
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1393 (McGuire) - Commercial fishing: steelhead trout: Dungeness crab

Version: April 23, 2026

Urgency: No

Hearing Date: May 11, 2026

Policy Vote: N.R. & W. 6 - 0

Mandate: Yes

Consultant: Ashley Ames

Bill Summary: This bill would extend and make multiple changes to two existing fishery management frameworks at the California Department of Fish and Wildlife (CDFW) the commercial Dungeness crab fishery and the steelhead trout fishing report-restoration card (steelhead report card).

Fiscal Impact:

- Unknown, potentially significant ongoing costs and revenue impacts (General Fund, Fish and Game Preservation Fund [FGPF]) for CDFW to continue administering the steelhead report-restoration card program, implement and administer a late/non-return fee, update required legislative reporting, process vessel transit notices, and continue Dungeness crab fishery management activities.

Background:

The commercial Dungeness crab fishery. The commercial Dungeness crab fishery is consistently one of the most valuable fisheries in the state. For example, in 2025, the ex-vessel value of Dungeness crab landings was \$56.4 million dollars – almost 27% by itself of all commercial fishery ex-vessel value (\$212M). The commercial Dungeness crab fishery is a limited entry fishery, and fishers are authorized to purchase tags for only a certain number of traps biannually.

Particularly in recent years, the commercial Dungeness crab fishery has faced a number of challenges. Marine mammals, such as whales, and other species can become entangled in crab gear resulting in harm to the animal or death. The Risk Assessment and Mitigation Program (RAMP) was developed in response which provides authority to the department director to order changes in the fishery – such as closure or a reduction in gear – to minimize the risk of entanglement. Crab quality at the start of season has sometimes been poor resulting in a delayed opening. Additionally, the presence of certain marine algae can result in high domoic acid – a potent neurotoxin – concentrations in shellfish which also results in fishery closures.

According to the department, beginning with the 2025/2026 fishing season, all vessels participating in the Dungeness Crab fishery must have satellite or cellular based electronic monitoring when participating. A vessel's location is required to be tracked and recorded at a frequency of at least once per minute at all times that the vessel is participating in the fishery.

The Dungeness Crab Task Force (DCTF), with specified statewide membership, is established in statute and provides a forum for commercial fishers to provide input to the management of the fishery. One of the DCTF's tasks is to annually provide

recommendations to the Legislature regarding proposed statutory changes to the fishery.

Recent DCTF recommendations included:

- Any surplus moneys from the crab trap program fees be placed into a separate account to be managed by the Pacific State Marine Fisheries Commission, in partnership with the department and DCTF, to use in alignment with DCTF's priorities. The fees can only be used to administer the crab trap limit program and support the DCTF. The surplus was approximately \$300,000, \$1.3 million, and \$800,000 at the end of FY 2021/22, FY 2022/23, and FY 2023/24, respectively.
- Modifications to authorize fishers to transit closed areas with crab onboard. Existing statutory provisions prohibit the take or possession of Dungeness crab while in a closed zone. Existing state and federal regulations require that a vessel in a closed zone be continuously transiting it. Vessels are required to have a fully functional electronic monitoring system operating and are required to return to port if it is not, and to notify department enforcement. Currently, no crab is allowed onboard for a vessel transiting a closed zone which meets the following criteria: 1) the crab traps on board have Washington or Oregon tags; 2) the traps are not deployed in state waters; and 3) the traps are rendered unusable (Fish and Game Code (FGC) §8276.5(a)(4)). An exemption in the event of a mechanical breakdown of the vessel is also recommended.
- Request of 10-year sunset extensions for the commercial Dungeness crab fishery set to currently become inoperative on April 1, 2029 and be repealed on January 1, 2030. Most of the statutory sections specific to the commercial crab fishery have this or a similar sunset (e.g. FGC §§8275 et seq.).

