



P.O. Box 944209
Sacramento, CA 94244-2090
wildlife.ca.gov

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE NOTICE OF RULEMAKING ACTION

October 9, 2026

Amend Section 712.5, Title 14, California Code of Regulations Re: Declaration of Importation of Dead Fish and Wildlife Form 2026 Updates

PURPOSE OF THIS NOTICE

The Department of Fish and Wildlife (Department) has published this Notice of Proposed Action to amend Section 712.5 to add two new forms incorporated by reference in Section 712.5: Declaration of Importation of Dead Fish and Wildlife for Individuals Form DFW 901a; and Declaration of Importation of Dead Fish and Wildlife for Commercial Passenger Fishing Vessel Form DFW 901b. New regulatory provisions will aid in understanding the purpose and content of the forms.

- The requirement, per Fish and Game Code Section 2353, for declaring the importation of fish and wildlife has been in place since 1957, and prior to 2021 was only available in paper form and returned by mail. In 2021 the Department introduced an online Form DFW 901 accessible by most electronic devices.
- Whether online or on paper, the forms must be completed, signed and a copy in possession (electronic device or paper) of the importer (a hunter, angler, or other person in possession of fish or wildlife take out of state) at the time of entry for immediate review by authorized law enforcement personnel.
- The Department makes the forms easily available online and 'promotes' the requirement in various publications and in regulation.

PUBLIC HEARING

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held virtually via webinar/teleconference:

Public Hearing:

Date: Tuesday, November 24, 2026, 11:00 a.m. – 12 p.m.

Teleconference Details will be provided at least seven days in advance of the meeting at <https://wildlife.ca.gov/Notices/Regulations/DeclariImport2026>

The new regulations described in the attached documents will be adopted after considering all comments, objections, and recommendations regarding the proposed action.

In accordance with the Administrative Procedure Act, the Department provided notice of this

proposed regulatory action with the Office of Administrative Law.

WRITTEN COMMENT PERIOD

Written comments may be submitted at any time before or on November 17, 2026, by mail or email as follows:

California Department of Fish and Wildlife
Regulations Unit
P.O. Box 944209
Sacramento, CA 94244-2090

Email: Regulations@wildlife.ca.gov

AUTHORITY AND REFERENCE

Authority: Section 2353, Fish and Game Code.

Reference: Sections 80 and 2353, Fish and Game Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 712.5 of Title 14, CCR, is proposed to be amended incorporating by reference two new forms, Form DFW 901a Declaration of Importation of Dead Fish and Wildlife for Individuals, and Form DFW 901b Declaration of Importation of Dead Fish and Wildlife for Commercial Passenger Fishing Vessel (CPFV). The current Form DFW 901 will be deleted.

These forms allow the public to conveniently declare fish and wildlife from out-of-state upon entry into California either online or on paper. The information requested/provided in the form is necessary to establish the legality of the importation of fish and wildlife per the statutory requirements provided in Fish and Game Code Section 2353. The Department maintains the forms to track the number and species imported into the state. If there are questions or concerns about the imported species, or licensing, the Department will follow up with individuals importing fish and wildlife.

The current form has an inadvertent error in the instructions which is contrary to the language of the regulation in Section 712.5 and is inconsistent with Fish and Game Code Section 2353. Correction of the error is needed, and staff has identified other issues that need resolution.

Of particular concern is the difficulty of anglers fishing in out-of-state ocean waters (Mexico, and to a smaller extent Oregon) to complete the form when entering California at sea on a CPFV. The ocean fish taken outside of California waters fall into the same declaration requirement as any terrestrial animals.

REGULATORY PROPOSAL

Section 712.5, Title 14, California Code of Regulations (CCR), is proposed to be amended creating two (2) forms:

- Form DFW 901a is a new form updating the previous version of DFW 901. This form is required to be completed by each individual entering California by land or sea with fish or wildlife taken while hunting, fishing, or for other lawful purposes. This form will be available for completion and submittal online and, alternatively, in print to paper form to be completed by hand and submitted by mail to the Department. Form DFW 901a is required to be completed and submitted by any individual(s) fishing in ocean waters outside the state and returning with their catch.

