

REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2014-0812-05	REGULATORY ACTION NUMBER 2015-0224-015	EMERGENCY NUMBER
------------------	---	--	------------------

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAR 10 2015

3:14 PM

For use by Office of Administrative Law (OAL) only

2015 FEB 24 PM 12:28
OFFICE OF
ADMINISTRATIVE LAW

NOTICE	REGULATIONS
--------	-------------

AGENCY WITH RULEMAKING AUTHORITY Fish and Game Commission	AGENCY FILE NUMBER (if any)
--	-----------------------------

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Recreational Groundfish 2015-2016	TITLE(S) 14	FIRST SECTION AFFECTED 1.91	2. REQUESTED PUBLICATION DATE August 22, 2014
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Sherrie Fonbuena	TELEPHONE NUMBER (916) 654-9866	FAX NUMBER (Optional) (916) 653-5040
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2014, 342	PUBLICATION DATE 8/22/2014

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Recreational Groundfish 2015-2016	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
---	--

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 27.65, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.54, 28.55, 28.56, 28.58, and 28.90
	REPEAL
TITLE(S) 14	

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
January 21, 2015 through February 6, 2015, and February 11, 2015

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) MARCH 10, 2015 per agency request concurrent with federal regulations

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY		
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Sherrie Fonbuena	TELEPHONE NUMBER (916) 654-9866	FAX NUMBER (Optional) (916) 653-5040	E-MAIL ADDRESS (Optional) Sherrie.Fonbuena@fgc.ca.gov
---------------------------------------	------------------------------------	---	--

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Melissa Miller-Henson</i>	DATE February 24, 2015
TYPED NAME AND TITLE OF SIGNATORY Melissa Miller-Henson, Staff Services Manager I	

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
MAR 10 2015
Office of Administrative Law

Regulatory Language

Amend Section 1.91, Title 14, CCR, as follows:

§ 1.91. Federal Groundfish and Rockfish, Cabezon and Greenling (RCG) Complex.

(a) The species or species groups listed in subsections 1.91(a)(1) through 1.91(a)(12) constitute "federal groundfish" and are managed under the Federal Pacific Coast Groundfish Fishery Management Plan:

(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. dalli*), 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*)

(2) "California Scorpionfish" (*Scorpaena guttata*)

(3) "Shelf Rockfish" which means the following species of rockfish: bocaccio (*Sebastes paucispinis*), bronzespotted rockfish (*S. gilli*), canary rockfish (*S. pinniger*), chilipepper (*S. goodei*), cowcod (*S. levis*), dusky rockfish (*S. ciliatus*), flag rockfish (*S. rubrivinctus*), greenblotched rockfish (*S. rosenblatti*), greenspotted rockfish (*S. chlorostictus*), greenstriped rockfish (~~*S. elongatus*~~ *S. elongatus*), harlequin rockfish (~~*S. variegatus*~~ *S. variegatus*), honeycomb rockfish (*S. umbrosus*), Mexican rockfish (*S. macdonaldi*), pink rockfish (*S. eos*), redstripe rockfish (*S. proriger*), rosethorn rockfish (*S. helvomaculatus*), rosy rockfish (*S. rosaceus*), shortbelly rockfish (*S. jordani*), silvergray rockfish (*S. brevispinis*), speckled rockfish (*S. ovalis*), squarespot rockfish (*S. hopkinsi*), starry rockfish (*S. constellatus*), stripetail rockfish (*S. saxicola*), tiger rockfish (*S. nigrocinctus*), vermilion rockfish (*S. miniatus*), widow rockfish (*S. entomelas*), yelloweye rockfish (*S. ruberrimus*), yellowtail rockfish (*S. flavidus*)

(4) "Slope Rockfish" which means the following species of rockfish: aurora rockfish (*Sebastes aurora*), bank rockfish (*S. rufus*), blackgill rockfish (*S. melanostomus*), darkblotched rockfish (*S. crameri*), Pacific ocean perch (*S. alutus*), redbanded rockfish (*S. babcocki*), rougheye rockfish (*S. aleutianus*), sharpchin rockfish (*S. zacentrus*), shortraker rockfish (*S. borealis*), splitnose rockfish (*S. diploproa*), yellowmouth rockfish (*S. reedi*)

(5) "Sharks", including only leopard shark (*Triakis semifasciata*), soupfin shark (~~*Galeorhinus zyopterus*~~ *Galeorhinus galeus*), and spiny dogfish (*Squalus acanthias*)

(6) "Skates", including only which means big skate (*Raja binoculata*), California skate (*R. inornata*), and longnose skate (*R. rhina*), Roughtail/black skate (*Bathyraja trachura*), Aleutian skate (*B. aleutica*), Bering/sandpaper skate (*R. interrupta*) and all other genera and species of skates in the families Arhynchobatidae and Rajidae that occur off California.

