Potential State Water Bottom Leasing Regulations – Initial Vetting

Presented November 12, 2026 to the
Marine Resources Committee of the
California Fish and Game Commission

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Outline

1. Context Setting
2. Potential Rulemaking Topics
3. Proposed Timeline
4. Input/Feedback

Today's Goal - Seeking Input

In today's discussion, staff is seeking feedback on:

- *Scope of topics*
- *Timing (2027 versus later)*
- *Any considerations staff should evaluate for March 2027 MRC meeting*

Context Setting

Context: 2026 Commission Activity

Outcome: Marine Resources Committee (MRC) made two recommendations.

March 2026 MRC

- Prioritize workload discussion, recommendations

(1) Support current aquaculture work:

(a) Prepare for 2027 lease renewals,

(b) complete pending amendments,

(c) address lease compliance and accountability,

(d) participate in developing State Aquaculture Action Plan,

(e) complete financial surety template and deployment, and

(f) advance lease applications through enhanced process.

(2) Direct staff to update the lease template

Context: 2026 Commission Activity

March 2026 MRC

- Prioritize workload discussion, recommendations

April 2026 Commission

- Commission approved MRC recommendations

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March 2026
MRC

- Prioritize workload discussion, recommendations

April 2026
Commission

- Commission approved MRC recommendations

April – August 2026
Staff & colleagues

- Work to implement recommendations & learn regulation changes needed to meet directives

Context: 2026 Commission Activity

March 2026 MRC
- Prioritize workload discussion, recommendations

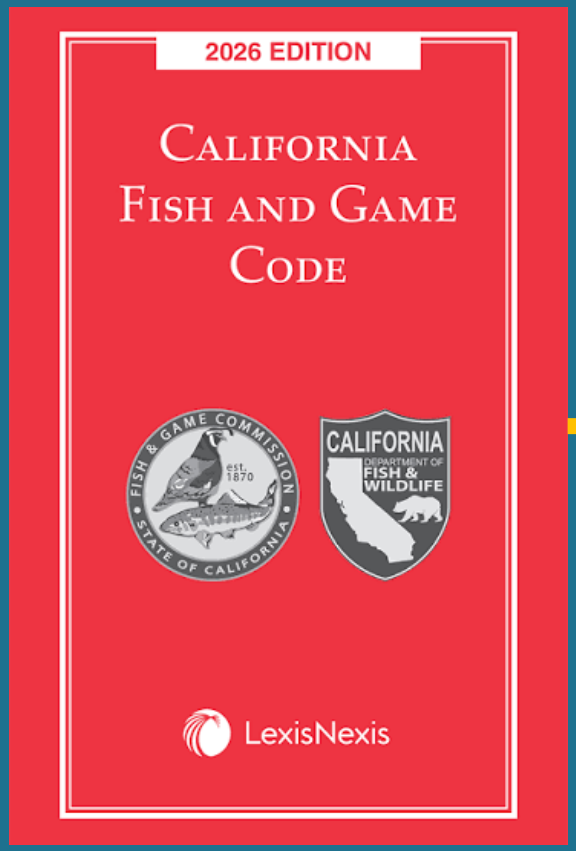
April 2026 Commission
- Commission approved MRC recommendations

April – August 2026 Staff & colleagues
- Work to implement recommendations & learn regulation changes needed to meet directives

October 2026 Commission
- Added aquaculture rulemaking to MRC work plan for vetting and recommendation

Potential Rulemaking Topics

Section 237 of Title 14 Regulations



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§ 237. Leasing of State Water Bottoms for Aquaculture.

Help

14 CA ADC § 237
Barclays Official California Code of Regulations

Barclays California Code of Regulations
Title 14. Natural Resources
Division 1. Fish and Game Commission--Department of Fish and Game (Refs & Annos)
Subdivision 1. Fish, Amphibians and Reptiles (Refs & Annos)
Chapter 9. Aquaculture

14 CCR § 237

§ 237. Leasing of State Water Bottoms for Aquaculture.