- Form DFW 901b is a new form. This form may be completed by the Operator of a Commercial Passenger Fishing Vessel (CPFV, Section 190, Title 14, CCR) entering California waters with fish taken while fishing in ocean waters outside the boundary of California (e.g., Mexico and Oregon). CPFV fishing excursions out of California ports will often have many persons on board anticipating taking a number of fish. Form DFW 901b enables the Operator of the CPFV to track the catch for all passengers and crew and submit a declaration for all imported catch entering California. The new form relieves the need for each passenger to complete their own Form DFW 901a. However, in the event that the CPFV Operator elects not to provide Form DFW 901b, completing Form DFW 901a will still be required for each individual on board the vessel.
- The form instructions are not incorporated by reference, as they are not regulatory.

BENEFITS OF THE PROPOSED REGULATIONS

The proposed amendments to Section 712.5 will prescribe the forms and contents for use by the public in satisfying the requirements of Fish and Game Code Section 2353. The public is required by statute to declare the legal take and possession of fish and wildlife taken by hunting, fishing, or other legal purposes out-of-state and imported into California. The Declaration of Importation of Dead Fish and Wildlife forms will allow the fishing and hunting public to conveniently declare their fish and wildlife imported into the state.

The forms will provide the specific benefit of providing a simple method for the public to declare their legal take, identifying the species, license/tags and out of state location of their hunting and fishing, that demonstrate compliance with other state hunting and fishing laws and that they may legally import such animals, and parts, and may possess them in California. The illegal take of animals and fish is detrimental to the environment; it is prohibited in California and enforced by the Department. The form provides the individual declarant a record for the purpose of demonstrating their legal take and possession of the listed items.

The regulation and forms do not have significant direct or indirect non-monetary benefits, including the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity, and the increase in transparency in business and government. The state's environment may have a slight benefit from prohibiting the importation of illegal take.

CONSISTENCY AND COMPATABILITY WITH EXISTING REGULATIONS

The Legislature has delegated authority to the Department to adopt regulations prescribing the form and manner of the required Declaration of Importation. The Department has reviewed existing regulations in Title 14, CCR, and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. Department staff conducted a search of the CCR and has found no other state regulations that set forth these requirements.

DOCUMENTS INCORPORATED BY REFERENCE:

- Declaration of Importation of Dead Fish and Wildlife for Individuals Form DFW 901a (New 1/1/2027)
- Declaration of Importation of Dead Fish and Wildlife for Commercial Passenger Fishing Vessel Form DFW 901b (New 1/1/2027).

DOCUMENTS RELIED UPON: None.

DISCLOSURES REGARDING THE PROPOSED ACTION:

Impact Of The Regulatory Action/ Results Of The Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulation 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 Department concludes that it is unlikely that any adverse economic impact will affect any business, the Declaration of Importation forms impose no fees or costs, and do not require any action by any business aside from the time it takes to complete the form. The Department estimates that it will take CPFV Operators approximately 5 – 10 minutes to fill out Form DFW 901b; however, this is approximately the same amount of time that it takes for them to fill out the summary data into their logbook, and that summary data is what will be transcribed into Form DFW 901b. Using California hourly wage estimates for First Line Supervisors of Farming, Fishing, and Forestry Workers from the U.S. Bureau of Labor Statistics (\$29.23/hour)¹ yields a reporting cost of approximately \$2.44 - \$4.87 for the 5 – 10 minutes it will take for a CPFV Operator to complete the form, averaging to \$3.66 per form. Applied to the approximately 200 distinct vessels identified by the logbooks submitted to the Department between 2019-2024 yields a range of total annual costs of \$488 - \$974 per year, assuming that 200 vessels make the trip from Mexico back to state waters each year, with an average of \$731 per year.

There are no other fees or costs associated with the proposed forms that would increase the costs for businesses, small businesses, or individuals.

(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 Department concludes that it is unlikely that any economic impact will adversely affect or benefit any business. The regulation and forms do not have direct or indirect non-monetary benefits to the health and welfare of California residents or to worker safety. The state's environment may have a slight benefit from prohibiting the importation of illegally imported dead wildlife.

(c) Cost Impacts on a Representative Private Individual or Business.

