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, 255, 265, 313, 5508 and 5509** of the California Fish and Game Code and to implement, interpret or make specific Sections **200, 205, 255, 265, 313, 399, 5508 and 5509** of said Code, proposes to **amend** Sections 27.65 and 28.35, Title 14, California Code of Regulations, relating to **recreational white seabass size limits and fillet lengths.**

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), "Department" refers to the California Department of Fish and Wildlife, and "Commission" refers to the California Fish and Game Commission.

Current Regulations

White seabass are large, highly prized members of the croaker family, found in waters off the west coasts of California and Mexico. The species supports active commercial and recreational fisheries in southern and central California, as well as non-consumptive ocean uses such as recreational diving. White seabass are managed under the White Seabass Fishery Management Plan (WSFMP), adopted by the Commission in 2002. The WSFMP requires annual monitoring and review of the commercial and recreational fisheries and white seabass stock to prevent overfishing or other resource damage. The annual review includes fishery-dependent and fishery-independent data where available, documented changes within the social and economic structure of industries that utilize white seabass within California, information on the harvest of white seabass in Mexican waters, and other relevant data. The most recent white seabass stock assessment showed a decline in spawning stock biomass, and this data corresponds with steadily diminishing landings. Subsequent studies, in collaboration with the Department, found that the size at maturity for female white seabass is substantially larger than the current 28-inch minimum size limit for the commercial and recreational fisheries, with female white seabass reaching 50% maturity at 35 inches total length. These results confirm that the current minimum size limit is allowing for immature females to be harvested prior to the opportunity to spawn, which could have negative implications for the long-term sustainability of the stock. New biological information is a Point of Concern trigger in the WSFMP, as it is now known that white seabass mature seven inches larger than the minimum size limit of 28 inches.

The proposed project would amend sections 27.65 and 28.35 to increase the minimum size limit to allow a proportion of white seabass stock the opportunity to spawn before being caught in the recreational fishery, and update the corresponding fillet length with the increased minimum size limit. The increase in the minimum size limit to 35 inches total length ensures that approximately 50% of white seabass will have reached maturity and had at least one spawning opportunity prior to capture. Ensuring that a large fraction of the population has at least one spawning opportunity will help to maintain recruitment, protect spawning stock biomass, support long-term population stability, and reduce the risk of overfishing. These efforts are intended to strengthen management, improve resilience of the stock, and ensure transparent, science-based decision making.

Current laws governing white seabass are as follows:

- Section 27.65 (a)(4) defines white seabass fillets must be a minimum of 19 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.
- Section 28.35 defines a minimum size limit, season and bag limit for white seabass. Current laws specify that the minimum size limit is 28 inches total length or 20.5 inches alternate length. The season specifies it is open all year and the bag limit is three, except that only one fish may be taken in waters south of Pt. Conception between March 15 and June 15

Proposed Changes

The Department recommends that the Commission amend subsections 27.65(a)(4) and 28.35(a) to increase the minimum size limit of white seabass and the corresponding fillet length.

Specifically, the proposed changes are as follows:

- Subsection 27.65(b)(4) is proposed to be amended to increase the minimum fillet length from 19 to 23.5 inches.
- Subsection 28.35(a) is proposed to be amended to increase the minimum size limit from 28 to 35 inches.

Benefit of the Regulations:

The policy of this state is “to ensure the conservation, sustainable use, and, where feasible, restoration of California’s marine living resources for the benefit of all the citizens of the State” (Fish and Game Code Section 7050(b)). Additionally, the Marine Life Management Act is intended to ensure the conservation, sustainable use, and restoration of California’s marine living resources. The revised regulations would provide white seabass the opportunity to spawn prior to harvest for the recreational fishery. A minimum size limit of 35 inches total length ensures that approximately 50% of white seabass will have reached maturity and have at least one spawning opportunity prior to capture. Ensuring that a large fraction of the population has at least one spawning opportunity will help to maintain recruitment, protect spawning stock biomass, support long-term population stability, and reduce the risk of overfishing.

Consistency and Compatibility with Existing Regulations:

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that the California State Legislature (Legislature) may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission to promulgate recreational fishing regulations (California Fish and Game Code sections 200 and 205). Commission staff has searched the CCR and has found no other state regulations that address the recreational take of white seabass. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has reviewed its own regulations and finds that the proposed regulations are consistent with other recreational fishing regulations in Title 14, CCR, and therefore finds that the proposed

regulations are neither inconsistent nor incompatible with existing state regulations. The Commission 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.

Public Participation

Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before **5:00 P.M. on January 29, 2027** 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 4, 2027.** 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 **East End Complex Auditorium, 1500 Capitol Avenue, Sacramento,** California, which will commence at **8:00** a.m. on **December 15, 2026** and may continue at **8:00** a.m., on **December 16, 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.

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 Agency Headquarters Building, Second Floor, 715 P Street, Sacramento,** California, which will commence at **8:00** a.m. on **February 10, 2026** and may continue at **8:00** a.m., on **February 11, 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 **David Haug** at FGC@fgc.ca.gov or at the preceding address or phone number. **Miranda Haggerty, Environmental Scientist, Marine Region, Department of Fish and Wildlife, mlmafisheriesmgmt@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 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 Commission does not anticipate statewide adverse economic impacts that would affect businesses and impair their ability to compete with businesses in other states. While the Commission anticipates that some Commercial Passenger Fishing Vessels (CPFVs) may face direct impacts from anglers shifting their effort to other species as a result of the proposed minimum length for white seabass, the majority of offshore CPFV trips result in kept fish that are generally above the proposed 35-inch minimum, as shown in Figure 4, which shows the percent frequency of recreational landings of white seabass by length.

(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 related to the creation or elimination of jobs within the state, the creation or elimination of new businesses within the state, the expansion of businesses within the state, or worker safety. The proposed regulation will benefit the state's environment by ensuring that approximately 50% of white seabass have at least one spawning opportunity, which will help to maintain recruitment, protect spawning stock biomass, support long-term population stability, and reduce the potential risk of overfishing. Additionally, the regulation would allow the population to recover, maintain and enhance the marine environment generally by assuring marine biodiversity, and maintain an essential part of the marine ecosystem. The health and welfare of Californians may also benefit from the outdoor recreational opportunities preserved by management of the white seabass fishery.

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

It is anticipated that the primary economic impact of the regulation will be on CPFV businesses that target white seabass. As calculated in answer 1 of Section A of the Economic Impact Statement in the STD 399 Addendum, applying the 150.7 lost trip days to the IOPAC multipliers yields an estimated loss of $136,039.97 in economic output in the CPFV industry, an estimated loss of $60,730.15 in employee wages and proprietor earnings, and what is essentially no losses in employment (0.81781 lost jobs). This results in losses of approximately $1,203.89 in economic output and $537.43 in lost income per vessel when divided among the 113 CPFV vessels that target white seabass.

It must be noted that the results from the IOPAC model do not account for anglers being able to target other high value species, such as California halibut and yellowtail, while aboard a CPFV on a fishing trip, and so should be considered an overestimation of the potential economic impacts.

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

The Commission does not anticipate any costs or savings to State Agencies or to Federal Funding to the State as a result of the proposed regulations. Enforcement of the proposed minimum size for white seabass will fold into the existing duties and budget for the Department.

(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

Melissa Miller-Henson
Executive Director

Dated: November 10, 2026