available electronically upon request by contacting the Department at Regulations@wildlife.ca.gov. Inquiries concerning the regulatory process or requests for documents should be directed to:

California Department of Fish and Wildlife

Mike Randall, Regulations Unit

P.O. Box 944209

Sacramento, CA 94244-2090

Telephone: (916) 902-9109

Email: Regulations@wildlife.ca.gov

Inquiries concerning the subject matter or substance of the proposed action should be directed to:

Andrew Klein, Senior Environmental Scientist, Specialist

California Department of Fish and Wildlife

20 Lower Ragsdale Drive, Suite 100

Monterey, CA 93940

Telephone: (831) 241-1830

Email: groundfish@wildlife.ca.gov

THE RULEMAKING FILE CONSISTS OF:

- Notice of Proposed Regulatory Action
- Initial Statement of Reasons
- Proposed Text of the Regulation: Amendments to Sections 150.06, and 150.16, Title 14, CCR
- Economic and Fiscal Impact Statement (Form STD 399) and addendum
- Documents or Reports supporting the proposed regulation change

AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The rulemaking file will be available online at:

<https://wildlife.ca.gov/Notices/Regulations/commercial-groundfish-2025>

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all the timely and relevant comments received, the Department may adopt the proposed regulation substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulation as revised. Please send requests for copies of any modified regulation to the Regulations Unit at the address above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by checking the website at the link provided above, or contacting the Regulations Unit at the address above.