

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

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

- I. Date of Initial Statement of Reasons: December 17, 2024
- II. Date of Pre-adoption Statement of Reasons: May 27, 2024
- III. Amended Initial Statement of Reasons: July 21, 2025
- IV. Date of Final Statement of Reasons: August 15, 2025
- V. Dates and Locations of Scheduled Hearings:

(a) Notice Hearing:

Date: February 12-13, 2025

Location: Sacramento

(b) Discussion Hearing:

Date: April 16-17, 2025

Location: Sacramento

(c) Adoption Hearing:

Date: August 13, 2025

Location: Sacramento

VI. Update:

The Adoption Hearing for this rulemaking was changed from June 2025 to August 2025. As a result, changes in the timing of the report card sales were needed in the regulatory language, which were noticed for a public continuation period commencing on July 22, 2025, and as outlined in the Amended Initial Statement of Reasons (ISOR) and are summarized below. The original proposed language also included an inadvertent duplication of language not relevant to white sturgeon, which this version will remove.

Sections 5.80 and 27.90

Changes to sections 5.80 and 27.90 mirror each other. They apply to white sturgeon in inland waters and ocean waters, respectively. Dates are changed to reflect the actual date on which the Department will stop selling the current sturgeon report card and start selling the new sturgeon report card.

Section 5.80. Inland White Sturgeon

Subsections 5.80(g)(1) and 5.80(g)(2)

On the effective date of the regulation, the Department will stop selling the current (calendar year) 2025 report card and will transition sales to the 2025-2026 (seasonal) report card. Anglers may continue to use their current (calendar year) 2025 report card until it expires on December 31, 2025 or may begin using the 2025-2026 (seasonal) report card upon the start of the season on October 1, 2025.

- Change the report card transition date from “~~July 1, 2025~~” to “[Effective date of regulation]” to account for delays to the originally proposed transition date and ensure that the public is aware of the reporting process for their card. This change is necessary as July 1, 2025 passed prior to the effective date of these regulations.

Subsection 5.80(g)(1)(E-F)

- Remove references to salmon, steelhead, and abalone. This language was duplicated from Section 1.74, with the intent of listing only sturgeon, as the section only applies to sturgeon in this section. The other species are removed because they were an inadvertent duplication. This change is necessary to avoid duplication of Title 14 in different sections.

Section 27.90. Ocean White Sturgeon

Subsections 27.90(g)(1) and 27.90(g)(2)

On the effective date of the regulation, the Department will stop selling the current (calendar year) 2025 report card and will transition sales to the 2025-2026 (seasonal) report card. Anglers may continue to use their current (calendar year) 2025 report card until it expires on December 31, 2025 or may begin using the 2025-2026 (seasonal) report card upon the start of the season on October 1, 2025.

Change the report card transition date from “~~July 1, 2025~~” to “[Effective date of regulation]” to account for delays to the originally proposed transition date and ensure that the public is aware of the reporting process for their card. This change is necessary as July 1, 2025 passed prior to the effective date of these regulations.

Subsection 27.90(g)(1)(E-F)

- Remove references to salmon, steelhead, and abalone. This language was duplicated from Section 1.74, with the intent of listing only sturgeon, as the section only applies to sturgeon in this section. The other species are removed because they were an inadvertent duplication. This change is necessary to avoid duplication of Title 14 in different sections.
- Addition of Section 2084, Fish and Game Code to the authority and reference. Section 2084 allows for take of a candidate species and must be included.

Section 701. Sport Fishing Forms and Fees

Subsection 701(c)

Split Subsection 701(c) into further subsections 701(c)(1) and 701(c)(2). In the initially proposed regulatory text, the cost for the 2025 Sturgeon Fishing Report Card provided for a range of \$5.00 to \$11.00

– add subsection (c)(1) for the 2025-2026 Sturgeon Fishing Report Card with a fee of \$0.00.

- 701(c)(2) – add subsection (c)(2) for the 2026-2027 Sturgeon Fishing Report Card with a fee of \$7.50. Since there are no longer harvest opportunities for sturgeon, the Department found that decreasing the card fee to the original amount was appropriate.
- The Sturgeon Fishing Report Card fee of \$7.50 is the Department’s recommendation from the proposed range of (\$5.00-\$11.00). This fee will be applicable to the 2026-2027 Sturgeon Fishing Report Card and will be increased annually in accordance with FGC Section 713.