(7) "Roundfish", including only cabezon (*Scorpaenichthys marmoratus*), kelp greenling (*Hexagrammos decagrammus*), lingcod (~~*Ophiodon elongatus*~~ *Ophiodon elongatus*), Pacific cod (*Gadus macrocephalus*), Pacific whiting (*Merluccius productus*), and sablefish (*Anoplopoma fimbria*)

(8) "Thornyheads", which means longspine thornyhead (*Sebastolobus altivelis*), and shortspine thornyhead (*Sebastolobus alascanus*)

(9) "Federally Managed Flatfish", including only arrowtooth flounder (arrowtooth turbot) (*Atheresthes stomias*), Dover sole (*Microstomus pacificus*), English sole (*Parophrys vetulus*), petrale sole (*Eopsetta jordani*), and starry flounder (~~*Platichthys stellatus*~~)-(*Platichthys stellatus*)

(10) "Other Flatfish", including only butter sole (*Isopsetta isolepis*), curlfin sole (*Pleuronichthys decurrens*), flathead sole (*Hippoglossoides elassodon*), Pacific sanddab (*Citharichthys sordidus*), rex sole (*Glyptocephalus zachirus*), rock sole (*Lepidopsetta bilineata*), and sand sole (~~*Psettichthys melanostictus*~~)-(*Psettichthys melanostictus*)

(11) "Other fish", including only ratfish (*Hydrolagus collieri*), finescale codling (*Antimora microlepis*), ~~Pacific rattail~~ Pacific grenadier (rattail) (*Coryphaenoides acrolepis*) and all other genera and species of grenadiers in the family Macrouridae that occur off California

(12) All genera and species of the family Scorpaenidae that occur off California and not specifically listed in (a)(1) through (a)(4) or (a)(8) above are included in the list of species.

(b) "RCG Complex" means all species of rockfish (*Sebastes*), cabezon (*Scorpaenichthys marmoratus*), and kelp and rock greenlings (genus *Hexagrammos*).

NOTE: Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.
Reference: Sections 205, ~~7071 and 8586~~ 205 and 7071, Fish and Game Code.

Amend Section 27.20, Title 14, CCR, as follows:

§27.20. Groundfish Management Areas, Seasons, Depths, Exceptions, and Fishery Closure/Rule Change Process Described.

Regulations that follow in sections 27.25 through 27.50 define fishing seasons and depth constraints that are effective within each Groundfish Management Area. These sections apply to take and possession of all ~~90 species of federally-managed groundfish species~~ as defined in Section 1.91. ~~(These species include but are not limited to rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish). Special closures and exceptions to these regulations are also specified. All regulations of sections 27.25 through 27.50 also apply for and~~ California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*, which are state-managed species known to associate with federal groundfish.

(a) Depth Constraints: A depth constraint means that during the open season, the aforementioned species may only be taken or possessed in water depths shallower than the specified depth. Two specific definitions of "depth" apply off California. In waters shallower than 30 fathoms, "depth" is defined by general depth contour lines. In waters equal to or deeper than 30 fathoms, "depth" is defined by approximating a particular depth contour by connecting the appropriate set of waypoints adopted in Federal regulations (50 CFR Part 660, Subpart ~~G~~ Subpart C).

~~(b) Open Season Take, Possession and Transit: During any open season in any Groundfish Management Area, in waters deeper than where fishing is authorized or within special closure areas established within a Groundfish Management Area, it is unlawful to take or possess the aforementioned species unless a special exception is provided. However, this regulation does not apply in cases where these species are possessed aboard a vessel in transit with no fishing gear deployed in the water.~~

(b) General Provisions.

(1) Take and Possession: During any open season in any Groundfish Management Area, in waters deeper than where fishing is authorized or within special closure areas established within a Groundfish Management Area, it is unlawful to take or possess the aforementioned species except as provided in subsections (b)(1)(A) through (b)(1)(D) below and sections 27.25 through 27.50 of these regulations.

(A) Transit: The aforementioned species may be possessed aboard a vessel in transit through a closed area with no fishing gear deployed in the water.

(B) "Other Flatfish" as defined in subsection 1.91(a)(10) may be taken or possessed in all depths year-round.

(C) Shore Based Angling: When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed year-round (See 27.50(b)(1) for exceptions in the Cowcod Conservation Areas). No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(D) Diving or Spearfishing: When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed year-round (See 27.50(b)(2) for exceptions in the Cowcod Conservation Areas). When boat-based groundfish fishing is closed, all types of fishing gear, except spearfishing gear, are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

(c) Closed Season: During any closed season in any Groundfish Management Area, it is unlawful to take or possess the aforementioned species regardless of depth, unless a special exception is provided except as provided in subsections (b)(1)(A) through (b)(1)(D) above and sections 27.25 through 27.50 of these regulations.

(d) California Rockfish Conservation Area: Within any Groundfish Management Area, waters that are closed for these species during specified times and/or closed in specified depths shall be known as the California Rockfish Conservation Area. See Section 27.51.

(e) Fishery closure and/or rule change: When the department determines, based on the best available scientific information, that an annual harvest limit [optimum yield (OY), annual catch limit (ACL), annual catch target (ACT), recreational harvest guideline, or recreational harvest target] established in regulation by the NOAA Fisheries (National Marine Fisheries Service) for any species of federally-managed groundfish or aggregate group of federal groundfish species has been exceeded or is projected to be exceeded prior to the end of the year or that catches are less than predicted, the following rule changes may occur:

(1) The department may modify the seasons and/or depth constraints for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. Season and/or depth modifications may differ by Groundfish Management Area, time of year, mode of fishing, or gear utilized.

(2) The department may adjust existing bag or sub-bag limits or establish additional bag or sub-bag limits as needed for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish,

and all greenlings of the genus *Hexagrammos*. Bag limits may differ by Groundfish Management Area, time of year, mode of fishing, or gear utilized.

