



Finding of Emergency and Statement of Proposed Emergency Regulatory Action to Amend Sections 150.06, and 150.16 Title 14, California Code of Regulations

Re: Rescinding of Select Commercial Groundfish Management Measures

June 25, 2025

I. FINDING OF EMERGENCY

(Gov. Code, § 11346.1, subd. (b); Cal. Code Regs., tit. 1, § 50)

Pursuant to Government Code section 11346.1, subdivision (b), and California Code of Regulations, Title 1, section 50, a state agency may adopt emergency regulations if the agency makes a finding that the adoption of a regulation is necessary to address a situation calling for immediate action to avoid serious harm to the public peace, health, safety, or general welfare.

Specific Facts Demonstrating the Existence of an Emergency and Need for Immediate Action (Gov. Code, § 11346.1, subd. (b)(2))

The California Department of Fish and Wildlife (Department) proposes an emergency action that will remove the California Groundfish Restriction Area (CGRA) currently in place north of 37° 07' N latitude (Año Nuevo) defined between the easterly extent of the 20-fathom boundary line and the westerly boundary of the Exclusive Economic Zone or EEZ, generally three nautical miles from shore. Additionally, the Department proposes extending federal trip limits for all other non-nearshore groundfish into state waters north of 37° 07' N latitude.

The CGRA was designed to minimize interactions with particular species of groundfish that cannot be selectively avoided and must be protected by limiting or prohibiting fishing in certain depths or areas for federal groundfish and all greenlings of the genus *Hexagrammos*. It was originally implemented by Department [emergency action on February 12, 2024](#) in response to the National Marine Fisheries Service formally [declaring the California stock of quillback rockfish \(*Sebastes maliger*\) as overfished](#), exceedance of the small allowable harvest amount and recommended changes to the commercial groundfish fishery made by the Pacific Fishery Management Council over the winter of 2023.

Because available information at the time indicated the quillback rockfish population

was in decline, the emergency action authorized the take of nearshore rockfish¹, except for quillback rockfish, greenlings of the genus *Hexagrammos* and California scorpionfish (collectively known as “nearshore groundfish”) shoreward of the CGRA or a boundary line approximating 20-fathoms. It also prohibited the take of non-nearshore groundfish stocks in state waters² north of 36° N latitude (near Point Lopez). The southern boundary of the affected area was later modified such that these regulations only applied north of 37° 07' N latitude. A Certificate of Compliance, which was approved on March 17, 2025³ made permanent these modified emergency regulations.

However, on June 9, 2025, a new draft stock assessment for quillback rockfish off California became available. This new, more robust assessment of the quillback rockfish stock indicates the California stock is healthy and not overfished as indicated by the 2021 quillback rockfish data moderate stock assessment. The data moderate assessment used limited data sources and incorporated some proxy data from other states. Whereas the 2025 stock assessment considered all available data sources, in addition to California specific life history information for quillback rockfish. The 2025 stock assessment indicates allowable harvest limits will be substantially higher. For comparison, the Overfishing Limit (OFL) or the estimate of the amount that can be taken without risking depletion of the stock, has been set at 1.50 metric tons (mt) in 2025 derived from the old, less robust assessment. The latest information estimates an OFL of 13.52 mt, however the resulting expected harvest limits are unlikely to accommodate retention of quillback rockfish.

Therefore, the previous conservation emergency no longer exists, and the associated fishery closure and depth restrictions in state waters are now unwarranted. The emergency need for this action serves the general welfare by restoring commercial groundfish fishery opportunities for important target species that were restricted in state waters as a result of being harvested along with quillback rockfish. It is important to

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 The offshore boundary of the state's sovereign lands was established in 2014 by an [order](#) entered by the United States Supreme Court in the case of United States of America, Plaintiff v. State of California, 135 S. Ct. 563; 190 L. Ed. 2d 514; 2014 U.S. LEXIS 8436 (2014). This action by the United States Supreme Court permanently fixes the offshore boundary between the United States and California, resolving a dispute that began in 1935 with the discovery of oil in Wilmington, California. There is now a fixed boundary approximately 3 nautical miles off the coast of California extending from Mexico to Oregon, providing certainty to state and federal lessors, regulators, lessees, and operators of federal and state mineral and renewable-energy leasing programs.

