

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

NOTICE IS HEREBY GIVEN that the California Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 205, 265, 702, 7071 and 8587.1 of the California Fish and Game Code, and to implement, interpret or make specific sections 200, 205, 265, 1802, 7071 and 8585.5 of said Code, and 50 CFR Part 660, Subpart G, sections 660.350, 660.351, 660.352 and 660.360, proposes to amend sections 1.91, 27.25, 27.30, 27.35, 27.40, and 28.55, Title 14, California Code of Regulations, relating to the recreational take of rockfish, cabezon, greenling and lingcod.

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).

Current regulations establish season dates and depth constraints, and recreational bag limits for federal groundfish species that vary by species or species groups and are designed to keep harvest within federally established allowable limits. Section 1.91 defines the species considered federal groundfish. Sections 27.25, 27.30, 27.35 and 27.40 currently set forth season dates, and depth constraints for the four groundfish management areas (GMA) north of Point Conception (34°27' N. lat.). Section 28.55, Rockfish (Genus *Sebastes*), currently sets forth the bag limits, and methods of take for all rockfish species.

Proposed Changes

The California Department of Fish and Wildlife (Department) recommends that the Commission use regular rulemaking authority to incorporate emergency regulations it adopted in August 2025 to amend the recreational rockfish, cabezon, and greenling (RCG) and lingcod season structure regulations. The amendments restored fishing access to all depths in state waters north of Point Conception from April 1 to December 31, implemented a 2-fish sub-bag limit for canary rockfish, and added sunset rockfish to cryptic-species vermilion/sunset rockfish management unit. The proposed regulations would amend sections 1.91, 27.25, 27.30, 27.35, 27.40, and 28.55, through a “certificate of compliance” action. The proposal is necessary for regulations in state waters (0 to 3 miles from shore) to be consistent and complementary with regulations in federal waters (3 to 200 miles from shore), to keep catches of canary rockfish and vermilion/sunset rockfish within federally established harvest limits, and for the benefit of the public’s general welfare.

On June 9, 2025, the Pacific Fishery Management Council (PFMC) posted online a draft quillback rockfish stock assessment in waters off California, an assessment that is more robust than the previous one conducted in 2021. The newest assessment considers all available data sources, including newly available California-specific life history information. Results of the assessment indicate the California stock is healthy and not overfished as was indicated by the 2021 quillback rockfish stock assessment that was data-moderate. Therefore, the previous conservation emergency identified in 2021 no longer exists and the associated depth-based fishery constraints are unwarranted.

Following formal review and approval of the 2025 stock assessment for use in federal management, which occurred between July and September 2025, the National Marine Fisheries Service took an

inseason federal regulatory action to remove the federal fishery depth restrictions in place since October 2023. The federal action, effective September 18, 2025, replaced the depths and season structure for boat-based RCG and lingcod fishing in federal waters (3 to 200 miles from shore) with all-depth fishing from the California/Oregon border (42° N. lat.) to Point Conception (34°27' N. lat.) during the open season in these GMAs, April 1 to December 31. Adopting through a regular rulemaking the regulatory amendments in the August 2025 emergency rulemaking will continue to restore recreational fishing opportunities to distribute recreational fishing efforts, consistent with the September 18, 2025 federal regulations.

It is important to have consistent and complementary state and federal regulations establishing harvest limits, season dates, depth constraints and other management measures. Inconsistency in state and federal rules hinders enforcement, increases angler confusion, and precludes a comprehensive approach to resource management.

Benefits of the Proposed Regulations

The benefits of the proposed regulations are sustainable management of RCG and lingcod resources and promotion of businesses that rely on recreational groundfish fishing.

Fishing is an outdoor activity that can provide several health and welfare benefits to California residents. Anglers and their families benefit from fresh fish to eat and from the benefits of outdoor recreation, including exercise. People who fish have a special connection with the outdoors and an awareness of the relationships between wildlife, habitat, and humans, and fishing can be a family tradition and a bonding activity.

Consistency and Compatibility with Existing Regulations

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. The California Legislature has delegated authority to the Commission to adopt recreational fishing regulations (California Fish and Game Code, sections 200 and 205). The proposed regulations are consistent with the Commission's regulations in Title 14, CCR. Commission staff has searched the California Code of Regulations and has found no other state regulations related to the recreational take of groundfish.

