State of California
Fish and Game Commission
Initial Statement of Reasons for Regulatory Action

Amend Sections 27.65 and 28.35
Title 14, California Code of Regulations
Re: White Seabass Recreational Minimum Size Limit

I. Date of Initial Statement of Reasons: August 24, 2026

II. Dates and Locations of Scheduled Hearings

(a) Notice Hearing:

Date: October 13-16, 2026 Location: Sacramento

(b) Discussion Hearing:

Date: December 15-16, 2026 Location: Sacramento

(b) Adoption Hearing:

Date: February 10-11, 2027 Location: Sacramento

III. Description of Regulatory Action

(a) Statement of Specific Purpose of Regulatory Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary

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.

The proposal amends subsections 27.65(a)(4) and 28.35(a) to increase the minimum size limit of white seabass and the corresponding fillet length.

Background

White seabass are large, highly prized members of the croaker family, found in waters off the west coasts of California and Mexico. White seabass are managed by the state under the White Seabass Fishery Management Plan (WSFMP), adopted by the Commission in 2002. The WSFMP requires annual monitoring and review of commercial and recreational sectors and the 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 data are used to evaluate the status of white seabass relative to six “Points Of Concern” (POC) criteria adopted by the Commission through the WSFMP, to help determine when management measures are needed to address resource conservation issues. The most recent white seabass stock assessment, conducted in 2016, estimated the stock at ~27% of the unfished biomass (627 tons, optimum yield 600 tons) (Valero and Waterhouse 2016). It showed the spawning stock biomass declining after a peak in the early 2000s and estimated that the population recovered in the mid-2000s from

historic lows but subsequently declined in the 2010s (Figure 1). These population trends can be seen corresponding with steadily diminishing landings (Figure 2). It is important to note that this is after Proposition 132 that went into effect in 1994, which banned gill netting in all nearshore waters which is possible explanation for rebound in population and rapid rise in the 2000s. Peer review of the stock assessment identified the importance of updating the size at maturity estimates from the very small sample size of 33 female white seabass conducted by Frances Clark in 1930. In response, beginning in 2016, the Department, in collaboration with Pfleger Institute of Environmental Research (PIER) conducted a white seabass maturity study using histology and a greatly increased sample size (n= 304). Results of this study found 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 (in) total length (TL) and 95% maturity at 38 in (Figure 3). These results confirm that the current minimum size limit is allowing for immature females to be harvested prior to having the opportunity to spawn, which could have negative implications for the long-term sustainability of the stock. New biological information is a POC trigger in the WSFMP, as it is now known that white seabass mature seven inches larger than the minimum size limit of 28 in. The WSFMP, developed under the Marine Life Management Act (MLMA), does not require a fixed minimum size limit at the size where 50% of the population is mature (L_{50}). However, the WSFMP recommends and expects the use of maturity data, including L_{50} or similar thresholds, as part of science-based, sustainable fisheries management.