- For the 2025-2026 Sturgeon Fishing Report Card, the Department has recommended a fee of \$0.00. For the first five years that the Sturgeon Fishing Report Card was implemented, the fee for the report card was \$0.00. The Department recognizes that the transition from an annual report card to a seasonal report card may create some confusion and the potential that an angler would have to purchase more than one report card in a year. Offering a no cost card for the 2025-2026 season simplifies the process for the Department, as well as the public, which the Department views as an investment in the sturgeon fishery in California, as well as fulfilling the responsibility to the public to ease the transition to the new report card through a no-cost option. This amendment ensures that everyone has the same benefit opportunity from the 2025-2026 report card and aligns with the Department's commitment to equity in California fisheries.

VII. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting Those Considerations:

The Commission received two oral comments regarding the rulemaking at its April 16, 2025 meeting. The first comment was from Dave Kasheta, an angler who stated that the problem facing sturgeon and other inland fisheries in California is a water management problem, not a fisheries management problem.

Response: This comment is outside the scope of the current rulemaking.

James Stone, President of NorCal Guides and Sportsman's Association, stated the decision for catch-and-release of white sturgeon has caused devastation to fishing communities because reduced angler enthusiasm and that the number of sturgeon fishing licenses has declined 62 percent in 2024 compared to the last three years, which exceed the 40% decrease that a Department survey projected. There have been a lot of guides that have been put out of business as a result of the catch-and-release 2084 regulation. He requests the Department and Commission provide relief to charter boat captains who he states have lost business and livelihood.

Response: The number of sturgeon fishing report cards had been declining since before 2020, and the more recent reduction may be confounded by the switch from calendar year to 365-day sport fishing licenses effective January 1, 2023. The Department acknowledges that moving from a harvest fishery to a catch-and-release fishery may impact businesses that serve sturgeon anglers. The Department is attempting to help mitigate adverse economic impacts to businesses that serve sturgeon angling.

No other written comments were received, and no oral comments were heard at the August 13, 2025 meeting, when the proposed regulation as amended was adopted.

No other public comments, written or oral, were received during the public comment period.

VIII. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

(b) No Change Alternative

Without the proposed changes in regulations, the sturgeon fishery, including catch and release fishing, would close entirely when the emergency regulations expire on September 5, 2025. The outstanding issues concerning the regulations currently

governing white sturgeon fishing would remain unaddressed. If white sturgeon are ultimately not listed under CESA, regulations will revert to the original long-term regulations that permitted harvest of one fish per day between 40-60 in. FL, three fish per year, and no closures in the rivers to protect migration and spawning, which is not believed to be sustainable.

(c) Consideration of Alternatives

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

(d) Description of Reasonable Alternatives That Would Lessen Adverse Impact on Small Business:

No adverse impact on small business is expected.

IX. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. A bag limit maintains the existing economic climate because the reduction is not significant enough to alter fishing behavior beyond reducing daily harvest.

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

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The Commission does not anticipate any benefits to the health and welfare of California residents, or worker safety. The Commission anticipates benefits to the State's environment by sustainably managing California's sportfishing resources.

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

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. No change in gear or equipment requirements are introduced for the recreational white

sturgeon fishery. However, the proposed fee of **\$0 for the 2025-2026 report card and \$8.13 (\$7.50 base fee with an Automated License Data System surcharge of \$0.23 and a seller handling fee of \$0.40) for the 2026-2027 report card** may will lower the sturgeon report card fee below the current expected price of \$11.06, which would represent a slight cost benefit to anglers.

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

None. No costs or savings to state agencies or costs/savings in federal funding to the state are anticipated. The Department's existing level of monitoring and enforcement activities are expected to be unchanged by this action. However, it is anticipated that the proposed easing of take limits during the CESA candidacy may result in changes to sturgeon report card sales. Assuming that the total sturgeon report cards sold in 2025 will continue to be at least 53% less than in 2023, which includes the 18% of anglers who decline to fish catch-and-release and the 6% decline in card sales from the spawning ground closure in 2024, then the expected number of report cards is roughly the same at 15,600. At this level of cards sold and at the current 2025 price of \$10.56, the Department projects no decline in revenue for the 2025-26 fiscal year, with a total estimated revenue from report card sales of \$164,736. ~~However, if the report card fee is lowered to the bottom of the range to approximately \$5 for the 2025-26 season then the expected revenue from report card sales would be \$78,000, which would represent a decline of \$86,736 in revenue for the Department. It is unknown if~~ Furthermore, because fishing for sturgeon is changing from year-round to a reduced season of only several months, depending on location, the Department recommends the Commission adopt a report card fee of \$0 for the 2025-26 season. The resulting loss of revenue is therefore estimated to be \$164,736. Similarly, the Department recommends a fee for 2026-27 of \$8.13 (\$7.50 base fee with an Automated License Data System surcharge of \$0.23 for a combined \$7.73 in revenue collected by the Department, and a seller handling fee of \$0.40), with the expected revenue from report card sales for 2026-27 estimated to be \$120,588, representing a potential decline of \$44,148 in revenue. The combined estimated loss of revenue for the 2025-26 and 2026-27 seasons is \$208,884. It is unknown if the lowered price would induce an increase in the number of report cards sold from anglers wishing to take advantage of the reduced fee given that the fishing opportunity under the proposed catch and release fishery would remain the same, but approximately ~~17,347~~ **5,711** additional **2026-2027** report cards would need to be sold at the lower price in order for revenue to remain the same. The total number of report cards sold under this scenario would be ~~28,500~~ **21,311**, which is approximately ~~30%~~ **48%** less than the pre-pandemic annual average **of 40,844 report cards**.

