



P.O. Box 944209
Sacramento, CA 94244-2090
wildlife.ca.gov

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE NOTICE OF PROPOSED RULEMAKING ACTION

AMEND SECTIONS 650, 672, 672.1, 672.2, INVASIVE MUSSELS, TO TITLE 14 OF THE CALIFORNIA CODE REGULATIONS

In accordance with Fish and Game Code sections 2301, 2302, and 2303 the Department of Fish and Wildlife (Department) proposes to amend sections 650, 672, 672.1, 672.2, Invasive Mussels, to Title 14 of the California Code of Regulations. The proposed amendments expand the scope of the existing regulations to encompass all invasive mussel species, thereby ensuring consistency with the Fish and Game Code (FGC) as amended by Assembly Bill 149. The proposed amendments also include management measures for watercraft removed from invasive mussel infested waters and establish a departmental list of conveyance service providers that adhere to the Department's standard for inspection and decontamination. Additional minor changes are proposed for clarity and consistency. The proposed changes are necessary to incorporate components of prevention and containment to limit the spread of invasive mussels in California and to other states.

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 on August 18, 2026. Instructions for participation in the webinar/teleconference hearing will be posted at <https://wildlife.ca.gov/Notices/Regulations/Invasive-Mussels> at least seven days in advance of the meeting.

WRITTEN COMMENT PERIOD

Written comments may be submitted at any time before or on August 18, 2026, by mail or email to the contact as follows:

California Department of Fish and Wildlife
Regulations Unit
Attn: Daphne Nandino, Regulatory Scientist
P.O. Box 944209

Sacramento, CA 94244-2090

Email: Regulations@wildlife.ca.gov

AUTHORITY AND REFERENCE

Section 650

Authority: Sections 702, 1002, 1002.5, 1003, 1050, 2860 and 4810, Fish and Game Code.

Reference: Sections 14, 22, 33, 45, 51, 54, 56, 79, 80, 86, 88, 89.5, 703.3, 710.5, 711.7, 713, 1001, 1002, 1006, 1008, 1017, 1050, 1050.1, 1050.3, 1050.5, 1052, 1054, 1054.2, 1603, 1700, 1755, 1764, 1801, 1802, 1907, 2000, 2000.5, 2002, 2010, 2012, 2013, 2021, 2080, 2081, 2301, 2302, 2303, 2353, 2582, 2583, 2835, 3007, 3503, 3503.5, 3511, 3960.4, 4004, 4150, 4155, 4700, 4810, 5050, 5515, 8598.3 and 12000, Fish and Game Code; Section 597, Penal Code; and Sections 36602 and 36710, Public Resources Code.

Section 672

Authority: Sections 702 and 2301, Fish and Game Code

Reference: Section 2301, 2302, and 2303, Fish and Game Code

Section 672.1

Authority: Section 702, 2301 and 2302, Fish and Game Code

Reference: Section 2301, 2302 and 2303, Fish and Game Code

Section 672.2

Authority: Section 702, 2301 and 2302, Fish and Game Code

Reference: Section 2301 and 2302, Fish and Game Code

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Unless otherwise specified, all section and subsection references in this document are to Title 14 of the California Code of Regulations (CCR), "Department" refers to the California Department of Fish and Wildlife.

This proposal amends sections 650, 672, 672.1, and 672.2 to expand the scope of the existing regulations to encompass all invasive mussel species, thereby ensuring consistency with the revised Fish and Game Code (FGC) established by Assembly Bill 149 (AB 149). The proposed amendments incorporate components of prevention and containment to limit the spread of invasive mussels in California and to other states. Additionally, the proposal amends forms DFW 1014, 1015, 1016 and creates a new form DFW 1013.

The Department established an Invasive Species Program in 2000 to provide technical coordination and leadership on invasive species management in the Delta under CALFED.

The discovery of quagga mussel in 2007 and zebra mussel in 2008 expanded the program statewide and added dedicated staff across the state to implement the Department's new authorities (FGC, §§ 2301 and 2302, CCR, tit. 14, §§ 672, 672.1, and 672.2) to work with water managers, coordinate with other departments, and lead outreach and education to the public with the collective goal to prevent the spread of dreissenid mussels.

Golden mussel was first detected in the Sacramento-San Joaquin Delta in October 2024. Since its discovery, golden mussel has spread through water conveyance systems to southern California. Golden mussel can tolerate a wider range of environmental conditions than dreissenid mussels (quagga and zebra mussels) including less calcium, higher salinity, and warmer water temperatures. Nearly all waters of California are conducive for golden mussel establishment.