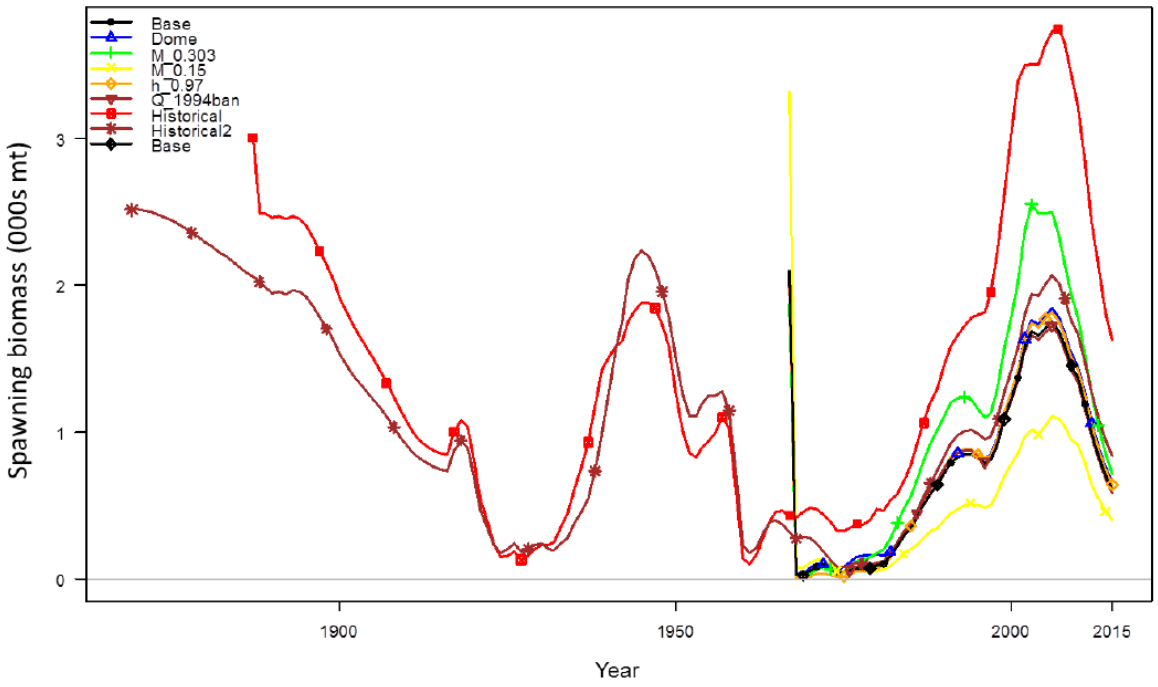


Figure 1. White seabass spawning stock biomass from 2016 stock assessment (Valero and Waterhouse 2016)

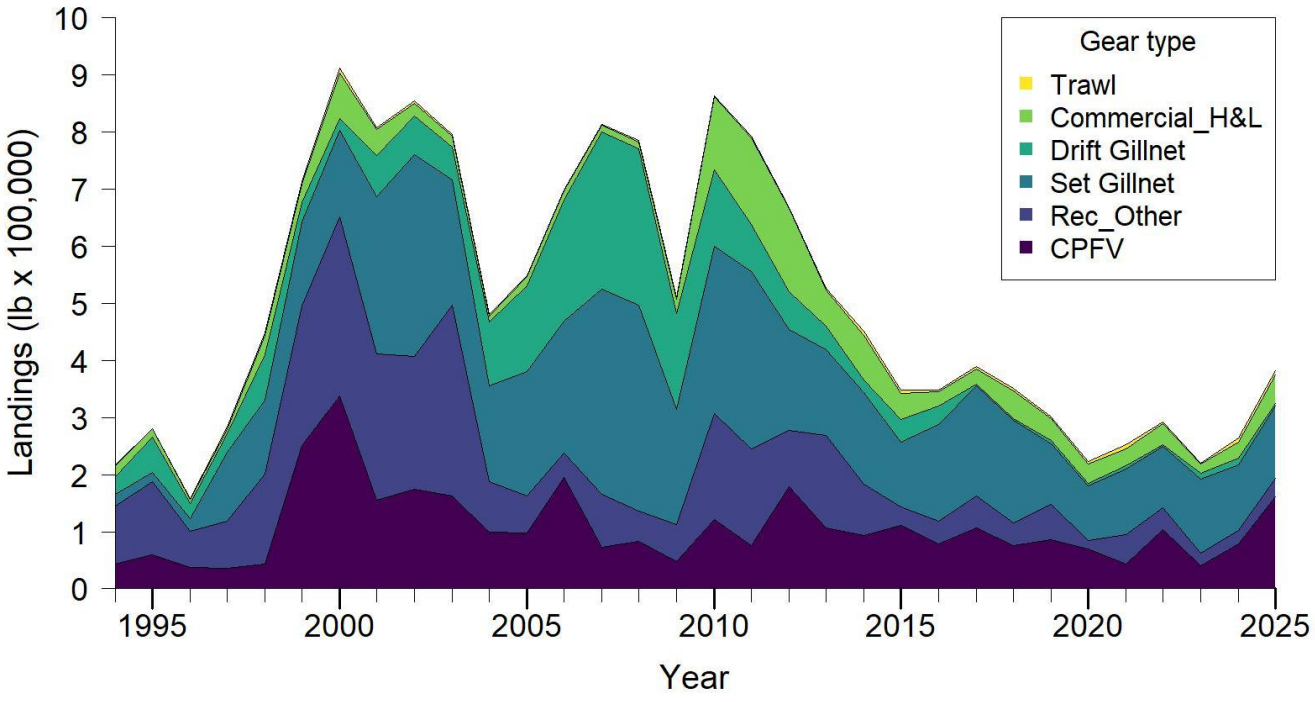


Figure 2. White seabass landings in pounds from 1994-2025 by gear type. It is important to note that this is after Proposition 132 that went into effect in 1994, which banned gill netting in all nearshore waters, which is a possible explanation for the rebound seen in the population and rapid rise in landings in the 2000s.

