



Finding of Emergency and Statement of Proposed Emergency Regulatory Action

Readoption of Emergency Action to Amend Sections 150.06, and 150.16 Title 14, California Code of Regulations

Re: Rescinding of Select Commercial Groundfish Management Measures

December 16, 2025

I. Emergency Regulations in Effect to Date

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

On August 21, 2025, the Office of Administrative Law approved (OAL #2025-0811-05E) the California Department of Fish and Wildlife (Department's) emergency action amending sections 150.06, and 150.16. 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 concern no longer exists, groundfish stocks and the associated depth-based restrictions and prohibition on the retention of non-nearshore are unwarranted. The adopted emergency regulations temporarily (for 180 days) set aside those restrictions thus allowing the fleet to resume normal fishing activities.

Background

The Department works with the National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), the states of Oregon and Washington, and the Pacific Fishery Management Council (PFMC) to manage West Coast groundfish recreational and commercial fisheries, including off the coast of California, on a sustainable basis. One of the groundfish species, quillback rockfish has driven management actions taken recently.

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

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as overfished¹, resulting in constraining state and federal regulations being implemented.

In summary, these included the following commercial groundfish state regulations.

- Section 150.06 defined the California Groundfish Restriction Area (CGRA) as the area north of 37° 07' N latitude and between the 20-fathom boundary line and the seaward extent of the Exclusive Economic Zone. Further, this section prohibited the take and retention or possession of non-nearshore federal groundfish within the CGRA, except for the purposes of continuous transit.
- Section 150.16 established trip limits are for commercial take of groundfish. The table in subsection (e)(5)(A) provided trip limits in the area where the CGRA was in effect, between 42° (Oregon/California border) and 37° 07' N latitude. While the table in subsection (e)(5)(B) provided trip limits for the area south of 37° 07' N latitude. Further, north of 37° 07' N latitude, subsection (f)(1) prohibited the take of all other groundfish for which trip limits are not specified in (e)(5)(A), except for purposes of continuous transit and an allowance for the take of yellowtail rockfish by salmon trollers. Subsection (f)(2) extended federal trip limits for all other non-nearshore groundfish into state water south 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 2025 assessment indicates a substantially higher allowable harvest limit than the current allowable harvest limit. For example, the new stock assessment estimates an Overfishing Limit, which is the estimate of the amount that can be caught without risking depletion of the stock, of 13.52 metric tons (mt), a significant increase from the 1.50 mt set in federal regulations based on the 2021 data-moderate assessment. Despite the improved stock health, the amount of quillback rockfish available to harvest is insufficient to permit retention and therefore quillback rockfish will remain prohibited.

In response to the new information provided by the 2025 quillback rockfish stock assessment, the Department undertook an emergency rulemaking to remove unwarranted constraints (Figure 1). The emergency regulations, currently in effect, included, in summary, the following modifications:

¹ “Overfished” describes any stock or stock complex whose size is sufficiently diminished that a change in management practices is required to achieve an appropriate level and rate of rebuilding. The term generally describes any stock or stock complex determined to be below its overfished/rebuilding threshold. The default proxy is generally 25 percent of its estimated unfished biomass; however, other scientifically valid values are also authorized.

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- Subsection 150.06(a) was amended to remove the CGRA;
- Subsection 150.16(e)(5)(A) was amended to apply between 42° and 40° 10' N latitude and added provisions for the take of lingcod and the other flatfish complex, and all other federal groundfish;
- Subsection 150.16(e)(5)(B) was amended to apply south of 40° 10' N latitude and added provisions for the take of lingcod and the other flatfish complex, and all other federal groundfish;
- Subsection 150.16(e)(5)(C) was amended to correctly reference the subsection for the required notice period;
- Subsection 150.16(f)(1) was amended to extend federal trip limits for non-nearshore groundfish stocks (excluding lingcod and the other flatfish complex) into state waters;
- Subsection 150.16(f)(1)(A) and (f)(1)(B) were deleted due to the removal of the GRCA;
- Subsection 150.16(f)(2) was amended to extend federal trip limits for lingcod and the other flatfish complex (as specified in Tables 2b (North) and 2b (South) to Part 660, Subpart E, Title 50 CFR (Rev. 7/21/2025), incorporated by reference, and Tables 3b (North) and 3b (South) to Part 660, Subpart F, Title 50 CFR, (Rev. 7/21/2025), incorporated by reference) into state waters; and,
- Subsection 150.16(g) was added to specify that state and federal trip limits are not additive.

