

## Regulatory Language

Subsection (b) of Section 27.60, Title 14, CCR, is amended to read:

**27.60. Limit.**

(b) Within the overall bag limit of 20 fish, the following special limits apply:

(1) Rockfish (rockcod) and lingcod taken in the Northern Rockfish and Lingcod Management Area:

- Rockfish (see Sections 27.82 and 28.55) -- 10 fish - all of which may be of the same species of rockfish except as provided for bocaccio, which is two fish; cowcod, which is zero fish; yelloweye rockfish, which is zero fish; and canary rockfish, which is zero fish. ●Lingcod (see Sections 27.82 and 28.27) – ~~two~~one fish.

(2) RCG complex, as defined in Section 1.91, lingcod, and California scorpionfish taken in the Central or Southern Rockfish and Lingcod Management Areas:

- RCG complex (see Sections 27.82, 28.28, 28.29 and 28.55) -- 10 fish in total, except as provided for cowcod, yelloweye rockfish, and canary rockfish which is zero fish. The following RCG complex sub-limits apply: bocaccio – one fish, shallow nearshore rockfish as defined in Section 1.90(e) – two fish, cabezon – three fish, and greenlings of the genus Hexagrammos – two fish.
- Lingcod (see Sections 27.82 and 28.27) – ~~two~~one fish.
- California scorpionfish (see Sections 27.82 and 28.54) -- five fish.

(3) For species of fish other than rockfish, lingcod, California scorpionfish, cabezon and greenlings, within the overall bag limit of 20 fish, the following special limits apply:

Zero fish	One fish	Two fish	Three Fish	Five Fish
giant (black) sea bass (except as provided in Section 28.10)	sturgeon	Salmon (except as provided in Section 27.80)	trout taken from ocean and bays	California sheephead (see Section 28.26)
Garibaldi	Pacific halibut	striped bass	white seabass (except as provided in Section 28.35)	California halibut (except as provided in Section 28.15)
gulf grouper	marlin	broadbill swordfish	leopard shark	surfperch--five fish in the aggregate of all species, except for shiner surfperch under 27.60 (c) below
broomtail grouper	soupin shark	blue shark		
white shark	sixgill shark	thresher shark		
	sevengill shark	shortfin mako shark		

**NOTE:**

Authority cited: Sections 200, 202, 205, 215, 240 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 215, 240, 220, 5517, 7120 and 8585.5, Fish and Game Code.

Section 27.65, Title 14, CCR, is amended to read:

**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, sand bass, spotted bass, and ocean whitefish: All fillets shall be a minimum of six 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 ~~16~~21 inches in length. Each fillet shall bear intact a one-inch square patch of skin.

(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. Brown-skinned rockfish: Fillets shall be a minimum of six and one-half inches in length. Bocaccio fillets must be a minimum of five inches in length.

(9) California scorpionfish (commonly termed "sculpin"): Fillets must be a minimum of five inches. Each fillet shall bear intact a one-inch square patch of skin.

(10) 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: No person shall fillet on any boat or bring ashore as fillets the following fish: cabezon, kelp and rock greenlings, California halibut north of Point Arena (Mendocino County), and any species of flatfish, other than California halibut, including Pacific and Greenland halibut, tonguefish, sole, turbot, flounder, and sanddab, and salmon, striped bass and sturgeon.

NOTE:

Authority cited: Sections 200, 202, 205, 215, 220, 240, 5508 and 5509, Fish and Game Code.

Reference: Sections 200, 202, 205, 206, 220, 240, 5508 and 5509, Fish and Game Code.

Section 27.82, Title 14, CCR, is amended to read:

**27.82. Management Areas, Seasons, Depths, Exceptions, and Fishery Closure Process Described.**

(a) Management areas and boundaries: Management areas and boundaries for rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish) are defined as follows:

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

(2) The Central Rockfish and Lingcod Management Area means ocean waters between 40°10' N. lat. (near Cape Mendocino) and 34°27' N. lat. (at Point Conception, Santa Barbara County).

(3) The Southern Rockfish and Lingcod Management Area means ocean waters between 34°27' N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border including the Cowcod Conservation Areas defined in subsection (d) of this Section.