Golden mussel and dreissenid mussels are referred to collectively as invasive mussels. Invasive mussels have significant negative impacts on the environment, economy, and water infrastructure.

Effective upon the Governor's signature on September 17, 2025, AB 149 amended FGC sections 2301 and 2302, and created FGC section 2303. FGC sections 2301, 2302, and 2303 focus on reducing the impacts of invasive mussels on California's environment, economy, and infrastructure. The bill expands the scope of the provisions related to "dreissenid" mussels to "invasive" mussels, defining "invasive mussels" as any nonnative detrimental mussel species capable of spreading in freshwater, as specified in FGC section 2118.

The proposed regulation changes are necessary to align regulations with current state law both in terminology and scope. The mission of the Department includes protecting natural resources for their use and enjoyment by the public, and these FGC sections specify the authority of the Department in carrying out that mission relative to invasive mussels, as well as water managers' and the public's responsibilities. These regulations support the statewide effort to contain all species of invasive mussels and prevent their overland spread, and subsequent negative impacts, to minimize further impacts to uninfested waters and water supply systems of the state.

Proposed Amendments

The proposed regulations would:

- Rename Section 672 from "Possession, Importation, and Transportation of Dreissenid Mussels" to "Invasive Mussel Definitions and General Provisions".
- Replace all occurrences of "dreissenid" to "invasive" to align with the amended FGC code. The proposed regulations also add definition of "invasive mussels".
- Require conveyance owners or operators to inspect the conveyance and drain all water after leaving a waterbody.

- Add a cancellation process for invasive mussel permits.
- Increase the maximum timeline for the Department to review and provide comments on submitted control plans to 180 calendar days from 60 business days and allow the Department 180 calendar days for review and to provide comments on the submitted control plan.
- Require control plans that were previously approved by the Department prior to December 31, 2025, to be revised to include all species of invasive mussels by September 30, 2027.
- Add "systematic" to describe the monitoring for a control plan. Systematically monitoring populations of invasive mussels is key to understanding their infestation within a waterbody and documenting any population changes.
- Add maintenance and operation for control plan activities that do not require a separate permit from the Department and further specify for possession, collection, transport, analysis, or research conducted within the water supply system.
- Establish the requirement that a waterbody must have no invasive mussel detections for five years through systematic monitoring conducted under an approved control plan in order to be removed from the list of mussel infested waters maintained by the Department.
- State that the systematic monitoring schedule will be defined by the Department, in consultation with the water manager.
- Change the prevention plan requirement from "waterbody" to "reservoir".
- Add "other parties" to those that may be delegated conveyance quarantine authority and "portions of the authority" for delegation by the Department.
- Require that state agencies or parties issuing quarantines notify the Department immediately upon issuance of a quarantine by transmitting the quarantine notice via email to the Department.
- Require conveyances that have been in invasive mussel-infested water for more than four consecutive nights to be inspected by the Department upon removal.
- Require conveyance owners or operators to schedule an inspection with the Department a minimum of seven days in advance of the inspection and provide contact information for the Invasive Species Program. An exception is provided for conveyances that are stored onsite, not transported overland elsewhere, and relaunch at the same site. A conveyance does not present a risk of introduction to uninfested waters if it is removed from the water, not transported elsewhere, and relaunches at the same ramp.

- Outline the requirements for a business to be added and kept on a Department maintained list of businesses that inspect and/or decontaminate conveyances to the standard set by the Department, which is for conveyances to have no invasive mussels present. Businesses being on this list is voluntary. The Department is not responsible for any costs of a business being listed. Additionally, businesses are responsible for training employees and meeting the Department standard of having no invasive mussels present on conveyances. Accepted methods are outlined and implementation of these methods will be detailed in the required Department training. Businesses must report any detections of invasive mussels to the Department immediately. The proposed regulation gives businesses the option to remove themselves from the list and outlines the requirements for a business to be added to the list, for a business to remain on the list, and for the Department to remove a business from the list.
- Amend form DFW 1014 and rename it to “Invasive Mussel Permit Application”, change “dreissenid” to “invasive” to align with current FGC, and change the date on the form to 09/01/26.
- Amend form DFW 1015 to change “dreissenid” to “invasive” to align with current FGC and change the date on the form to 09/01/2026.
- Amend DFW 1016 to change the date on the form to 09/01/26 for consistency with related forms DFW 1014 and DFW 1015.
- Add new form DFW 1013 to provide businesses a form to request to be added, removed, or submit changed information for the Department business list.