Recreational steelhead fishery. Anadromous rainbow trout (*Oncorhynchus mykiss*) – steelhead – are an important ceremonial, biological, economical and recreational resources throughout the western Pacific states. Despite being widespread across California, most steelhead populations within the state are declining. Four of the six steelhead “distinct population segments” recognized under the federal Endangered Species Act (ESA) in the state are threatened, and one is endangered. The Northern California summer steelhead and the Southern California steelhead are also listed as endangered under the California ESA.

In order to fish for steelhead, an angler must have a fishing license and purchase a steelhead report card. The steelhead report card serves two major roles – 1) gather steelhead angling data which enables the department to monitor catch trends over time, and 2) to generate revenue for restoration projects. It is mandatory that the steelhead report card be returned, and online reporting is now available. The current fee for a steelhead report card is \$10.29.

With respect to the data generated, the return rates for the steelhead report cards have generally been very poor – in the vicinity of 30 – 35% and sometimes worse. Steelhead report card reporting was simplified at least once with no particular increase in response rates. The value of these data are highly questionable given the dismal return rates without additional verification. In fact, the department just used \$500K of steelhead

report card-generated moneys – over half of the moneys generated over a two year period - to perform creel surveys of 3 rivers.

Potential penalties for steelhead report card non-response have not been implemented by the department despite explicit authorization to do so (Title 14, California Code of Regulations, §1.74 (d)(1)(A)).

In September 2025, a department presentation to the Wildlife Resources Committee (WRC) of the California Fish and Game Commission (commission) recommended multiple changes to the steelhead report card program to be included in the commission's sportfishing regulatory effort for 2026 with a goal to have the new regulations in effect on January 1, 2027. The recommendations included changing the steelhead report card to a 9-month card and changing the reporting deadline, charging a non-return fee to an angler who did not return the steelhead report card and not issuing a new steelhead report card until the non-return fee was paid. In materials from the January 2026 WRC meeting, the department indicated that the non-return fee has helped in other report card programs.

At the February 2026 commission meeting, the WRC's sportfishing regulatory proposal was approved on a 3-0 vote. There was no public comment relevant to the report card at any of the three meetings.

Proposed Law: This bill would:

1. Extend the sunset on various commercial Dungeness crab fishery sections, including the RAMP program, 10 years to January 1, 2040. Extend the inoperative date and the sunset on various other commercial Dungeness crab fishery sections, including the authorization for the department director to delay the opening, 10 years to April 1, 2039, and January 1, 2040, respectively.
2. Raise the steelhead report card fee to \$15 for the 2027 license year.
3. Require a person who does not return a steelhead report card by the date established by the department to be assessed a late or non-return fee, as provided.
4. Add a legislative report providing information about the steelhead report card program on or before July 1, 2030.
5. Extend the sunset on the steelhead report card program ten years to January 1, 2032.
6. Authorize crab species to be on board a vessel transiting state waters when the vessel contains crab traps without a California tag and with a Washington or Oregon tag on them and the traps are not deployed in state waters, or, during a time period when there is an evisceration order in effect and that all related requirements are met.
7. Create the Dungeness Crab Fleet subaccount in the Dungeness Crab Account, as provided. Require money deposited in the subaccount to be managed by the Pacific States Marine Fisheries Commission. Require the DCTF, on or before

December 31, 2027, and by December 31 annually thereafter, to develop and submit a spending plan for the moneys in the subaccount. Require the moneys in the subaccount to be available, upon appropriation, to implement the DCTF's spending plan. Sunset the subaccount on January 1, 2040.