³ For more information regarding the Department's emergency action taken in response to the overfished declaration of quillback rockfish, see:

<https://wildlife.ca.gov/Notices/Regulations/FederalGroundfish#notice-20240317>

immediately end the unnecessary harm to commercial fish businesses by the now currently unwarranted constraints on the groundfish fishery. Preliminary estimates, indicate the prohibition on non-nearshore stocks in state waters may be resulting in a decrease of ex-vessel revenue to nearshore participants of approximately 40 percent. This lost revenue may have offset operational costs and may be contributing to a decrease in nearshore landings when comparing the three-year average preceding the emergency action taken in 2024. Furthermore, the undue regulations currently in place are likely resulting in increased carbon emissions as commercial groundfish participants who do not hold nearshore permit(s) must travel a greater distance to access fishing grounds. Immediate action is needed to avoid serious harm to the general welfare of the State.

The Department's proposed action would rescind application of the CGRA and associated 20-fathom boundary line for commercial groundfish fisheries north of 37° 07' N latitude (Figure 1). Under the proposed action, federal trip limits for non-nearshore groundfish stocks would be extended into state waters north of 37° 07' N latitude and commercial retention of quillback rockfish would remain prohibited, statewide. The area to the south of 37° 07' N latitude would remain unchanged. Language clarifying that the continuous transit exception applies when the CGRA is in effect or in other closed waters is also proposed to be added.

It is expected that similar emergency and/or in season federal actions will be taking place over the next few months prompting the need for rapid state action to ensure both state and federal regulations are in alignment on or around the same time to avoid confusion over potentially conflicting regulations. This would result in distributing effort and pressure on groundfish stocks in both federal and State waters. Additionally, adoption of scientifically based seasons, depth constraints and trip limits for the commercial fishery provides for the maintenance of sufficient populations of quillback rockfish and other groundfish stocks to ensure their continued existence. Overall, the proposed actions preserves natural resources and are protective of the environment.