(3) The department may adjust existing size limits or establish additional size limits as needed for any species of federally-managed groundfish or aggregate group of federal groundfish species, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. Size limits may differ by Groundfish Management Area, time of year, mode of fishing, or gear utilized.

(f) Notice of closure and/or rule change: The department shall give the public and the NOAA Fisheries no less than 10 calendar days' notice of any fishery closure or rule change implemented pursuant to this Section via a department news release. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.

Note: Authority cited: Sections 200, 202, 205, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, ~~1802, 7071 and 8586~~1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G; and 50 CFR 660.384.

Amend Section 27.25, Title 14, CCR, as follows:

§27.25. Northern Groundfish Management Area.

~~This Section applies to take and possession of all 90 species of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Northern Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.~~

(a) ~~The Northern Groundfish Management Area means ocean waters between 42° 00' 42° 00' N. lat. (the Oregon/California border) and 40° 10' 40° 10' N. lat. (near Cape Mendocino, Humboldt County).~~

(b) ~~Seasons and depth constraints (except as provided in subsection (c) below):~~

~~(1) January 1 through May 14: Closed.~~

~~(2) May 15 through October 31: Open for all species only in waters shallower than 20 fathoms in depth as described by general depth contour lines.~~

~~(3) November 1 through December 31: Closed.~~

(c) ~~Special exceptions to subsection (b) above:~~

~~(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths year-round.~~

~~(2)(1) Leopard shark may be taken or possessed in Humboldt Bay year-round only in waters shallower than 20 fathoms in depth as described by general depth contour lines.~~

~~(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be~~

taken or possessed year-round. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

~~(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed year-round. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.~~

Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code.

Reference: Sections 200, 202, 205, ~~1802, 7071 and 85861802 and 7071~~, Fish and Game Code; 50 CFR Part 660, Subpart G; ~~50 CFR 660.384~~; and 14 CCR 27.20.

Amend Section 27.30, Title 14, CCR, as follows:

§ 27.30. Mendocino Groundfish Management Area.

This Section applies to take and possession of all ~~90~~ species of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Mendocino Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Mendocino Groundfish Management Area means ocean waters between ~~40° 10' 40° 10'~~ N. lat. (near Cape Mendocino, Humboldt County) and ~~38° 57.50' 38° 57.50'~~ N. lat. (at Point Arena, Mendocino County).

(b) Seasons, depth constraints, and special closure areas (except as provided in subsection (c) below):

(1) January 1 through May 14: Closed.

~~(2) May 15 through September 2 in 2013, and May 15 through September 1 in 2014: Open for all species only in waters shallower than 20 fathoms in depth as described by general depth contour lines.~~

~~(3) September 3 through December 31 in 2013 and September 2 through December 31 in 2014: Closed.~~

(2) May 15 through October 31: Open for all species only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

(3) November 1 through December 31: Closed.

~~(e) Special exceptions to subsection (b) above:~~

(c) California scorpionfish may be taken or possessed from May 15 through August 31 only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

~~(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths year-round.~~

~~(2) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed year-round. No vessel or watercraft (motorized or non-motorized)~~

may be used to assist in taking or possessing these species while angling from shore under this provision.

~~(3) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed year round. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.~~

Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code.

Reference: Sections 200, 202, 205, ~~4802, 7071 and 8586~~1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; ~~50 CFR 660.384~~; and 14 CCR 27.20.

Amend Section 27.35, Title 14, CCR, as follows:

§ 27.35. San Francisco Groundfish Management Area.

This Section applies to take and possession of all ~~90 species of~~ federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the San Francisco Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The San Francisco Groundfish Management Area means ocean waters between ~~38° 57.50' 38° 57.50'~~ N. lat. (at Point Arena, Mendocino County) and ~~37° 41' 37° 11'~~ N. lat. (at Pigeon Point, San Mateo County).

(b) Seasons, depth constraints, and special closure areas (except as provided in subsection (c) below):

(1) ~~January 1 through May 31~~ April 14: Closed.

(2) ~~June 1~~ April 15 through December 31: Open for all species only in waters shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

~~(3) Cordell Bank Closure Area: Waters of the Cordell Bank (off Marin County) shallower than 100 fathoms in depth as approximated by the 100 fathom depth contour that is defined by connecting the set of 100 fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G), are closed to fishing for these species at all times. Special exceptions provided for "other flatfish" in subsection (e)(1) below apply in this closure area. Special exceptions provided for shore-based angling in subsection (e)(3) and spearfishing/diving in subsection (e)(4) below do not apply in this closure area.~~

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths year-round.

~~(2)~~ (1) Leopard shark may be taken or possessed in Drake's Estero Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay year-round only in waters shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(2) California scorpionfish may be taken or possessed from April 15 through August 31 only in waters shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

~~(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed year-round. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.~~

~~(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed year-round. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.~~

Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code.

Reference: Sections 200, 202, 205, 4802, 7071 and 85861802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Amend Section 27.40, Title 14, CCR, as follows:

§ 27.40. Central Groundfish Management Area.

This Section applies to take and possession of all ~~90~~ species of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Central Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Central Groundfish Management Area means ocean waters between ~~37°11' 37°~~ 11' N. lat. (at Pigeon Point, San Mateo County) and 34°27' N. lat. (at Pigeon Point, San Mateo County) and 34°27' 34° 27' N. lat (at Point Conception, Santa Barbara County).