Finally, other minor changes are proposed for clarity and consistency.

Benefit of the Regulations

This proposal aims to apply to all invasive mussel species making regulations consistent with the amended FGC. The proposed regulation changes not only update the regulations to reflect today's reality but also include a component of proactivity to be inclusive of new invasive mussel threats that may not be present in California, or the United States, currently.

The proposal includes management of watercraft removed from invasive mussel infested waters. Managing watercraft will contain invasive mussels from spreading thereby preventing irreparable impacts to natural resources, increased maintenance costs in perpetuity to manage biofouling of infrastructure, and protection of public safety via water security, flood protection, and hydropower generation.

Additionally, the proposal includes a new Department list of conveyance service providers that inspect and/or decontaminate conveyances to the Department's standard. Being on the list is voluntary and businesses do not need to be on the list to provide conveyance

inspections or decontaminations to the public. This allows the Department to direct quarantined conveyance owners or operators to the list of private businesses or non-profits that offer decontamination services that meet the Department's standard. This will help ensure owners or operators receive adequate decontamination services and may lead to reduced quarantine time. Waterbody managers may also accept the services provided by those listed which will increase recreational boating opportunity for the public and reduce workload for individual waterbody managers implementing inspection or decontamination services.

Consistency and Compatibility with Existing Regulations:

The Legislature has delegated authority to the Department to adopt regulations regarding prohibitions and management of invasive mussels (FGC, § 2301). The Department has reviewed existing regulations in Title 14, California Code of Regulations (CCR) and finds that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. Department staff have searched the CCR and have found that no other regulations set forth the requirements in the Department's proposed regulation. The Department has searched the Code of Federal Regulations (CFR) and, pursuant to California Government Code section 11346.2(b)(6), has determined that the proposed regulations avoid unnecessary duplication and do not conflict with federal regulations contained in the CFR.

DOCUMENTS INCORPORATED BY REFERENCE:

- Invasive Mussel Permit Application Form (DFW 1014, REV 09/01/26)
- Quarantine Notice Form (DFW 1015, REV 09/01/26)
- Administrative Penalty Form (DFW 1016, REV 09/01/26)
- Department Business List Request Form (DFW 1013, NEW 09/01/26)

DOCUMENTS RELIED UPON:

- State of California. 2025. Golden Mussel Response Framework. April 14, 2025. Available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=231231&inline>.

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 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 Department does not anticipate any adverse economic impacts to businesses that would affect their ability to compete with businesses from other states as a result of these regulations to manage invasive mussels. The proposed regulations do not impose costs that would create an adverse economic impact.

Upon the effective date of AB 149, on September 17, 2025, any person, or federal, state, or local agency, district, or authority that owns or manages a reservoir, as defined, where recreational, boating, or fishing activities are permitted, except as specified, is required to develop and implement a program designed to prevent the introduction of invasive mussels. "Invasive mussel", per AB 149, is any nonnative detrimental mussel species that is capable of spreading in freshwater.

The bill also requires any agencies that operate water supply system(s) to work with the Department to prevent, control, or eradicate invasive mussels within the system. While these provisions may induce economic and fiscal costs to entities or agencies that operate waterways, they are considered to be impacts caused by the legislation and not a direct result of the regulation. Additionally, the cost of compliance for these operators is similar to the costs of operators in other states that have similar invasive aquatic species management programs, including Oregon and Washington.

(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 anticipates positive economic impacts to the creation of jobs within the state, the creation of businesses within the state, or the expansion of businesses within the state as a result of these regulations to manage invasive mussels. The proposed regulations do not impose costs that would create an adverse economic impact that would affect jobs in the affected sector, the boating industry.

The Department's list of businesses that volunteer to implement the Department's standard for conveyance inspection and decontamination may incentivize the creation or expansion of businesses or jobs in this industry in California. However, businesses do not need to be on the Department list in order to provide conveyance inspection or decontamination services to the public. Since being on the list is voluntary, the Department does not anticipate any adverse economic impacts or imposed costs that would affect jobs in the boating industry.

While the proposed regulations provide no benefits to the health and welfare of California residents or to the safety of the state's workers, they do provide benefits to the state's environment. The proposed regulatory updates reflect today's reality and include a component of proactivity to be inclusive of new invasive mussel threats that may not be present in California, or the United States, currently.