The Department is not aware of any cost impacts that a representative private individual or business would necessarily incur in reasonable compliance with the proposed action. The Declaration of Importation forms impose no fees or costs, other than the time needed for the preparation and completion online or paper of the forms, which can be done at any time prior to entry into the state.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

¹ First-Line Supervisors of Farming, Fishing, and Forestry Workers, Bureau of Labor Statistics, accessed March 10, 2025

- (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.

EFFECT ON SMALL BUSINESS

The Department concludes that it is unlikely that any adverse economic impact will affect small business because the regulation does not impose any new fees or require any action by any business that would impose any significant direct or indirect costs.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department concludes that the proposed regulation will not create additional job opportunities; result in the elimination of jobs or existing businesses, create new businesses, eliminate existing businesses, or expand businesses in the state.

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

The cumulative effects of the changes statewide are expected to be neutral with regard to the creation or elimination of jobs within the State because the proposed changes to the Declaration of Importation forms impose no fees or costs and do not require any action by any business aside from the time it takes to complete the form, which would ess.

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

The proposed changes to the Declaration of Importation forms impose no fees or costs and do not require any action by any business aside from the time it takes to complete the form. As such, the cumulative effects of the changes statewide are expected to be neutral with regard to the creation or elimination of businesses within the State.

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

The cumulative effects of the changes statewide are expected to be neutral with regard to the expansion of businesses within the State as they impose no fees or costs that would materially affect whether a business expands its operations.

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

The cumulative effects of the proposed changes to the Declaration of Importation form are expected to be neutral with regard to the health and welfare of California residents.

(e) Benefits of the Regulation to Worker Safety

The cumulative effects of the changes statewide are expected to be neutral with regard to worker safety.

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

The cumulative effects of the changes statewide are expected to be neutral with regard to the state's environment, however there may have a slight benefit from prohibiting the importation of illegal take.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Department must determine that no reasonable alternatives to the proposed regulation it considered or that have otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the regulation is proposed or 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.

The Department invites interested persons to present statements or arguments with respect to alternatives to the regulations during the written comment period.

AVAILABILITY OF RULEMAKING DOCUMENTS AND CONTACT PERSONS

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 Department website at <https://wildlife.ca.gov/Notices/Regulations/DeclairImport2026>. The proposed text (the “express terms”) of the regulations, as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review at 715 P Street, Sacramento, CA 95814 (17th floor). The rulemaking file will be available electronically upon request by contacting the Department at Regulations@wildlife.ca.gov. Inquiries concerning the regulatory process or requests for documents should be directed to:

California Department of Fish and Wildlife
Mike Randall, Regulations Unit
P.O. Box 944209
Sacramento, CA 94244-2090
Telephone: (916) 902-9
Email: regulations@wildlife.ca.gov

Inquiries concerning the subject matter or substance of the proposed action should be directed to:

Eric Kord, Assistant Chief
Marine Law Enforcement
California Department of Fish and Wildlife
P.O. Box 944209
Sacramento CA 94244-2090 Email: regulations@wildlife.ca.gov

As of the date this notice is published, the rulemaking file consists of:

- [Notice of Proposed Action \(NOPA\)](#) (PDF) (opens in new tab)
- [Initial Statement of Reasons \(ISOR\)](#) (PDF) (opens in new tab)
- [Proposed Section 712.5 Regulatory Text](#) (PDF) (opens in new tab)
- [Form DFW 901a-Individual \(New 1/1/2027\) Declaration of Importation of Dead Fish and Wildlife](#) (PDF) (opens in new tab)
- [Form DFW 901b-CPFV \(New 1/1/2027\) Declaration of Importation of Dead Fish and Wildlife](#) (PDF) (opens in new tab)
- STD399 Economic and Fiscal Impact Statement (available upon request by sending an email to regulations@wildlife.ca.gov with subject line “712.5 STD399 request”)

AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The rulemaking file is available online at:

<https://www.wildlife.ca.gov/Notices/Regulations/Import2026>

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all the timely and relevant comments received, the Department may adopt the proposed regulation substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulation as revised. Please send requests for copies of any modified regulation to the Regulations Unit at the address above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by checking the website at the link provided above, or the Regulations Unit at the address above.