(b) Seasons and depth constraints (except as provided in subsection (c) below):

(1) ~~January 1 through April 30~~ March 31: Closed.

(2) ~~May 1~~ April 1 through December 31: Open for all species only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(c) Special exceptions to subsection (b) above:

(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths year-round.

~~(2)~~ (1) Leopard shark may be taken or possessed in Elkhorn Slough year-round only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(2) California scorpionfish may be taken or possessed from April 1 through August 31 only in waters shoreward of lines approximating the 40-fathom depth contour, defined

by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

~~(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed year-round. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.~~

~~(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed year-round. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.~~

Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, 205, ~~1802, 7071 and 8586~~1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G; and 50 CFR 660.384.

Amend Section 27.45, Title 14, CCR, as follows:

§ 27.45. Southern Groundfish Management Area.

This Section applies to take and possession of ~~all 90 species of~~ federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Southern Groundfish Management Area. Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Southern Groundfish Management Area means ocean waters between ~~34°27'~~ 34° 27' N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border, ~~except for waters of the Cowcod Conservation Areas, which are specified in Section 27.50. The Cowcod Conservation Areas are not part of the Southern Groundfish Management Area. The Cowcod Conservation Areas are special closure areas within the Southern Groundfish Management Area.~~

(b) Seasons and depth constraints (except as provided in subsection (c) below):

(1) January 1 through the last day in February: Closed, ~~except California scorpionfish may be taken or possessed only in waters shoreward of lines approximating the 50-fathom depth contour, defined by connecting the set of 50-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).~~

(2) March 1 through December 31: Open for all species only in waters shoreward of lines approximating the ~~50-fathom~~60-fathom depth contour, defined by connecting the set of ~~50-fathom~~60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

(c) Special exceptions to subsection (b) above:

(1) ~~"Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths year-round.~~

(1) Regulations that apply to the Cowcod Conservation Areas are specified in Section 27.50.

(2) Leopard shark may be taken or possessed in Newport Bay, Alamitos Bay, Mission Bay, and San Diego Bay year-round only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

~~(3) When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed year-round. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.~~

~~(4) When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed year-round. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.~~

(3) California scorpionfish may be taken or possessed January 1 through August 31 only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).

Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, 205, ~~4802, 7071 and 8586~~ 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G; and 50 CFR 660.384.

Amend Section 27.50, Title 14, CCR, as follows:

§ 27.50. Cowcod Conservation Areas.

This Section applies to take and possession of all ~~90 species of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos* in the Cowcod Conservation Areas. The Cowcod Conservation Areas are special Groundfish Management Areas where sport fishing regulations for these species are designed to minimize interaction with cowcod.~~ Federal groundfish include, but are not limited to, rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Cowcod Conservation Areas are defined as ocean waters off southern California within each of the following two ~~areas~~ areas:

Area 1 is an area south of Point Conception that is bound by straight lines connecting the following points in the order listed:

- ~~33° 50' N. lat., 119° 30' W. long.;~~
- ~~33° 50' N. lat., 118° 50' W. long.;~~
- ~~32° 20' N. lat., 118° 50' W. long.;~~
- ~~32° 20' N. lat., 119° 37' W. long.;~~
- ~~33° 00' N. lat., 119° 37' W. long.;~~
- ~~33° 00' N. lat., 119° 53' W. long.;~~
- ~~33° 33' N. lat., 119° 53' W. long.;~~
- ~~33° 33' N. lat., 119° 30' W. long.;~~

33° 50' N. lat., 119° 30' W. long.; and Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:

32° 42' N. lat., 118° 02' W. long.;

32° 42' N. lat., 117° 50' W. long.;

32° 36' 42" N. lat., 117° 50' W. long.;

32° 30' N. lat., 117° 53' 30" W. long.;

32° 30' N. lat., 118° 02' W. long.;

32° 42' N. lat., 118° 02' W. long.

33° 50' N. lat., 119° 30' W. long.;

33° 50' N. lat., 118° 50' W. long.;

32° 20' N. lat., 118° 50' W. long.;

32° 20' N. lat., 119° 37' W. long.;

33° 00' N. lat., 119° 37' W. long.;

33° 00' N. lat., 119° 53' W. long.;

33° 33' N. lat., 119° 53' W. long.;

33° 33' N. lat., 119° 30' W. long.;

and connecting back to 33° 50' N. lat., 119° 30' W. long.

Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:

32° 42' N. lat., 118° 02' W. long.;

32° 42' N. lat., 117° 50' W. long.;

32° 36' 42" N. lat., 117° 50' W. long.;

32° 30' N. lat., 117° 53' 30" W. long.;

32° 30' N. lat., 118° 02' W. long.;

and connecting back to 32° 42' N. lat., 118° 02' W. long.

(b) Seasons and depth constraints (except as provided in subsection (c) below):

(1) January 1 through the last day in February: Closed, ~~except California scorpionfish may be taken or possessed only in waters shallower than 20 fathoms in depth, as described by general depth contour lines.~~

(2) March 1 through December 31: Open for only the species or species groups listed in (A) through ~~(H)~~(G) below, and only in waters shallower than 20 fathoms in depth as described by general depth contour lines.