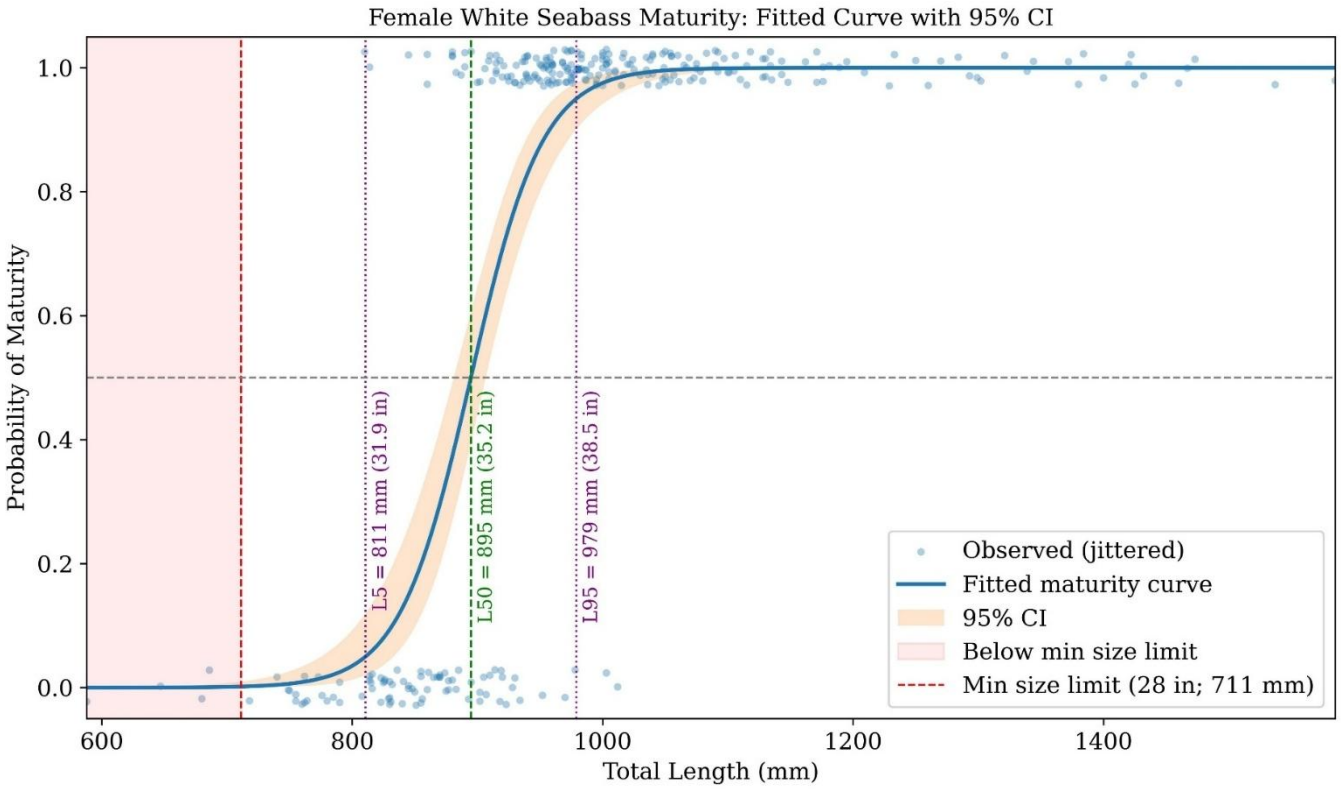


Figure 3. Logistic maturity ogive (blue line) with 95% confidence band (shaded) for female white seabass. Blue points show observed maturity status (jittered for visibility). The vertical green dashed line marks L_{50} = 895 mm (35.2 in) TL (95% CI: 883-907 mm). The vertical red dashed line denotes the current minimum size limit (711 mm) (28 in), and the red shaded region indicates fish below that limit. Purple dotted lines indicate L_5 = 811 mm (31.9 in) TL and L_{95} = 979 mm (38.5 in) TL. The horizontal dashed line marks 50% probability of maturity.