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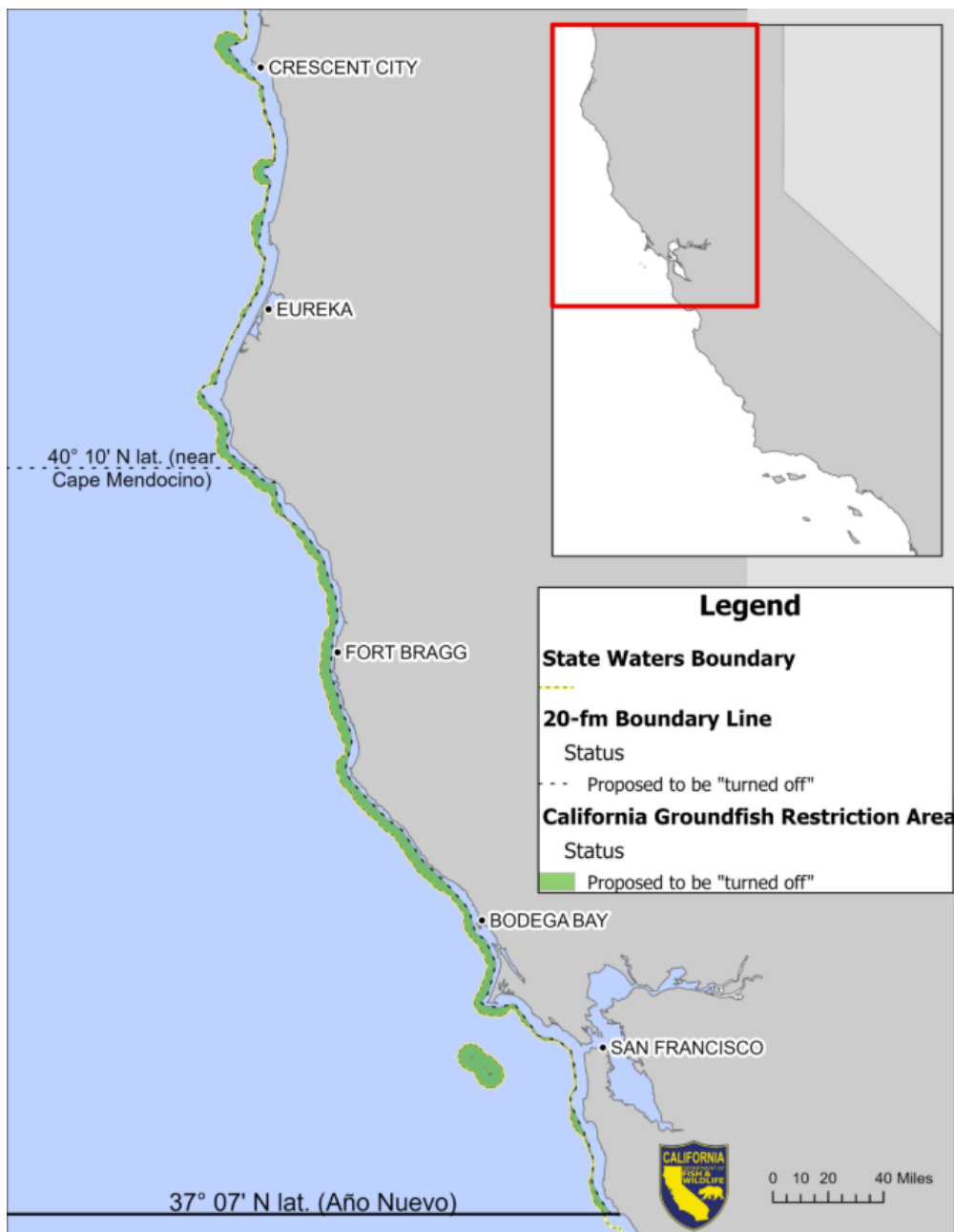