(A) Nearshore rockfish, as defined in subsection 1.91(a)(1)

(B) Cabezon

~~(C) California scorpionfish~~

~~(D)~~(C) Greenlings of the genus *Hexagrammos*

~~(E)~~(D) California sheephead

~~(F)~~(E) Ocean whitefish

~~(G)~~(F) Lingcod

~~(H)~~(G) Shelf rockfish, as defined in subsection 1.91(a)(3), except bronzespotted rockfish, canary rockfish, cowcod, and yelloweye rockfish which may not be taken or possessed within the Cowcod Conservation Area.

(c) Special exceptions to subsection (b) above:

(1) California scorpionfish may be taken or possessed from January 1 through August 31 only in waters shallower than 20 fathoms in depth, as described by general depth contour lines.

~~(1) "Other Flatfish" as defined in subsection 1.91(a)(10), which include Pacific sanddabs, may be taken or possessed in all depths year-round.~~

~~(2) When~~(2) Notwithstanding subsection 27.20(b)(1)(C), when angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), only the species identified in (b)(2) above and California scorpionfish may be taken or possessed year-round. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

~~(3) When~~(3) Notwithstanding subsection 27.20(b)(1)(D), when diving or spearfishing, as authorized in Section 28.90, only the species identified in (b)(2) above and California scorpionfish may be taken or possessed year-round. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, 205, 1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Amend Section 27.51, Title 14, CCR, as follows:

§ 27.51. California Rockfish Conservation Area.

California Rockfish Conservation Area (CRCA) means the ocean waters that are closed to recreational groundfish fishing at specified times, or closed in specified depths or areas. CRCA's serve to minimize interaction with particular species of overfished groundfish that cannot be selectively avoided and thus must be protected from overharvest by closing times, depths or areas to recreational fishing for all ~~federally-managed~~ federal groundfish and associated species ~~(limited to California sheephead, greenlings of the genus *Hexagrammos*, and ocean whitefish)~~ managed by California. See Section 27.20.

~~(a) In the CRCA, take and possession is prohibited for all 90 species of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. These species include but are not limited to rockfish, cabezon, lingcod, California scorpionfish, kelp greenling, and some species of sharks, skates and flatfish. Take and possession of California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*, which are state-managed species known to associate with federal groundfish, is also prohibited.~~

~~(b) This regulation does not apply in cases where these species are possessed aboard a vessel in transit with no fishing gear deployed in the water.~~

Note: Authority: Section 205, Fish and Game Code. Reference: Sections 200, 202 and 215, Fish and Game Code; and 50 CFR Part 660, Subpart G.

§ 27.65. Filleting of Fish on Vessels.

(a) Definition of Fillet: For the purpose of this section a fillet is the flesh from one side of a fish extending from the head to the tail which has been removed from the body (head, tail and backbone) in a single continuous piece.

(b) Fish That May be Filleted: No person shall fillet on any boat or bring ashore as fillets any fish, except in accordance with the following requirements:

- (1) Kelp bass, barred sand bass, and spotted sand bass: All fillets shall be a minimum of seven and one half inches in length. Each fillet shall bear intact a one-inch square patch of skin.
- (2) Barracuda: Fillets must be a minimum of 17 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.
- (3) Lingcod. Lingcod fillets must be a minimum of 14 inches in length. Each fillet shall bear intact a one-inch square patch of skin. The minimum size and minimum fillet size for lingcod may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 days in advance of a change to the minimum size and minimum fillet size for lingcod made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~
- (4) White sea bass: Fillets must be a minimum of 19 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.
- (5) Pacific bonito: No more than 10 fillets of any length may be possessed. All bonito fillets possessed shall be considered a part of the allowable undersized tolerance of five bonito per day less than 24 inches fork length or weighing less than five pounds as provided in Section 28.32 of these regulations. All fillets shall bear intact a one-inch square patch of skin.
- (6) California halibut taken from or possessed aboard a vessel south of Point Arena (Mendocino County): Fillets must be a minimum of 16 and three-quarter inches in length and shall bear the entire skin intact. A fillet from a California halibut (flesh from one entire side of the fish with the entire skin intact) may not be cut in half fillets. However, a fillet may be cut lengthwise in a straight line along the midline of the fillet where the fillet was attached to the vertebra (backbone) of the fish only if the two pieces of a fillet remain joined along their midline for a length of at least two inches at one end of the fillet.
- (7) Yellowtail: Fillets must be a minimum of 17 inches in length, except not more than 10 fillets may be less than 17 inches. Each fillet shall bear intact a one-inch square patch of skin.
- (8) Rockfish: Fillets must have the entire skin attached. The minimum size and minimum fillet size for rockfish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 calendar days in advance of a change to the minimum size and minimum fillet size for rockfish made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~
- (9) California scorpionfish (commonly termed "sculpin"): Fillets must be a minimum of 5 inches. Each fillet shall bear intact a one-inch square patch of skin. The minimum size and minimum fillet size for California scorpionfish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying~~

~~the public 10 days in advance of a change to the minimum size and minimum fillet size for California scorpionfish made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

(10) Ocean whitefish: Fillets must be a minimum of 6 and one half inches in length and shall bear the entire skin intact.

(11) All other species except those listed in subsection (c) of this section: Each fillet shall bear intact a one-inch square patch of skin. The fillets may be of any size.