The proportion of immature white seabass varies greatly between the recreational and commercial fishing sectors, with the recreational fleet catching a much larger proportion of white seabass before the opportunity to spawn. Measured recreational catch from the past five years is comprised of approximately 37% under 38 in TL or 95% maturity, 16% less than 35 in and 5% of the catch under 32 in or 5% maturity (Figure 4). Whereas the measured commercial catch from the past five years is approximately 11% under 38 in TL or 95% maturity, 2.5% of the catch is less than 35 in and .5% of the catch is under 32 in or 5% maturity (Figure 5). These length distributions indicate the commercial white seabass fishery is primarily targeting larger, sexually mature individuals and an increased minimum size limit for the recreational sector is warranted to give white seabass increased spawning opportunity. The commercial size limit is described in Fish and Game Code Section 8383.5 and cannot be changed immediately, but will be addressed when the WSFMP is amended to bring the commercial and recreational sectors consistent with each other.

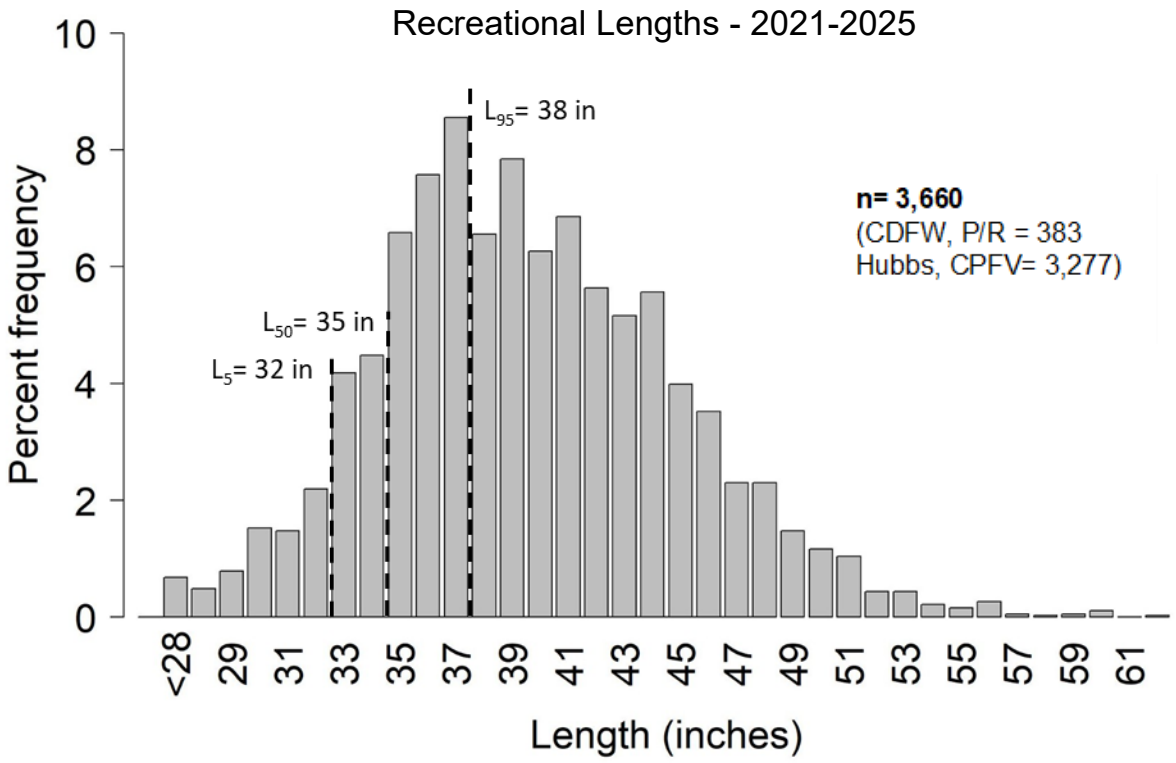


Figure 4. Size frequency of measured white seabass from recreational catch 2021-2025. The dashed lines at L5, L50 and L95 illustrate the proportion of the catch at each corresponding size limit (5% maturity= 32 in, 50% maturity = 35 in, 95% maturity = 38 in).