Public Participation

Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before January 29, 2026 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 February 6, 2026.** 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 Headquarters Building, 715 P Street, Sacramento, California, which will commence at 8:30 a.m. on Wednesday, December 10, 2025, and may continue at 8:30 a.m., on Thursday, December 11, 2025. The Commission will make a reasonable effort to provide the public additional opportunities to observe or provide comment in the meeting through the Zoom videoconference platform by computer, mobile device, or telephone connections. However, the Commission cannot guarantee the accessibility or functionality of the remote connection options. Should technical issues affect remote attendee access or quality, an attempt will be made to resolve them, but the meeting will continue with in-person attendees. 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 California Natural Resources Headquarters Building, 715 P Street, Sacramento, California, which will commence at 8:30 a.m. on Wednesday, February 11, 2026, and may continue at 8:30 a.m., on Thursday, February 12, 2026. The Commission will make a reasonable effort to provide the public additional opportunities to observe or provide comment in the meeting through the Zoom videoconference platform by computer, mobile device, or telephone connections. However, the Commission cannot guarantee the accessibility or functionality of the remote connection options. Should technical issues affect remote attendee access or quality, an attempt will be made to resolve them, but the meeting will continue with in-person attendees. 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 Sherrie Fonbuena at FGC@fgc.ca.gov or at the preceding address or phone number. **Senior Environmental Scientist Specialist, Melanie Parker, Department of Fish and Wildlife, (Groundfish@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 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. 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 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 proposal to modify the recreational RCG and lingcod season structure regulations to restore access to all depths in state waters north of Point Conception will expand fishing opportunities for anglers and sport fishing businesses (e.g., commercial passenger fishing vessel businesses) targeting groundfish. No new fees are imposed as a result of the proposed regulations, nor are any indirect costs imposed on anglers or sport fishing businesses. No adverse economic impacts are anticipated as a result of implementing a 2-fish sub-bag limit for canary rockfish and adding sunset rockfish to cryptic-species vermilion/sunset rockfish management unit.

- (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 businesses, the elimination of existing businesses or the expansion of businesses in California. The proposal to modify the recreational RCG and lingcod season structure regulations to restore access to all depths in state waters north of Point Conception will expand fishing opportunities for anglers and sport fishing businesses (e.g., commercial passenger fishing vessel businesses) targeting groundfish similar to those in effect prior to October 2023, but it is expected that the time out on the water will remain largely the same, which would not create a significant increase in economic activity that would warrant the need for additional labor for commercial passenger fishing vessels. No new fees are imposed as a result of these regulations, nor are any indirect costs imposed on anglers or sport fishing businesses. No impacts to jobs or businesses are anticipated as a result of implementing a 2-fish sub-bag limit for canary rockfish and adding sunset rockfish to cryptic-species vermilion/sunset rockfish management unit. The proposed regulations do not bring any additional benefits to worker safety. Fishing is an outdoor activity that can provide several health and welfare benefits to California residents. Anglers and their families benefit from fresh fish to eat and from the benefits of outdoor recreation, including exercise. People who fish have a special connection with the outdoors and an awareness of the relationships between wildlife, habitat, and humans, and fishing can be a family tradition and a bonding activity. The Commission anticipates benefits to the state's environment by adopting scientifically-based RCG and lingcod seasons, depth constraints, and bag and possession limits to provide for the maintenance of sufficient populations of RCG and lingcod species to ensure their continued existence.

(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. The proposal to modify the recreational RCG and lingcod season structure regulations to restore access to all depths in state waters north of Point Conception will restore fishing opportunities for anglers targeting groundfish similar to those in effect prior October 2023. No new fees are imposed as a result of these regulations, nor are any indirect costs imposed on anglers. No cost impacts are anticipated as a result of implementing a 2-fish sub-bag limit for canary rockfish and adding sunset rockfish to cryptic-species vermilion/sunset rockfish management unit.

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

The Commission anticipates no direct effect on the cost or savings to state agencies or the cost or savings in federal funding to the state in terms of implementation, monitoring, and enforcement activities for the Department; however, they could potentially affect annual license revenue if anglers previously stopped purchasing licenses as a result of depth restrictions enacted in October 2023 and decide to purchase licenses after the proposed amendments become effective.

Estimating effort is difficult, as there is no groundfish-specific report card. A general California fishing license covers multiple species and is valid for 365 days regardless of when the license is purchased. It's unclear whether anglers ceased fishing altogether or shifted to other

available species as a result of groundfish depth restrictions enacted in October 2023, since the groundfish depth restrictions coincided with closures to the recreational salmon fishery and new limitations in other fisheries, further complicating an impact analysis. Overall, any effect on license sales will likely be neutral or positive – if license sales go up by 0.1% as a result of these regulations, then the anticipated revenue increase would be approximately \$81,000.

(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.

(i) Business Reporting Requirements:

The proposed action does not impose a business reporting requirement.

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: October 14, 2025

Melissa Miller-Henson
Executive Director