(c) Fish That May Not be Filleted, Steaked or Chunked: No person shall fillet, steak or cut into chunks on any boat or bring ashore as fillets, steaks or chunks the following: any species with a size limit unless a fillet size is otherwise specified in these regulations. California halibut may be filleted or brought ashore as fillets south of Point Arena (Mendocino County).

Note: Authority cited: Sections ~~200 and 202~~200, 202, 5508 and 5509, Fish and Game Code. Reference: Sections 200, 202, 205, 220, 240, 5508 and 5509, Fish and Game Code.

Amend Section 28.26, Title 14, CCR, as follows:

§ 28.26. California Sheephead.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

~~(1) Northern Groundfish Management Area: Open from May 15 through October 31, in waters shallower than 20 fathoms.~~

~~(2) Mendocino Groundfish Management Area: Open from May 15 through September 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~

~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms.~~

~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms.~~

~~(5) Southern Groundfish Management Area: Open March 1 through December 31, in waters shallower than 50 fathoms.~~

~~(6) Cowcod Conservation Areas: Open March 1 through December 31, in waters shallower than 20 fathoms.~~

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Open and closed dates and depth constraints as defined by Section 27.50.

(b) Limit: Five.

(c) Minimum size: 12 inches total length.

(d) Fishing rules for California sheephead may be changed during the year or in-season by the department under the authority of subsection 27.20(e) or Section 52.10. See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e) or Section 52.10. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2804 for recorded information, or by contacting a department office.~~

Note: Authority cited: Sections 200, 202, 205, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, 4802, 7071 and 85861802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Amend Section 28.27, Title 14, CCR, as follows:

§ 28.27. Lingcod.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

~~(1) Northern Groundfish Management Area: Open May 15 through October 31, in waters shallower than 20 fathoms.~~

~~(2) Mendocino Groundfish Management Area: Open May 15 through September 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~

~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms.~~

~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms.~~

~~(5) Southern Groundfish Management Area: Open March 1 through December 31, in waters shallower than 50 fathoms.~~

~~(6) Cowcod Conservation Areas: Open March 1 through December 31, in waters shallower than 20 fathoms.~~

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Open and closed dates and depth constraints as defined by Section 27.50.

(b) Limit: ~~Two~~Three.

(c) Minimum size: 22 inches total length.

(d) Method of take: When angling, gear is restricted to not more than two hooks and one line. For purposes of this section, a hook is a single hook, or double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for lingcod may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

Note: Authority cited: Sections 200, 202, 205, 220, 702 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, ~~205, 1802 and 8586~~205 and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; ~~50 CFR 660.384;~~ and 14 CCR 27.20.

Amend Section 28.28, Title 14, CCR, as follows:

§ 28.28. Cabezon.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

~~(1) Northern Groundfish Management Area: Open May 15 through October 31, in waters shallower than 20 fathoms.~~

~~(2) Mendocino Groundfish Management Area: Open May 15 through Septemeber 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~

~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms.~~

~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms.~~

~~(5) Southern Groundfish Management Area: Open March 1 through December 31, in waters shallower than 50 fathoms.~~

~~(6) Cowcod Conservation Areas: Open March 1 through December 31, in waters shallower than 20 fathoms.~~

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Open and closed dates and depth constraints as defined by Section 27.50.

- (b) Limit: Three Fish, within a Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish.
- (c) Minimum size: 15 inches total length.
- (d) Method of take: When angling, gear is restricted to not more than two hooks and one line. For purposes of this section, a hook is a single hook, or double or treble hook with multiple points connected to a common shank.
- (e) Fishing rules for cabezon may be changed during the year or in-season by the department under the authority of subsection 27.20(e) or Section 52.10. See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

Note: Authority cited: Sections 200, 202, 205, 220, 702 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, ~~4802, 7071 and 8586~~1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; ~~50 CFR 660.384~~; and 14 CCR 27.20.

Amend Section 28.29, Title 14, CCR, as follows:

§ 28.29. Kelp Greenling. Rock Greenling.

- (a) Open areas, seasons, and depth constraints for greenlings of the genus *Hexagrammos* (including kelp and rock greenlings): See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:
- ~~(1) Northern Groundfish Management Area: Open May 15 through October 31, in waters shallower than 20 fathoms.~~
- ~~(2) Mendocino Groundfish Management Area: Open May 15 through September 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~
- ~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms.~~
- ~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms.~~
- ~~(5) Southern Groundfish Management Area: Open March 1 through December 31, in waters shallower than 50 fathoms.~~
- ~~(6) Coweed Conservation Areas: Open March 1 through December 31, in waters shallower than 20 fathoms.~~
- (1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.
- (2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.
- (3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.
- (4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.
- (5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Open and closed dates and depth constraints as defined by Section 27.50.

(b) Limit: For greenlings of the genus *Hexagrammos*, ten fish within a Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) bag limit of 10 fish.

(c) Minimum size: 12 inches total length.

(d) Method of take: When angling, gear is restricted to not more than two hooks and one line. For purposes of this section, a hook is a single hook, or double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for greenlings of the genus *Hexagrammos* may be changed during the year or in-season by the department under the authority of subsection 27.20(e) or Section 52.10. See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

Note: Authority cited: Sections 200, 202, 205, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, ~~4802, 7071 and 8586~~1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; ~~50 CFR 660.384~~; and 14 CCR 27.20.

