

Informative Language for File and Print Rulemaking, Section 150.16, Title 14, CCR Conformance to Federal Commercial Nearshore Groundfish Regulations

Under current regulations, Title 14, California Code of Regulations (CCR) Section 150.16 establishes trip limits, or the amount of fish that may be taken, for nearshore rockfish¹ stocks (which are groundfish) in state waters. State waters are generally defined as the area extending three nautical miles (nm) from shore. Federal regulations, promulgated by the National Marine Fisheries Service (NMFS) govern the take of groundfish stocks, including nearshore rockfish, in federal waters (from three to 200 nm). Because the commercial groundfish fishery and the species they target occur in both state and federal waters, trip limits for nearshore rockfish are similar in both state and federal regulations.

The Director of the California Department of Fish and Wildlife (Department) may repeal or amend any regulation adopted pursuant to Fish and Game Code Section 7652 or any other regulation to conform the regulation to federal regulations pursuant to the Magnuson-Stevens Fishery Conservation and Management Act ("Act," 16 U.S.C. Sec. 1801 et seq.) if the Director finds that this action is necessary to achieve optimum yield in California. Government Code, Title 2, Division 3, Part 1, Chapter 3.5 - "Administrative Regulations and Rulemaking" does not apply to Section 7652.2 of the Fish and Game Code.

Proposed amendments to Section 150.16 include increased trip limits for nearshore rockfish that optimize fishing opportunity. Specifically, take of quillback rockfish would once again be permitted, with a trip limit of 300 pounds per two-month period. For copper rockfish north of 34° 27' N lat. (Point Conception), the sub-trip limit would be removed. While the copper rockfish sub-trip limit of 75 pounds per two-month period would remain in place south of 34° 27' N lat., trip limits for all other nearshore rockfish groups² and black rockfish north of 40° 10' N lat. (near Cape Mendocino) would increase by 1,000 pounds per two-month period.

These adjustments would align state regulations with federal regulations that are anticipated to be effective on or around January 1, 2027. The federal changes to these trip limits were made through a routine biennial process where past commercial fishery performance is measured against new population assessment and harvest limit information. Ultimately, these amendments are intended to increase opportunity where feasible and better achieve optimum yield, while ensuring the groundfish resource is managed in a sustainable manner. Additionally, consistent state and federal regulations for nearshore rockfish are intended to aid enforcement and reduce confusion among groundfish fishery participants as well as the public.

¹ Nearshore Rockfish, which means the following species of rockfish: black rockfish (*Sebastes melanops*), black and yellow rockfish (*S. chrysomelas*), blue rockfish (*S. mystinus*), brown rockfish (*S. auriculatus*), calico rockfish (*S. dallii*), China rockfish (*S. nebulosus*), copper rockfish (*S. caurinus*), gopher rockfish (*S. carnatus*), grass rockfish (*S. rastrelliger*), kelp rockfish (*S. atrovirens*), olive rockfish (*S. serranoides*), quillback rockfish (*S. maliger*), treefish (*S. serriceps*). Cal. Code Regs., tit. 14, § 1.91.

² Includes minor nearshore rockfish north of 40° 10' N lat., shallow nearshore rockfish south of 40° 10' N lat. and deeper nearshore rockfish south of 40° 10' N lat..