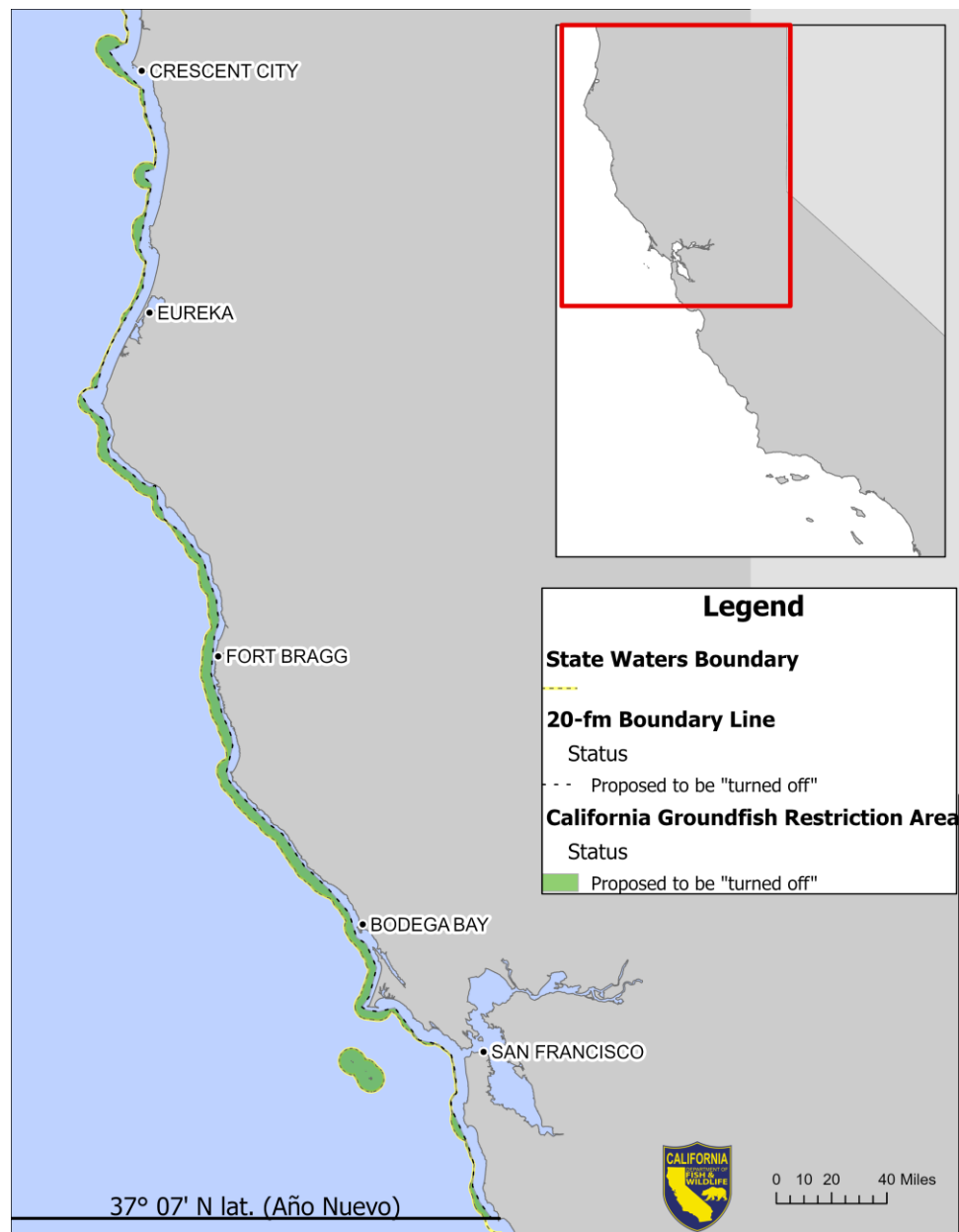


Figure 1. Map of the proposed emergency regulations, rescinding application of or "turning off" the CGRA and associated 20-fathom boundary line north of 37° 07' N latitude.

Necessity

Without the Department's proposed emergency action, unnecessary harm to the general welfare of commercial fishermen, nearshore fishery, and local communities that supports them, and more broadly to the state would continue to occur. The current depth restriction constrains commercial fishing efforts to a limited area of the State's waters. Under the regulations currently in place, roughly 200 active commercial nearshore permittees may not retain non-nearshore groundfish, resulting in lost revenue. Preliminary estimates indicate that the prohibition on non-nearshore stocks in

state waters may be resulting in a decrease of ex-vessel revenue to nearshore participants in the affected area of approximately 40 percent. This lost revenue may have helped offset operational costs (e.g., bait, ice, fuel, slippage, etc.) and may be contributing to a decrease in nearshore groundfish landings in the affected area, when compared to the three-year average preceding the emergency action taken in 2024.

The current regulations that were implemented to protect quillback rockfish are no longer needed. This is demonstrated by the recent information in the 2025 stock assessment indicating the stock is healthy. The proposed regulations would remove unneeded constraints, and be consistent with anticipated federal regulatory actions, thereby distributing effort and pressure on groundfish stocks, in both federal and State waters. The Department's proposed action is based upon updated, more robust science and would prevent serious economic harm to the commercial fishermen, the nearshore fishery and coastal communities that rely upon them. Additionally, the proposed regulations are likely to result in reduced carbon emissions as commercial groundfish participants who do not hold nearshore permit(s) could fish in state waters, reducing the required travel distance to access fishing grounds. Taken together, the proposed actions would avoid serious harm to the general welfare of the State.