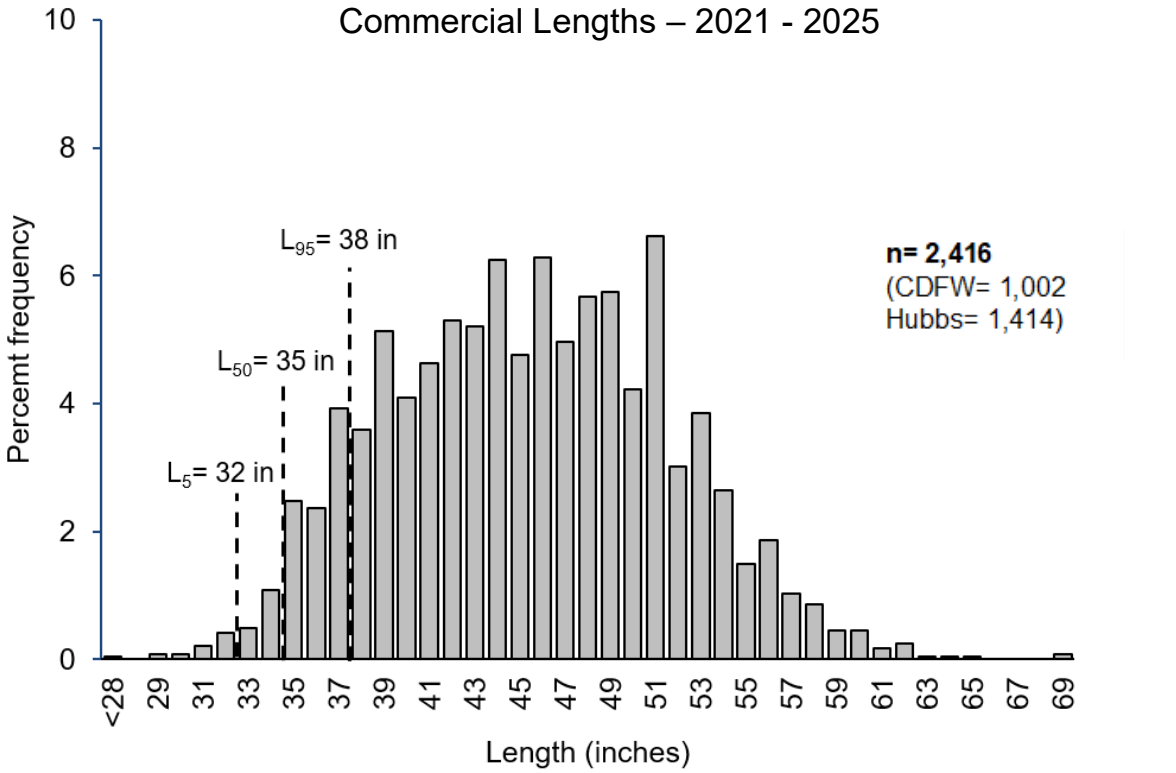


Figure 5. Size frequency of measured white seabass from commercial catch 2021-2025. The dashed lines at L5, L50 and L95 illustrate the proportion of the catch at each corresponding size limit (5% maturity= 32 in, 50% maturity = 35 in, 95% maturity = 38 in.).

Current Regulations

Current recreational laws governing white seabass are as follows:

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 in total length or 20.5 in 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.

Section 27.65 (a)(4) defines white seabass fillets must be a minimum of 19 in in length. Each fillet shall bear intact a one-inch square patch of silver skin.

Proposed Regulations

The proposed changes to sections 27.65 and 28.35 have been developed to increase the minimum size limit to allow a proportion of the white seabass stock the opportunity to spawn before being caught in the recreational fishery.

Subsection 27.65(a)(4) is proposed to update the corresponding fillet length with the increased minimum size limit. Subsection 28.35 (a) is proposed to increase the minimum size limit from 28 in total length to 35 in total length, the size at which white seabass reach 50% maturity.

No changes are proposed for subsection 28.35(b) or 28.35(c) describing the fishing season and bag limits for white seabass.

Amend subsection 27.65(b)(4)

The proposed regulation increases the minimum fillet length of white seabass from 19 in to 23.5 in in length. This is updated using a conversion factor from the current minimum size and fillet length regulation (TL=0.68). This change is necessary to reflect the amendments to minimum size in subsection 28.35(a).

Amend subsection 28.35(a)

The proposed regulation increases the minimum size of white seabass from 28 in to 35 in in total length. This change is necessary to allow a proportion of the white seabass stock the opportunity to spawn before being removed from the population, as results from the updated size at maturity study found white seabass reach 50% maturity at 35 in. The “or twenty and one-half inches alternate length” language is proposed to be removed through a separate rulemaking package titled “Sport Fishing 2026 (Inland and Marine)”, OAL Filing ID # XXX. This removal of the regulatory language is consistent with the goals of these amendments.