8. Require the amount remaining in the Dungeness Crab Account after certain allocations are made to be deposited in the subaccount starting in fiscal year 2027 and every two fiscal years thereafter through fiscal year 2039.
9. Authorize a vessel to transit certain closed waters with Dungeness crab traps and Dungeness crab onboard if all of the following conditions are met:
 - a. Require the vessel to submit a notice of intent to the department at least 72 hours before entering the closed area. Require the notice to include the vessel's name, the vessel captain's name and phone number, the port of landing, the number of trips anticipated where the vessel will enter a closed area, the requested start and end date of closed area transit, and the procedures in case of mechanical failure or breakdown during transit, as provided.
 - b. Require the vessel to maintain continuous transit through the closed waters and to possess a fully operational electronic monitoring system during the closed area transit. Require all gear to be secured so no traps are rendered unusable.
 - c. Require the department to provide an exemption from the requirements of (a) and (b) for vessels experiencing mechanical issues during transit.
 - d. Define continuous transit to mean transiting through a closed area as close to a direct route without stopping or delaying and maintaining at least a speed of 3 knots at all times.
10. Make various minor technical and conforming changes, and require that no reimbursement is required, as specified.

Related Legislation:

SB 156 (Committee on Budget and Fiscal Review, Chapter 72, Statutes of 2024) extended the sunset on the steelhead report card to January 1, 2027, among other provisions.

AB 203 (Committee on Budget, Chapter 60, Statutes of 2022), a Public Resources budget trailer bill, extended the sunset on the steelhead report card to January 1, 2025, among other provisions.

SB 80 (McGuire, Chapter 757, Statutes of 2021) revised fair start requirements for the Dungeness crab fishery, among other fishery-related provisions.

SB 262 (McGuire, Chapter 472, Statutes of 2019) altered the Dungeness crab vessel permit transfer, among other provisions.

SB 1310 (McGuire, Chapter 663, Statutes of 2018) extended the sunset of the DCTF among other Dungeness crab fishery related provisions.

SB 1309 (McGuire, Chapter 985, Statutes of 2018) extended the inoperative date of many Dungeness crab-related sections to April 1, 2029, with a sunset on January 1, 2030.

SB 144 (McGuire, Chapter 305, Statutes of 2017) extended the sunset on the steelhead report card to January 1, 2023, among other provisions.

SB 1287 (McGuire, Chapter 542, Statutes of 2016) established a Dungeness crab trap retrieval program, among other Dungeness crab fishery provisions, as provided.

SB 369 (Evans, Chapter 335, Statutes of 2011) established the tiered Dungeness crab trap program, among other Dungeness crab fishery provisions with a January 1, 2020 sunset.

SB 1690 (Wiggins, Chapter 727, Statutes of 2008) created the DCTF with a January 1, 2011 sunset.

Staff Comments:

Steelhead Report Card. Currently, the administration of the program is covered, and the remainder of the Steelhead Report Card revenue is deposited into the Steelhead Trout Account within the Fish and Game Preservation Fund and is allocated to steelhead restoration, research, management, and outreach efforts.

The fiscal effects of increasing the base fee from \$9.50 to \$15.00 (+58%) are unknown, as future sales, base fee inflation, and spending authority change by year. Increasing the base fee to \$15.00 would make the total cost of the Steelhead Report Card \$16.25 (\$15.00 plus fees). This may increase revenue; however, it is possible that such an excessive fee increase (58%) may have negative impacts on revenue by pricing out a portion of the angling community.

The bill would also require the department to implement a non-return fee, although a specific fee amount has not been identified. A non-return fee may increase revenue if anglers choose to pay the fee, however, if anglers opt out of paying the fee, revenue may not increase and may impact overall report card sales for the following season due to reduced sales from those opting out. A decrease in sales may occur with the implementation of a non-return fee, anglers choosing to opt out for a season, and an increase in the proposed base fee.

Dungeness Crab. The extension of sunset dates for the various crab management subsections would be undertaken by existing staff at no additional cost.

According to CDFW, the establishment of the new Dungeness Crab Fleet Subaccount within the Dungeness Crab Account cannot technically be established as proposed, it would require a new fund. The management of the new fund and transfer of monies would require significant additional administrative workload. This bill would require adding another fund to the Department to perform financial reconciliations and statements, in addition to the day-to-day management of the new fund.

The new section to allow vessel transiting through a closed area would require additional workload to Law Enforcement Division staff, as they would need to monitor vessel reports (or lack thereof) as vessels transit through closed areas. The additional cost could be absorbed within existing staff duties and budget.

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