Proposed Regulations

Section 150.06

Subsection 150.06(a) is amended to delete, thus rescinding, the application of the CGRA north of 37° 07' N latitude (Año Nuevo), though the defined purpose of the CGRA remains in regulation. This is necessary because is no longer needed, though should it be needed for future management purposes, it could be reimplemented or "turned on".

Subsection 150.06(b) is amended adding clarification that the continuous transit provision applies when the CGRA is in effect or in other closed waters. This change is necessary because the CGRA is proposed to be removed and increased clarity is needed that this provision would apply in other closed waters (e.g., no-take Marine Protected Area).

Subsection 150.06(c) is amended to specify that season closure(s) due to quota attainment for federal groundfish will extend federal trip limits into all state waters, statewide. Therefore, the limitation to waters south of 37° 07' N lat. (Año Nuevo) is deleted. This change is necessary because the proposed regulations would extend federal trip limits into state waters, statewide

Section 150.16

Subsection 150.16(e)(5)(A) is amended to specify trip limits between 42° N latitude (Oregon/California border) and 40° 10' N latitude (near Cape Mendocino), remove references to the CGRA in Section 150.06 and clarify where trip limits for lingcod, the other flatfish complex and all other federal groundfish may be found. These changes are

necessary because the CGRA is proposed to be removed, as a result, it is no longer necessary to specify trip limits within the areas to which it previously applied, provide location reference to the latitudinal lines and to add clarity as to where regulatory text pertaining to lingcod, other flatfish complex and all other federal groundfish may be found.

Subsection 150.16(e)(5)(B) is amended to specify trip limits south of 40° 10' N latitude and clarify where trip limits for lingcod, the other flatfish complex and all other federal groundfish may be found. These changes are necessary because the area to which subsection 150.16(e)(5)(A) applies is proposed to be amended, provide location reference to the latitude line and to add clarity as to where regulatory text pertaining to lingcod, the other flatfish complex and all other federal groundfish may be found.

Subsection 150.16(f)(1) is amended to establish commercial trip limits for all other non-nearshore groundfish, except lingcod and the other flatfish complex, by using state authority to extend federal trip limits into state waters, statewide. This change is necessary because previously federal trip limits were only extended south of 37° 07' N latitude. Additionally, federal trip limits for lingcod and the other flatfish complex are only specified in a portion of federal waters (and zero for the remainder of federal waters) to the north. While in the south federal trip limits for lingcod and the other flatfish complex are specified in all federal waters. For this change it is necessary to exclude them to remove this ambiguity.

Subsection 150.16(f)(1)(A) is deleted. This change is necessary because application the CGRA in subsection 150.06(a) has been rescinded (i.e., “turned off”), as a result a continuous transit exception for the possession of groundfish within the CGRA is no longer needed.

Subsection 150.16(f)(1)(B) is deleted. This change is necessary because application the CGRA has been rescinded (i.e., “turned off”) and therefore an exception for retention of yellowtail rockfish by salmon trollers within the CGRA is no longer needed.

Subsections 150.16(f)(2) is amended to extend federal trip limits for lingcod and the other flatfish complex into state waters, irrespective if the limit is only specified for a portion of federal waters, utilizing the state’s authority. This change is necessary to remove ambiguity whether a trip limit is extended into state waters in instances where the federal trip limit is limited to a certain area.

Subsection 150.16(f)(3) is added to specify that vessels fishing in both state and federal waters are not entitled to additive trip limits. This change is necessary to ensure vessels fishing in both state and federal waters do not take double the allowable limit.