(b) Goals and Benefits of the Regulation

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 MLMA 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 in 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 potential risk of overfishing. These efforts are intended to strengthen management, improve resilience of the stock, and ensure transparent, science-based decision making.

(c) Authority and Reference Sections from Fish and Game Code for Regulation

27.65

Authority cited: Sections 200, 205, 265, 313, 5508 and 5509, Fish and Game Code.

Reference: Sections 200, 205, 265, 313, 399, 5508 and 5509, Fish and Game Code.

28.25

Authority cited: Sections 200, 255, and 265, Fish and Game Code.

Reference: Sections 200, 205, 255, and 265, Fish and Game Code.

(d) Specific Technology or Equipment Required by Regulatory Change: None

(e) Identification of Reports or Documents Supporting Regulation Change

In Prep at California Fish and Wildlife Journal – Lesyna, K., Haggerty, M., Sepulveda, C., Chow, B., Lescht-Smith, S., Barilotti, A., Kileen, H., Aalbers, S. 2026. Maturity of White Seabass in California Waters.

California Department of Fish and Wildlife. 2018. California Marine Life Management Act Master Plan.

California Department of Fish and Game (CDFG). 2002. Final White Seabass Fishery Management Plan.

Valero J and L Waterhouse. 2016. Stock assessment of White Seabass in 2016.

California Department of Fish and Wildlife (CDFW). 2020. White Seabass, Atractoscion nobilis, Enhanced Status Report.

WSSCAP Report California Department of Fish and Wildlife. 2024. White Seabass Fishery Management Plan 2022-2023 Annual Review.

(f) Public Discussions of Proposed Regulations Prior to Notice Publication

- Three public stakeholder meetings (November 18, 2025, March 4, 2026, May 12, 2026)

- March 12, 2026, Fish and Game Commission, Marine Resources Committee meeting, Sacramento
- July 16, 2026, Fish and Game Commission, Marine Resources Committee meeting, Sacramento

IV. Description of Reasonable Alternatives to Regulatory Action

(a) Alternatives to Regulation Change

No alternatives to changes to sections 27.65 and 28.35 were identified. An alternative to the minimum size included a bag limit reduction which was presented to the Commission during the July 16, 2026, Marine Resources Committee meeting. However, based on the knowledge that white seabass are immature at the current minimum size limit, this alternative was determined to be ineffective as reducing the number of fish caught does not increase spawning.

(b) No Change Alternative

Without the proposed changes, the outstanding issue concerning the regulations allowing immature white seabass to be captured prior any spawning opportunity would remain unaddressed.

V. Mitigation Measures Required by Regulatory Action

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action

The potential for significant statewide 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 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

VII. Economic Impact Assessment

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

The Commission does not anticipate any effects from the proposed regulation on the creation or elimination of jobs within the state, as the proposed size limit for white seabass is not expected to significantly reduce effort based on the historical recreational catch (see

Figure 4). Additionally, the ability of recreational anglers to target other species, such as California halibut or yellowtail, should ensure that the level of economic activity in this sector remains relatively stable if the proposed regulations are enacted.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

The Commission does not anticipate any effects from the proposed regulation on the creation of new businesses or the elimination of existing businesses within the state, as the proposed size limit for white seabass is not expected to significantly reduce effort based on the historical recreational catch (see Figure 4). Additionally, the ability of recreational anglers to target other species, such as California halibut or yellowtail, should ensure that the level of economic activity in this sector remains relatively stable if the proposed regulations are enacted.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The Commission does not anticipate any effects from the proposed regulation on the expansion of existing businesses within the state, as the proposed size limit for white seabass is not expected to significantly reduce effort based on the historical recreational catch (see Figure 4). Additionally, the ability of recreational anglers to target other species, such as California halibut or yellowtail, should ensure that the level of economic activity in this sector remains relatively stable if the proposed regulations are enacted.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

The Commission does not anticipate impacts on the health and welfare of California residents.

(e) Benefits of the Regulation to Worker Safety

None.

(f) Benefits of the Regulation to the State’s Environment

White seabass supports active commercial and recreational fisheries in southern and central California as well as non-consumptive ocean uses such as recreational diving. The proposed regulation will ensure that approximately 50% of white seabass will have at least one spawning opportunity and 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, and help maintain an essential part of the marine ecosystem; thereby enhancing the marine environment generally by assuring marine biodiversity.

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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.