Figure 1. Map of the emergency regulations, effective August 21, 2025, which rescinded application of or “turned off” the CGRA and associated 20-fathom boundary line north of 37° 07' N latitude. Near Cape Mendocino, 40° 10' N latitude is also displayed because each trip limit table was modified to apply north and south of that latitudinal line. However, the trip limit amounts authorized did not change.

II. Request for Approval of Readoption of Emergency Regulations

The emergency regulations currently in effect will expire on February 17, 2026. If approved, this proposed action to readopt the emergency will extend the emergency regulations an additional 90 days. It is anticipated that a standard rulemaking to permanently adopt these commercial groundfish management measures will be submitted by the Department in early 2026, at which time the Department may

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authorize publication of a notice of its intent to adopt the regulations. It is expected that the permanent regulations would become effective in May 2026.

The continuation of the emergency action is necessary to reduce unnecessary harm to the general welfare, nearshore fishery participants, commercial groundfish fishery and the coastal economies that rely upon them until a permanent regulation can be implemented. With this readoption, the Department proposes modifications to the regulatory text that are substantially equivalent to that which were authorized under the emergency regulations. Rather, the proposed amendments are in response to changes in federal regulation, which removed federal constraints implemented to protect quillback rockfish.

Specifically, federal regulations no longer specify trip limits for lingcod and the other flatfish complex to a specific portion of federal waters. Since federal trip limits for these groups now apply to the entirety of federal waters, 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 through the emergency action, may now be removed. As a result, the regulatory text is proposed to be amended to that which extended federal trip limits for non-nearshore groundfish stocks into state waters and was in place prior to the emergency action. Thereby reducing regulatory complexity, for both commercial groundfish participants and enforcement.

Similarly, on September 18, 2025, the NMFS promulgated the PFMC's recommendation, an inseason regulation (90 Federal Register 44998) which removed federal regulatory constraints that were implemented to protect quillback rockfish. Of importance to this action, federal regulations no longer specify that the trip limits for lingcod or the other flatfish complex may only be taken in a specific portion of federal waters. As a result, amendments to the emergency regulations are proposed to reduce regulatory complexity.

Readoption of Section 150.06

The Department does not propose any change to the presently adopted emergency text of Section 150.06. Those changes were justified as follows:

Subsection 150.06(a) was amended to delete, thus rescinding, the application of the CGRA north of 37° 07' N latitude (Año Nuevo), though the defined purpose of the CGRA remains in regulation. This is necessary because it is no longer needed, though should it be needed for future management purposes, it could be reimplemented or "turned on."

Subsection 150.06(b) was amended adding clarification that the continuous transit provision applies when the CGRA is in effect or in other closed waters. This change is necessary because the CGRA is proposed to be removed and increased clarity is needed that this provision would apply in other closed waters (e.g., no-take Marine Protected Area).

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Subsection 150.06(c) was amended to specify that season closure(s) due to quota attainment for federal groundfish will extend federal trip limits into all state waters, statewide. Therefore, the limitation to waters south of 37° 07' N lat. (Año Nuevo) is deleted. This change is necessary because the proposed regulations would extend federal trip limits into state waters, statewide.

Proposed Amendments with Readoption of Section 150.16

Because of the changes to federal regulations, Section 150.16, as previously amended and adopted as an emergency, is proposed for readoption with the following closely related amendments.