Technical, Theoretical, and/or Empirical Studies, Reports, or Documents Relied Upon
(Gov. Code, § 11346.1, subd. (b)(2))

2025 California Quillback Rockfish Draft Assessment Document:

https://pam.pcouncil.org/documents/quillback_rockfish_sar_2025-pdf/

June 2025, Pacific Fishery Management Council, Draft Motion in Writing for Groundfish Management Agenda Item E.6 – Inseason Management – Final Action:

<https://www.pcouncil.org/documents/2025/06/e-3-motions-in-writing-inseason-management-final-action.pdf/>

2021 California Quillback Rockfish Data Moderate Stock Assessment:

<https://www.pcouncil.org/documents/2021/12/status-of-quillback-rockfish-sebastes-maliger-in-u-s-waters-off-the-coast-of-california-in-2021-using-catch-and-length-data-december-2021.pdf/>

The Proposed Regulation Does Not Differ or Conflict with Federal Law

The proposed regulation does not differ substantially or conflict with an existing comparable federal regulation or statute. The Magnuson Stevens Act specifically reserves to the states jurisdiction to regulate fisheries in state waters. See 16 U.S.C. § 1856. The proposed regulations are designed to correspond with the federal regulations that will be forthcoming.

The Proposed Regulation is Not Inconsistent Nor Incompatible with Existing State Regulations

The Legislature may delegate to the Department such powers relating to the protection and propagation of fish and game as the Legislature sees fit. Department staff has searched the California Code of Regulations and has determined that other state regulations that apply to commercial groundfish species are not inconsistent nor incompatible with the proposed regulations. The Department therefore finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

Benefits of the Proposed Regulation

The Department anticipates the proposed regulations will have positive impacts on the commercial nearshore and non-nearshore fisheries and the coastal economies that rely upon them. Thus, this regulation will promote general welfare among Californians by increasing availability of sustainable seafood protein and reestablishing economic opportunities for commercial groundfish fishers and those that rely upon them. The current constraining regulations were put into place to protect quillback rockfish and are no longer needed based upon the latest updated science. By allowing these regulations to remain in place, impacted parties face unwarranted economic harm.

The proposed emergency regulations are informed by the most current understanding of the quillback rockfish stock, which indicates the stock is healthy. These regulations are designed to restore access, economic opportunity and relieve commercial groundfish participants of undue burden, while also not adversely impacting quillback rockfish. Commercial retention of quillback rockfish will remain prohibited under the proposed regulations and as a result there is little risk to the resource.

II. AUTHORITY AND REFERENCE

(Gov. Code, § 11346.5, subd. (a)(2))

Section 150.06

Authority cited: Sections 7071, 7652 and 8587.1, Fish and Game Code.

Reference: Sections 7071, 7652, 8585.5 and 8587.1, Fish and Game Code.

Section 150.16

Authority cited: Sections 702, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 1802, 8585.5, 8586, 8587 and 8587.1, Fish and Game Code.

III. OTHER MATTERS PRESCRIBED BY STATUTE

(Gov. Code, § 11346.5, subd. (a)(4))

The Department's operations are primarily prescribed by the hundreds of provisions set forth in the California Fish and Game Code and Title 14, California Code of Regulations. Other bodies of law that govern the Department include, but are not limited to, the Government and Penal Codes.

IV. LOCAL MANDATE DETERMINATION

(Gov. Code, § 11346.5, subd. (a)(5))

The Department has determined that adoption of the proposed regs does not impose a new mandate on local agencies or school districts.

V. ESTIMATE OF COST OR SAVINGS

(Gov. Code, § 11346.5, subd. (a)(6) and § 11346.1, subd. (b))

This emergency rulemaking will not result in any costs or savings to local agencies or school districts and does not affect federal funding to the state. No additional costs or savings to the state are anticipated. The Department has determined that the proposed commercial groundfish emergency action will not affect license revenue or the Department's existing level of monitoring and enforcement activities. Additionally, no other state agencies would be affected by this regulatory action.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

(Gov. Code, § 11346.5, subd. (a)(3))

The Department of Fish and Wildlife (Department) proposes an emergency action to amend sections 150.06, and 150.16, Title 14, California Code of Regulations (CCR) to rescind application of the California Groundfish Restriction Area (CGRA) and associated 20-fathom boundary line for commercial groundfish fisheries north of 37° 07' N latitude (Año Nuevo).