(b) Seasons and depth constraints (also see Section 27.83 for restrictions on fishing gear within Rockfish and Lingcod Management Areas): Fishing for rockfish, lingcod, and associated species limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish is authorized in management areas during the following months and in the following water depths as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660), or by general depth contour lines:

(1) Northern Rockfish and Lingcod Management Area: ~~open January-December in all water depths.~~

(A) January-December: open in all water depths.

(B) November-December: lingcod may not be taken.

(2) Central Rockfish and Lingcod Management Area:

(A) January-February: open only in waters less than 30 fathoms in depth as described by general depth contour lines.

(B) March-April: closed in all water depths.

(C) May-August: open only in waters less than 20 fathoms in depth as described by general depth contour lines.

(D) September-December: open only in waters less than 30 fathoms in depth as described by general depth contour lines.

(E) November-December: lingcod may not be taken.

~~(E)~~(F) Waters less than 10 fathoms in depth as described by general depth contour lines around the Farallon Islands (off San Francisco and San Mateo counties), including Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock are closed to fishing at all times for rockfish, lingcod, and associated species limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish.

~~(F)~~(G) Waters of the Cordell Bank (off Marin County), located at 38°02' N. lat., 123°25' W. long., and within a 5 nautical mile radius around this point, are closed to fishing at all times for rockfish, lingcod, and associated species limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish.

(3) Southern Rockfish and Lingcod Management Area:

(A) January-February: closed in all water depths.

(B) March-December: open only in waters less than 60 fathoms in depth as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660). Also see subsection (d) for special depth regulations in Cowcod Conservation Areas.

(C) May-October: California scorpionfish may not be taken.

(D) November-December: lingcod may not be taken.

(c) Exceptions: During seasonal area closures and in waters deeper than authorized in subsection (b), fishing for and possession of rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish) is prohibited, except as follows:

(1) In waters that exceed depths authorized in subsection (b), during open seasons within a management area specified in subsection (a), all species of rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus Hexagrammos, California scorpionfish, California sheephead, and ocean whitefish) may be possessed aboard vessels in transit with no fishing gear in the water.

(d) Cowcod Conservation Areas (CCAs) for recreational fisheries means waters which are 20 fathoms in depth and deeper within each of the following two 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.;

At no time may rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish) be taken or possessed while fishing in waters 20 fathoms or greater in depth as described by general depth contour lines in the Cowcod Conservation Areas (see Section 27.83 for restrictions on fishing gear within the Cowcod Conservation Areas).

(e) Fishery closure: When the department determines, based on the best available scientific information, that an annual harvest limit [optimum yield (OY) or harvest guideline] established in regulation by the National Marine Fisheries Service for lingcod, rockfish, cabezon, or a subgroup of rockfish, and/or California scorpionfish, in the California recreational fishery has been exceeded or is projected to be exceeded prior to the end of the year, the department may close the recreational fishery for lingcod, rockfish, a subgroup of rockfish, and/or California scorpionfish in all or part of the Northern, Central, or Southern Rockfish and Lingcod Management areas [see Section 27.82(a)], depending on the level of lingcod, rockfish, cabezon, a subgroup of rockfish, and/or California scorpionfish catch in each area, for the balance of the calendar year.

(f) Notice of closure: The department shall give the public and the National Marine Fisheries Service no less than 10 days notice of any fishery closure implemented pursuant to this Section via a department news release.

#### NOTE

Authority cited: Sections 200, 202, 205, 215, 240, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 206, 215, 240 and 8585.5, Fish and Game Code.

Section 28.27, Title 14, CCR, is amended to read:

#### **28.27. Lingcod.**

(a) Open Season and Area: Lingcod may not be taken from November 1 through December 31. See Section 27.82. Lingcod may not be taken or possessed by a person by hook and line fishing or by spear fishing during a northern, central or southern rockfish and lingcod closure unless provided for under Section 27.82(c).

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

(c) Minimum size: ~~Twenty-four~~Thirty inches total length.

(d) Method of take: 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.

NOTE:

Authority cited: Sections 200, 202, 205, 215, 220 and 240, Fish and Game Code.

Reference: Sections 200, 202, 205, 206, 215, 220 and 240, Fish and Game Code.