- Changes are necessary to the table in subsection 150.16(e)(5)(A) to increase clarity and reduce regulatory complexity, while also complimenting recent federal action. The following modifications are proposed to the table:
 - Part 2 “California scorpionfish” the footnote “1” is deleted. This footnote is redundant as subsection (g) accomplishes this for all groundfish.
 - Part 8 “Lingcod and other flatfish complex” (added in the emergency text) is proposed to be deleted because of the recent federal inseason action, which removed the area specific designation for trip limits of lingcod and the other flatfish complex.
 - Part 9 “all other federal groundfish” is renumbered Part 8 and footnote “2” is removed, replaced by “(defined in Section 1.91)”.
 - Footnotes “1” and “2” below the table are deleted, as they were removed or replaced in the above modifications.
- Changes are necessary to the table in subsection 150.16(e)(5)(B) to increase clarity and reduce regulatory complexity, while also complimenting recent federal action. The following modifications are proposed to the table:
 - Part 2 California scorpionfish the footnote “1” [the superscript is mistakenly missing] is deleted. This footnote is redundant as subsection (g) accomplishes this for all groundfish;
 - Part 8 “Lingcod and other flatfish complex” (adopted in the emergency text) is proposed to be deleted because of the recent federal inseason action, which removed the area specific designation for trip limits of lingcod and the other flatfish complex;
 - Part 9 “all other federal groundfish” is renumbered Part 8 and footnote 2 is removed, replaced by “(defined in Section 1.91)”.
 - Footnotes “1” and “2” below the table are deleted, as they were removed or replaced in the above modifications.

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- Subsection (e)(5)(C) is proposed for non-substantial amendment to remove “as defined in 14 CCR 1.91(a)(1)” and replaced with “(subsection 1.91(a)(1))”.
- Subsection (f) is proposed to be amended to extend federal trip limits for all non-nearshore groundfish into state waters. With the recent federal inseason regulatory changes, 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 amended, extends federal trip limits into state waters and applies to all federal groundfish. This is necessary to reduce regulatory complexity and complement federal regulations.
- Subsection (f)(1) is proposed to be deleted as it is no longer necessary to extend federal trip limits for some groundfish stocks (excluding lingcod and the other flatfish complex) into state waters due to the amendment of subsection (f).
- Subsection (f)(2) is proposed to be deleted since it is no longer necessary to extend trip limits only for lingcod and the other flatfish complex into state waters due to the federal inseason change allowing for these trip limits to be taken in all federal waters and amendment of subsection (f). Subsequently, the federal Tables 2b (North) and 2b (South) and Tables 3b (North) and 3b (South) incorporated by reference are deleted. These tables are no longer necessary as the federal trip limits now apply to the entirety of federal waters, no longer a discrete portion thereof.

Prior Necessity Statements for Emergency Regulations – Approved August 21, 2025

Aside from the amendments in section 150.16 subsections (e)(5)(A), (e)(5)(B), (e)(5)(C), (f), (f)(1) and (f)(2), noted above, the following explanations, by subsection, were reflected in the emergency statement for the original emergency and remain unchanged.

Section 150.16

Subsection 150.16(e)(5)(A) was amended to specify trip limits between 42° N latitude (Oregon/California border) and 40° 10' N latitude (near Cape Mendocino), remove references to the CGRA in Section 150.06 and clarify where trip limits for lingcod, the other flatfish complex and all other federal groundfish may be found. These changes were necessary because the CGRA was removed, as a result, it was no longer necessary to specify trip limits within the areas to which it previously applied, provide location reference to the latitudinal lines and to add clarity as to where regulatory text pertaining to lingcod, other flatfish complex and all other federal groundfish may be found. To accomplish this, Subsection 150.16(e)(5)(A) Table parts:

- 1 through 5 were not changed;
- 6 and 7 were deleted;
- 8 and 9 were renumbered 6 and 7;
- 8 was added to provide provisions for lingcod and the other flatfish complex;

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- 9 was added to provide provisions for all other federal groundfish; and,
- 10, 11 and 12 were deleted.