BACKGROUND

Previous information indicated the California quillback rockfish population was in decline and in need of protection, based upon the 2021 quillback rockfish data moderate stock assessment. In response to the National Marine Fisheries Service formally [declaring the California stock of quillback rockfish \(*Sebastes maliger*\) as overfished](#), exceedance of the small allowable harvest amount and recommended changes to the commercial groundfish fishery made by the Pacific Fishery Management Council over the winter of 2023, the Department of Fish and Wildlife (Department) took [emergency action on February 12, 2024](#).

The emergency action authorized the take of nearshore rockfish, except for quillback rockfish, greenlings of the genus *Hexagrammos* and California scorpionfish (collectively known as nearshore groundfish) shoreward of the CGRA and associated 20-fathom boundary line. It also prohibited the take of non-nearshore groundfish stocks in state waters north of 36° N latitude (near Point Lopez). The southern boundary of the CGRA was later modified such that these regulations only applied north of 37° 07' N latitude. A Certificate of Compliance, which was approved on March 17, 2025, made these modified emergency regulations permanent.

PROPOSED AMENDMENT TO RECIND THE CGRA

On June 9, 2025, the draft stock assessment for quillback rockfish off California became available. This new, more robust assessment of the quillback rockfish stock indicates the California stock is healthy and not overfished as indicated by the 2021 quillback rockfish data moderate stock assessment. The 2025 stock assessment is more thorough and indicates expected allowable harvest limits will be substantially higher; however, they are unlikely to accommodate retention of quillback rockfish.

Therefore, the previous conservation emergency no longer exists, and the associated fishery closure and depth restrictions in state waters are now unwarranted. The emergency need for this action serves the general welfare by restoring commercial groundfish fishery opportunities for important target species that were restricted in state waters as a result of being harvested along with quillback rockfish. It is important to immediately end the unnecessary harm to commercial fish businesses by the now currently unwarranted constraints on the groundfish fishery. Preliminary estimates indicate the prohibition on non-nearshore stocks in state waters may be resulting in a

decrease of ex-vessel revenue to nearshore participants of approximately 40 percent. This lost revenue may have offset operational costs and may be contributing to a decrease in nearshore landings when comparing the three-year average preceding the emergency action taken in 2024.

The Department's proposed action would "turn off" the CGRA and associated 20-fathom boundary line for commercial groundfish fisheries north of 37° 07' N latitude. Additionally, the proposed action would use state authority to extend federal trip limits for non-nearshore groundfish stocks into state waters north of 37° 07' N latitude and commercial retention of quillback rockfish would remain prohibited, statewide. Regulations specific to the area to the south of 37° 07' N latitude would remain unchanged. Language clarifying that the continuous transit exception applies when the CGRA is in effect or in other closed waters is also proposed to be added.

Benefits of the Proposed Regulation

The Department anticipates the proposed regulations will have positive impacts on the commercial nearshore and non-nearshore fisheries and the coastal economies that rely upon them. Thus, this regulation will promote general welfare among Californians by increasing availability of sustainable seafood protein and reestablishing economic opportunities for commercial groundfish fishers and those that rely upon them. The current constraining regulations were put into place to protect quillback rockfish and are no longer needed based upon the latest updated science. By allowing these regulations to remain in place, impacted parties face unwarranted economic harm.

The proposed emergency regulations are informed by the most current understanding of the quillback rockfish stock, which indicates the stock is healthy. These regulations are designed to restore access, economic opportunity and relieve commercial groundfish participants of undue burden, while also not adversely impacting quillback rockfish. Commercial retention of quillback rockfish will remain prohibited under the proposed regulations and as a result there is little risk to the resource.

Consistency and Compatibility with Existing Regulations

The Legislature may delegate to Department such powers relating to the protection and propagation of fish and game as the Legislature sees fit. Department staff has searched the California Code of Regulations and has determined that other state regulations that apply to groundfish species are not inconsistent nor incompatible with the proposed regulations. The Department therefore finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.