Amend Section 28.48, Title 14, CCR, as follows:

§ 28.48. Pacific Sanddab, Rock Sole, Sand Sole, Butter Sole, Curlfin Sole, Rex Sole, and Flathead Sole.

Pacific sanddab, rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole are federal groundfish, also known in the aggregate as "other flatfish" pursuant to subsection 1.91(a)(10) and are subject to special regulations as follows. Regulations of this Section do not apply to other species of sanddabs, flounders, or sole.

(a) Open year-round.

~~(b) Fishing rules for Pacific sanddab, rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

~~(e)~~(b) Limit: There is no limit on Pacific sanddab. The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole.

(c) Fishing rules for Pacific sanddab, rock sole, sand sole, butter sole, curlfin sole, rex sole, and flathead sole may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information.

Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code.
Reference: Sections 200, 202, 205 and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; ~~50 CFR 660.384~~; and 14 CCR 27.20.

Amend Section 28.49, Title 14, CCR, as follows:

§ 28.49. Petrale Sole, Starry Flounder, Soupfin Shark, Dover Sole, English Sole, Arrowtooth Flounder, Spiny Dogfish, ~~Big Skate, California Skate, Longnose Skate, Skates, Ratfish, Rattails~~Grenadiers, Codlings~~Finescale Codling, Pacific Cod, Pacific Whiting, Sablefish and Thornyheads.~~

Petrале sole, starry flounder, soupfin shark, Dover sole, English sole, arrowtooth flounder, spiny dogfish, ~~big skate, California skate, longnose skate, all skates, ratfish, Pacific rattail~~all grenadiers, finescale codling, Pacific cod, Pacific whiting, sablefish, longspine thornyhead, and shortspine thornyhead are federal groundfish, as defined in subsection 1.91(a), and are subject to special regulations as follows. Regulations of this Section do not apply to other species of flounders, sole, sharks, ~~skates, rattails, or codlings~~ unless otherwise specified.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

~~(1) Northern Groundfish Management Area: Open May 15 through October 31, in waters shallower than 20 fathoms.~~

~~(2) Mendocino Groundfish Management Area: Open May 15 through September 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~

~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms.~~

~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms.~~

~~(5) Southern Groundfish Management Area: Open March 1 through December 31, in waters shallower than 50 fathoms.~~

~~(6) Cowcod Conservation Areas: Closed.~~

~~(b) Fishing rules for Petrale sole, starry flounder, soupfin shark, Dover sole, English sole, arrowtooth flounder, spiny dogfish, big skate, California skate, longnose skate, ratfish, Pacific rattail, finescale codling, Pacific cod, Pacific whiting, sablefish, longspine thornyhead and shortspine thornyhead may be changed during the year or in season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2804 for recorded information, or by contacting a department office.~~

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Closed.

(e)(b) Limit:

(1) There is no limit on Petrale sole or starry flounder.

(2) The limit on soupfin shark is one fish.

(3) The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to Dover sole, English sole, arrowtooth flounder, spiny dogfish, ~~big skate, California skate, longnose skate~~all skates, ratfish, ~~Pacific rattail~~all grenadiers, finescale codling, Pacific cod, Pacific whiting, sablefish, longspine thornyhead and shortspine thornyhead.

(c) Fishing rules for Petrale sole, starry flounder, soupfin shark, Dover sole, English sole, arrowtooth flounder, spiny dogfish, all skates, ratfish, all grenadiers, finescale codling, Pacific cod, Pacific whiting, sablefish, longspine thornyhead and shortspine thornyhead may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information.

Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code.

Reference: Sections 200, 202, 205 and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; ~~50 CFR 660.384~~; and 14 CCR 27.20.

Amend Section 28.54, Title 14, CCR, as follows:

§ 28.54. California Scorpionfish (Sculpin).

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

~~(1) Northern Groundfish Management Area: Open May 15 through October 31, in waters shallower than 20 fathoms.~~

~~(2) Mendocino Groundfish Management Area: Open May 15 through September 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~

~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms.~~

~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms.~~

~~(5) Southern Groundfish Management Area: Open year round in waters shallower than 50 fathoms.~~

~~(6) Cowcod Conservation Areas: Open year round, in waters shallower than 20 fathoms.~~

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Open and closed dates and depth constraints as defined by Section 27.50.

(b) Limit: Five.

(c) Minimum size: 10 inches total length.

(d) Fishing rules for California scorpionfish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

Note: Authority cited: Sections 200, 202, 205, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, 220, 4802, 7071 and ~~8586~~1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; and ~~50 CFR 660.384~~; and 14 CCR 27.20.

Amend Section 28.55, Title 14, CCR, as follows:

§ 28.55. Rockfish (*Sebastes*).

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

~~(1) Northern Groundfish Management Area: Open May 15 through October 31, in waters shallower than 20 fathoms.~~

~~(2) Mendocino Groundfish Management Area: Open May 15 through September 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~

~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms.~~

~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms.~~

~~(5) Southern Groundfish Management Area: Open March 1 through December 31, in waters shallower than 50 fathoms.~~

~~(6) Cowcod Conservation Areas: Open March 1 through December 31, in waters shallower than 20 fathoms, except that only Nearshore Rockfish, and Shelf Rockfish, as defined in subsections 1.91(a)(1) and 1.91(a)(3), may be taken and possessed, except as provided below in (b)(1).~~

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Open and closed dates and depths constraints as defined by Section 27.50. Only Nearshore Rockfish, and Shelf Rockfish, as defined in subsections 1.91(a)(1) and 1.91(a)(3), may be taken and possessed, except as provided below in subsection (b)(1).