Additionally, the removal of the duplication fee under the proposed regulations would potentially cost the Department about \$1,206 in annual revenue based on the number of duplicates issued for the 2022 and 2023 seasons (71 and 60, respectively) and with a duplication fee of \$18.28 per duplicate applied to the average of 66 duplicated cards. When added to the decline of ~~\$86,736~~ **\$44,148** in revenue from the adopted lower fee of ~~\$5~~ **\$8.13**, the total revenue loss would be approximately ~~\$87,942~~ **\$45,354**.

See the STD399 and Addendum for more explanation.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None

(f) Programs Mandated on Local Agencies or School Districts:

None

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None

(h) Effect on Housing Costs:

None

Updated Informative Digest/Policy Statement Overview

State of California
Fish and Game Commission

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

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

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

Background

The white sturgeon is a large, long-lived fish found mainly in the San Francisco Bay Delta. They migrate to rivers like the Sacramento and San Joaquin to spawn. These fish can live over 100 years and start reproducing at 14-19 years old, but significant survival of young occurs every six to seven years, during wet years. Their population has been shrinking, with recent estimates showing only about **33,000 left 6,447 white sturgeon between 40–60 inch fork length, a decrease from the 2016-2022 estimate of 33,000 fish in the same size category.**

White sturgeon have been popular for recreational fishing since 1954, but recent events, like harmful algal blooms (HABs) in 2022 and 2023, killed many fish. To protect them, emergency fishing rules were made in 2023, reducing how many sturgeon anglers could catch and setting new size limits. Despite these rules, the population's future is uncertain.

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

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

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

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

Current Regulations

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

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

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

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

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

Proposed Changes

The proposed changes are as follows:

Section 1.74. Sport Fishing Report Card Requirements

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

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

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

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

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

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

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

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

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

Section 5.80 Inland White Sturgeon

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

Section 5.81 Inland Green Sturgeon

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

Section 27.60 Limit

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

Section 27.90 Ocean White Sturgeon

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

Section 27.91 Ocean Green Sturgeon

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

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

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

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

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

Section 27.95 Sturgeon Closure

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

Section 701 Sport Fishing Forms and Fees

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

Split Subsection 701(c) into further subsections 701(c)(1) and 701(c)(2).

Add subsection (c)(1) for the 2025-2026 Sturgeon Fishing Report Card with a fee of \$0.00.

Add subsection 701(c)(2) – add subsection (c)(2) for the 2026-2027 Sturgeon Fishing Report Card with a fee of \$7.50.

Benefit of the Regulations:

~~The status of the existing white sturgeon population and the impacts of recent Harmful Algal Blooms are currently not known. The Department piloted a new sturgeon abundance monitoring program in 2024 to provide population data and the species is currently the subject of a comprehensive CESA species status review. The 2024 white sturgeon abundance estimate, derived from the first year of the new sturgeon abundance monitoring program, indicates that the number of 40-60 inch FL fish has declined from about 33,000 fish in 2016-2022 to approximately 6500 fish. The species is currently the subject of a comprehensive CESA species status review.~~ Evidence from successful recreational fisheries on other West Coast rivers and states indicate that the species tolerates catch-and-release angling well and can coexist with a financially lucrative fishery. Maintaining the opportunity for catch-and-release angling during this period will protect the remaining population while the status review is completed while still permitting angling and business opportunities.

Consistency and Compatibility with Existing Regulations:

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation

of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to adopt regulations governing white sturgeon sport fishing (California Fish and Game Code section 200). No other state agency has the authority to adopt regulations governing white sturgeon sport fishing. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding the adoption of white sturgeon sport fishing regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

Update

The Adoption Hearing for this rulemaking was changed from June 2025 to August 2025. As a result, changes in the timing of the report card sales were needed in the regulatory language, which were noticed for a public continuation period commencing on July 22, 2025, and as outlined in the Amended Initial Statement of Reasons (ISOR). The original proposed language also included an inadvertent duplication of language not relevant to white sturgeon, which this version will remove.

The Commission adopted the regulations, as amended, at its meeting on August 13, 2025.