Subsection 150.16(e)(5)(B) was amended to specify trip limits south of 40° 10' N latitude and clarify where trip limits for lingcod, the other flatfish complex and all other federal groundfish may be found. These changes were necessary because the area to which subsection 150.16(e)(5)(A) applies was amended, provide location reference to the latitude line and to add clarity as to where regulatory text pertaining to lingcod, the other flatfish complex and all other federal groundfish may be found. To accomplish this, Subsection 150.16(e)(5)(B) Table parts:

- 1 through 7 were not changed.
- 8 was amended to provide provisions for lingcod and the other flatfish complex; and,
- 9 was added to provide provisions for all other federal groundfish.

Subsection 150.16(e)(5)(C) was amended to correct a non-substantive error changing the reference for the required notice period from (e)(6)(C) to the appropriate subsection (e)(5)(D).

Subsection 150.16(f)(1) was amended to establish commercial trip limits for all other non-nearshore groundfish, except lingcod and the other flatfish complex, by using state authority to extend federal trip limits into state waters, statewide. This change was necessary because previously federal trip limits were only extended south of 37° 07' N latitude. Additionally, federal trip limits for lingcod and the other flatfish complex cannot be included in this subsection because they were only specified in a portion of federal waters (and zero for the remainder of federal waters) to the north. While in the south federal trip limits for lingcod and the other flatfish complex are specified in all federal waters. It was necessary to exclude lingcod and the other flatfish complex from this subsection so that this ambiguity can be addressed in subsection (f)(2).

Subsection 150.16(f)(1)(A) was deleted. This change was necessary because application the CGRA in subsection 150.06(a) was proposed to be rescinded (i.e., “turned off”), as a result a continuous transit exception for the possession of groundfish within the CGRA was no longer needed.

Subsection 150.16(f)(1)(B) was deleted. This change was necessary because application the CGRA has been rescinded (i.e., “turned off”) and therefore an exception for retention of yellowtail rockfish by salmon trollers within the CGRA was no longer needed.

Subsections 150.16(f)(2) was amended to extend federal trip limits for lingcod and the other flatfish complex into state waters, irrespective if the limit is only specified for a portion of federal waters, utilizing the state’s authority. This change was necessary to

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remove ambiguity whether a trip limit is extended into state waters in instances where the federal trip limit was limited to a certain area.

Subsection 150.16(g) was added to specify that vessels fishing in both state and federal waters are not entitled to additive trip limits. This change was necessary to ensure vessels fishing in both state and federal waters do not take double the allowable limit.

Subsection 150.16(g) was renumbered to (h). This was necessary due to the addition of (g).

Subsection 150.16(h) was renumbered to (i). This was necessary due to the renumbering of (h).

III. Statement of Facts Constituting the Need for Readoption of Regulatory Action

The emergency action has resulted in the desired effect of preserving the general welfare of commercial fishermen, the nearshore fishery, and local communities that supports them, and more broadly to the state. The proposed modifications to Section 150.16 includes amendments to subsections extending federal trip limits for non-nearshore groundfish stocks into state waters. This would result in reducing regulatory complexity, without changing permitted activities authorized by the emergency regulation.

The proposed readoption of the emergency action, with these modifications, is necessary to avoid unnecessary harm to the general welfare, reduce regulatory complexity and compliment recent changes to federal regulations. Further, with readoption of the emergency regulations, the Department will be able to complete a standard rulemaking.