(b) Limit: Ten, within the Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) limit of 10 fish, in any combination of species, except as provided below.

(1) The limit on bronzespotted rockfish, canary rockfish, cowcod, and yelloweye rockfish is zero. These species shall not be taken or possessed as part of the RCG limit.

(2) The limit on bocaccio rockfish is three fish, within the RCG limit.

(3) The limit on black rockfish is five fish, within the RCG limit.

~~(3)~~(4) In the Cowcod Conservation Areas (see Section 27.50), the limit on slope rockfish, as defined in subsection 1.91(a)(4), is zero. These species shall not be taken or possessed as part of the RCG limit in the Cowcod Conservation Areas.

(c) Size limit: None.

(d) Method of take: When angling, gear is restricted to not more than two hooks and one line. For purposes of this section, a hook is a single hook, or a double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for rockfish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 calendar days in advance of a change for these species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

Note: Authority cited: Sections 200, 202, 205, 215, 220, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, 215, 220, 1802, 7071, 8585.5 and 85867071 and 8585.5, Fish and Game Code; 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Amend Section 28.56, Title 14, CCR, as follows:

§ 28.56. Leopard Shark.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

~~(1) Northern Groundfish Management Area: Open May 15 through October 31, in waters shallower than 20 fathoms, except that take and possession is authorized year-round in Humboldt Bay.~~

~~(2) Mendocino Groundfish Management Area: Open May 15 through September 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~

~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms, except that take and possession is authorized year-round in Drake's Estero Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay.~~

~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms, except that take and possession is authorized year-round in Elkhorn Slough.~~

~~(5) Southern Groundfish Management Area: Open March 1 through December 31, in waters shallower than 50 fathoms, except that take and possession is authorized year-round in Newport Bay, Alamitos Bay, Mission Bay, and San Diego Bay.~~

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25, except that take and possession is authorized year-round in Humboldt Bay.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35, except that take and possession is authorized year-round in Drake's Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40, except that take and possession is authorized year-round in Elkhorn Slough.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45, except that take and possession is authorized year-round in Newport Bay, Alamitos Bay, Mission Bay, and San Diego Bay.

(6) Cowcod Conservation Areas: Closed.

(b) Limit: ~~three~~ Three.

(c) Minimum size: 36 inches total length.

(d) Fishing rules for leopard shark may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information. ~~The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2801 for recorded information, or by contacting a department office.~~

Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code.

Reference: Sections 200, 202, 205, ~~206~~ and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; ~~50 CFR 660.384~~; and 14 CCR 27.20.

Amend Section 28.58, Title 14, CCR, as follows:

§ 28.58. Ocean Whitefish.

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

- ~~(1) Northern Groundfish Management Area: Open May 15 through October 31, in waters shallower than 20 fathoms.~~
- ~~(2) Mendocino Groundfish Management Area: Open May 15 through September 2 in 2013 and May 15 through September 1 in 2014, in waters shallower than 20 fathoms.~~
- ~~(3) San Francisco Groundfish Management Area: Open June 1 through December 31, in waters shallower than 30 fathoms.~~
- ~~(4) Central Groundfish Management Area: Open May 1 through December 31, in waters shallower than 40 fathoms.~~
- ~~(5) Southern Groundfish Management Area: Open March 1 through December 31, in waters shallower than 50 fathoms.~~
- ~~(6) Cowcod Conservation Areas: Open March 1 through December 31, in waters shallower than 20 fathoms.~~
- ~~(b) Fishing rules for ocean whitefish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). The department will provide a news release notifying the public 10 calendar days in advance of a change for this species made under the authority of subsection 27.20(e). Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: www.dfg.ca.gov/marine/, or by calling (831) 649-2804 for recorded information, or by contacting a department office.~~

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Open and closed dates and depth constraints as defined by Section 27.50.

~~(e)(b) Limit: The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to ocean whitefish.~~

(c) Fishing rules for ocean whitefish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information.

Note: Authority cited: Sections 200, 202, 205, 215, 220 and 702, Fish and Game Code.
Reference: Sections 200, 202, 205, 206, 215, 220 and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; 50 CFR 660.384; and 14 CCR 27.20.

Amend Section 28.90, Title 14, CCR, as follows:

§ 28.90. Diving, Spearfishing.

Persons who are floating or swimming in the water may use spearfishing gear and skin or SCUBA diving equipment to take fin fish other than giant (black) sea bass, garibaldi, gulf grouper, broomtail grouper, trout, salmon, or broadbill, except that:

(a) No person may possess or use a spear within 100 yards of the mouth of any stream in any ocean waters north of Ventura County.

(b) When spearfishing for or in possession of federal groundfish species or associated species as authorized pursuant to ~~subsections 27.25(c)(4), 27.30(c)(4), 27.35(c)(4), 27.40(c)(3), 27.45(c)(4) or 27.50(c)(3)~~ subsection 27.20(b)(1)(D), in an area or during a season closed to the take of these species, no fishing gear except spearfishing gear may be aboard the vessel or watercraft.

Note: Authority cited: Sections 200, 202, 7071 and 8587.1, Fish and Game Code.

Reference: Sections ~~205, 7071 and 8586~~ 205 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G.