Currentness

(a) Definitions. The following definitions are established for terms used in this section:

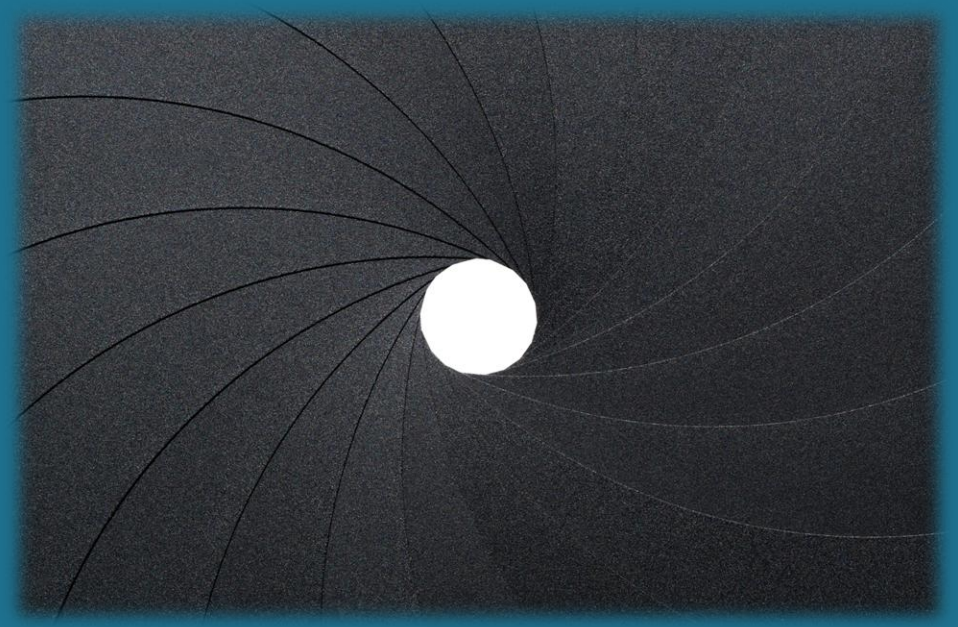
(1) "Aquaculture Area" means any public waters or private waters contiguous to public waters set aside for the purpose of cultivating, harvesting or relaying of any aquatic plant or animal life.

(2) "Aquaculture Agreement" means an agreement for the establishment of an aquaculture area on private water bottoms contiguous to state water bottoms which may include a permit for relaying or depuration of shell fish under authority of Fish and Game Code Division 12. Permits may include use of state or private lands for

Scope of Rulemaking

- Narrow focus: Only what is most needed for applying to lease renewals

- Future rulemaking(s) to address topics not in the 2027 rulemaking



Proposed Rulemaking Topics

2027	Later
Assignment process	Best management practices plans
Length of lease agreements	Culture method terminology – standardize
Production requirements	Rent calculation
Reimbursable contracts for CEQA consulting services	Species and methods – regional regulations informed by programmatic environmental impact report findings
Termination process	
Terms and conditions - standardize	

Overarching Considerations

- Climate change
- Transparency
- Clarity
- Consistency
- Enforceability



Outreach

- Leaseholder meeting
- Individual meetings with community groups, engaged stakeholders
- Today's MRC meeting
- Continued outreach…



Renewals and Proposed Rulemaking

Proposed Rulemaking

- Necessary, irrespective of 2027 renewal path

2027 Lease Renewals

- Staff exploring options
- May require more intensive negotiations

Proposed Timeline

We are here

Nov 2026 MRC

Open discussion

Mar 2027 MRC

Seek MRC recommendation

April 2027 CFGC

Receive MRC recommendation

Jun 2027 CFGC

Notice proposed regulations

Aug 2027 CFGC

Discussion hearing

Oct 2027 CFGC

Adoption hearing

Jan 2028 – April 2028

Regulations effective

Latter half of 2028

Incorporate into lease agreements

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Thank you!

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