IV. Existence of an Emergency and Need for Immediate Action

Given the updated scientific information, immediate action is necessary to avoid serious harm to the general welfare. The depth regulations in place prior to the emergency action constrained commercial fishing efforts to a limited area of the State's waters. Under the emergency regulations currently in place, roughly 200 active commercial nearshore permittees may once again retain non-nearshore groundfish. Preliminary estimates indicate that the prohibition on non-nearshore stocks in state waters may have resulted in a decrease of ex-vessel revenue to nearshore participants in the affected area of approximately 35 percent. This lost revenue may have helped offset operational costs (e.g., bait, ice, fuel, slippage, etc.) and may be contributing to a decrease in nearshore groundfish landings in the affected area, when compared to the three-year average preceding the emergency action taken in 2024.

Without the Department's re-adoption of the emergency action, regulations would revert back to unneeded, more constraining regulations. This would result in serious economic harm to the commercial fishermen, the nearshore fishery and coastal communities that rely upon them. Additionally, the proposed regulations are likely to result in reduced carbon emissions as commercial groundfish participants who do not hold nearshore

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permit(s) could fish in state waters, reducing the required travel distance to access fishing grounds. Taken together, the proposed actions would avoid serious harm to the general welfare of the State.

V. Readoption Criteria Same as or Substantially Equivalent

Pursuant to Government Code subdivision 11346.1(h), a readoption may be approved only if the text is “the same or substantially equivalent to an emergency regulation previously adopted by that agency.” The language proposed for this rulemaking is substantially equivalent as the language of the original emergency regulation and would result no changes to permissible activities authorized by the previously adopted emergency regulations.

Substantial Progress

Government Code subdivision 11346.1(h) specifies that “readoption shall be permitted only if the agency has made substantial progress and proceeded with diligence to comply with subdivision (e)” [sections 11346.2 through 11347.3, inclusive]. A standard rulemaking is currently underway and will be noticed in early 2026.

Proposed Action by the Department

The Department proposes the readoption of the emergency action amending Section 150.06. Because of the changes to federal regulations, Section 150.16, as previously amended and adopted as an emergency, is proposed for readoption with the closely related amendments.

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

This re-adoption of the emergency rulemaking will not result in any costs or savings to local agencies or school districts and does not affect federal funding to the state. No additional costs or savings to the state are anticipated. The Department has determined that the re-adoption of the commercial groundfish emergency action will not affect license revenue or the Department’s existing level of monitoring and enforcement activities. Additionally, no other state agencies would be affected by this regulatory action.

(b) Nondiscretionary Costs/Savings to Local Agencies: None.

(c) Programs Mandated on Local Agencies or School Districts: None.

(d) 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.

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(e) Effect on Housing Costs: None.

VII. Technical, Theoretical, and/or Empirical Studies, Reports, or 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, OR.

<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/>

VIII. 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.

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Informative Digest/Policy Statement Overview

(Gov. Code, § 11346.5, Subd. (A)(3))

The California Department of Wildlife (Department) proposes readoption of the emergency regulations which rescinded select commercial groundfish management measures that are no longer needed based upon updated scientific information. If not re-adopted for an additional 90 days, on February 17, 2026, the emergency regulations currently in place would revert back to the more constraining regulations which were in place previously.

With the Department's proposed readoption, removal of the California Groundfish Restriction Area (CGRA) and associated 20-fathom boundary line would be maintained. Subsection (f) is proposed to be amended to extend federal trip limits for all non-nearshore groundfish into state waters. 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 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 pretraining to lingcod and the other flatfish complex in Section 150.16. 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. Through the Department's proposed readoption, the emergency regulations will be extended an additional 90 days. During this time, the Department is working towards a standard rulemaking (Certificate of Compliance) which would establish the emergency regulations permanently.

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.

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,

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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 the proposed readoption, the Department is continuing the process to remove these unwarranted constraints permanently.

Benefits of the Proposed Regulation

This proposed readoption of the emergency regulation 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 emergency 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, 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.

Consistency and Compatibility with Existing Regulations

The Legislature may delegate to Department such powers relating to the protection and propagation of fish and game as the Legislature sees fit. Department staff has searched the California Code of Regulations and has determined that other state regulations that apply to groundfish species 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

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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.