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

The Department anticipates some cost impacts to a representative private person or business as a result of these regulations. The proposed regulations impose costs that would create an adverse economic impact that would affect an individual or business, as the proposed regulations include a requirement to self-inspect conveyances when removed from the water and a requirement to schedule a Department inspection for conveyances that have been in infested waters for more than four consecutive nights.

The Department estimates that the value of the recreation time lost as the following:

- Reporting requirement: estimated 1 hour per report, 500 reports x 1 hour x \$3.79/hour = \$1,895/year
- Self-inspections: 15 minutes per watercraft, ~ 13 million launches x 0.25 hours x \$3.79/hour = \$12,317,500/ year
- Quarantine: 200 boats (watercraft that are moored for over 4 consecutive nights) x 23 days for average quarantine x \$90.97/day (200 boats initially, 100 annually for the two years after) = \$418,462 for first year and \$209,231 per year after.
- The value of recreational days is \$90.97 (or \$3.79/hour), which is adjusted for inflation from US Forestry Service's value of \$69 in 2018 ([Understanding the value of recreation | US Forest Service](#)).

AB 149 would create cost impacts through the creation of invasive mussel infestation prevention fees due in the 2026 calendar year. The fees will be administered by the California Department of Motor Vehicles and California States Parks, Division of Boating and Waterways, and are subject to adjustment for inflation for each subsequent year. Thus, this fee creation is an impact caused by the legislation and not a direct result of proposed regulation.

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

It is expected that the proposed regulations will have the following fiscal impact on the Department's budget:

- 9 full-time Lieutenant Specialists for \$162,689/year to conduct inspections for the Department. These are new and the Department does not have funding in the current budget appropriated for them and would need to have funds allocated to fill them. Total fiscal impact is \$1,464,201 annually.
- Program costs for 2 Environmental Scientists at 50% of annual time (\$114,957 for combined time) and 6 Environmental Scientists at 25% of annual time (\$172,435.50

for combined time) at \$114,957/year for B classifications. These positions already exist and the time requirements can be absorbed into the Department's existing budget via Prop 4 funding for the next three years.

Combined, the total annual fiscal impact is approximately \$1,636,636.50, with \$1,464,201 requiring new funding.

(e) Nondiscretionary Costs/Savings to Local Agencies

AB 149 requires any agencies that operate water supply system(s) to work with the Department to prevent, control, or eradicate invasive mussels within the system. While these provisions may induce economic and fiscal costs to entities or agencies that operate waterways, they are impacts caused by the legislation and not a direct result of the proposed regulation.

(f) Programs Mandated on Local Agencies or School Districts

There are no programs mandated on local agencies or school districts with this proposed regulation. With the passage of AB 149, the mandate of the Department for reviewing plans to prevent and manage infestations of invasive mussels (not just dreissenid mussels) represents a mandate requiring compliance by entities or agencies that operate waterways; however, these impacts are caused by the legislation and not a direct result of the proposed regulation.

(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. While AB 149 contains costs mandated by the state, reimbursement for those costs would be made pursuant to the statutory provisions noted therein. For purposes of this Department regulation, such determinations of mandates are considered to be impacts caused by the legislation and not a direct result of the proposed regulation.

(h) Effect on Housing Costs

None.

(i) Effect on Small Business

The proposed regulations may affect small business.

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/>.

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

Daphne Nandino, Regulations Unit

P.O. Box 944209

Sacramento, CA 94244-2090

Telephone: (916) 902-9276

Email: regulations@wildlife.ca.gov

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

Thomas Jensen, Senior Environmental Scientist (Specialist)

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P.O. Box 944209

Sacramento CA 94244-2090

Telephone: (916) 720-1227

Email: regulations@wildlife.ca.gov

As of the date this notice is published, the rulemaking file consists of:

1. STD Form 400

2. Notice of Proposed Action
3. Initial Statement of Reasons
4. Proposed Text of the Regulation: Amend Sections 650, 672, 672.1, 672.2, Title 14, CCR
5. Amended Forms: DFW 1014, DFW 1015, and DFW 1016
6. New Form: DFW 1013
7. Economic and Fiscal Impact Assessment (Form STD 399) and addendum
8. 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 is available online at:

<https://wildlife.ca.gov/Notices/Regulations/Invasive-Mussels>

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 the Regulations Unit at the address above.