

Date of Hearing: June 30, 2026

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

SB 1393 (McGuire) – As Amended April 23, 2026

SENATE VOTE: 39-0

SUBJECT: Commercial fishing: steelhead trout: Dungeness crab

SUMMARY: Makes changes to the steelhead trout fishing report-restoration card (steelhead report card) program and to the management of the Dungeness crab fishery. Specifically, **this bill:**

- 1) Increases the fee for the steelhead report card from \$5 (in 2004 dollars) to \$15 (in 2027 dollars).
- 2) Establishes a late or non-return fee to be assessed on individuals who do not return their steelhead report card and prohibits the California Department of Fish and Wildlife (CDFW) from selling a steelhead report card to a person who has not returned their steelhead report card until the late fee is paid. Establishes a yet-to-be-determined based fee for the late or non-return fee. Requires that funds received from the late or non-return fee be used in the same manner as the revenues from steelhead report card sales. Prohibits CDFW or the Fish and Game Commission (Commission) from waiving the late or non-return fee.
- 3) Requires the next steelhead report card program report to the Legislature by July 1, 2030 and requires CDFW to additionally report collected fishing effort data with error bars.
- 4) Extends the sunset of the steelhead report card program to January 1, 2032.
- 5) Extends the sunset of provisions regarding the management of the Dungeness crab fishery, including:
 - a) The Risk Assessment and Mitigation Program (RAMP), from January 1, 2030 to January 1, 2040;
 - b) The CDFW Director's authority to delay the opening of the Dungeness crab season based on meat quality and the prohibition of take during such closures, from April 1, 2029 to April 1, 2039;
 - c) The Dungeness Crab Task Force (Task Force), from April 1, 2029 to April 1, 2039;
 - d) The Dungeness crab program, from April 1, 2029 to April 1, 2039;
 - e) The provisions governing a fair start to the season, from April 1, 2029 to April 1, 2039;
 - f) The requirement to have a Dungeness crab vessel permit, including qualifications and processes to possess, renewal, and transfer the permit, from April 1, 2029 to April 1, 2039; and

- g) The retrieval program for lost or abandoned commercial Dungeness crab traps, from April 1, 2029 to April 1, 2039.
- 6) Establishes the Dungeness Crab Fleet Subaccount, to receive surplus funds from the Dungeness Crab Account, beginning in fiscal year (FY) 2027 and every two years thereafter. Requires the subaccount to be overseen by the Pacific States Marine Fisheries Commission. Requires the Task Force to annually submit spending plans to the Legislature and allows moneys in the subaccount to be used to implement those spending plans.
- 7) Allows a vessel to transit waters closed to Dungeness crab fishing with Dungeness crab traps on board if the vessel owner submits a notice of intent to CDFW at least 72 hours before entering the closed area, the vessel maintains a speed greater than three knots in the closed waters, the vessels approved electronic monitoring system is fully operational during transit, and all gear is secured and unusable.
- 8) Makes other technical and conforming changes.
- 9) States that no reimbursement is required under this bill.

EXISTING LAW:

- 1) Requires that any person taking steelhead trout in inland waters possess a valid, nontransferable steelhead report card. Requires the person to record their catch or release of the steelhead, as well as specified information, on the card. Requires the return of the card by a date established by CDFW. Sets a base fee of the card at \$5 (for 2004 license year), which may be adjusted for inflation, and deposits those funds into the Fish and Game Preservation Fund (FGC § 7380 and 14 California Code of Regulations (CCR), § 5.88).
- 2) Requires that revenues from the steelhead report card be expended, upon appropriation by the Legislature, only to monitor, restore, or enhance steelhead trout resources, and to administer the steelhead report card program. Requires a report to the Legislature on or before July 1, 2025 regarding the projects undertaken from, benefits derived from, and recommendations for the steelhead report card program (FGC § 7381).
- 3) Repeals the provisions of Existing Law #1 and #2 on January 1, 2027 (FGC § 7382).
- 4) Establishes RAMP, which provides criteria and protocols to evaluate and respond to the potential risk of marine life entanglements including the use of alternative gear and take restrictions (FGC § 8276.1).
- 5) Authorizes the Director of CDFW to delay the opening of the Dungeness crab fishery season based on the quality testing of the Dungeness crab meat and provides guidance on the testing (FGC § 8276.2).
- 6) Prohibits the take or landing of a crab during any closure, pursuant to Existing Law #5 (FGC § 8276.3).
- 7) Establishes the Task Force, delineates the membership of the Task Force, and the role of the Task Force, including reviewing and evaluating management measures and making

recommendations to the Legislature, CDFW, and Commission every three years. Further, establishes that take of Dungeness crab for commercial purposes may be subject to restrictions (FGC § 8276.4).

- 8) Requires the Director of CDFW, in consultation with the Task Force, to adopt a trap limit program for managing the Dungeness crab fishery (FGC § 8276.5), including:
 - a) Establishes seven tiers of trap limits based on landing receipts;
 - b) Establishes requirements for participation in the fishery such as paying a biennial fee for each trap tag, and establishes requirements regarding the cost, use of revenues, transferability, and application of the tags;
 - c) Requires CDFW to issue waivers for individuals who are unable to fish during a season, for specified reasons;
 - d) Prohibits a vessel from transporting a crab trap through state waters without a California tag, unless that crab trap has an Oregon or Washington tag, no crab species on board, and the traps are not deployed;
 - e) Establishes penalties for violation of the requirements of the program; and
 - f) Establishes the Dungeness Crab Account and allows moneys in the account to be used by CDFW to administer and enforce the program and requires \$150,000 to be allocated to support the Ocean Protection Council, if available.
- 9) Establishes the “fair start” provisions, which prohibits a person from taking or possessing Dungeness crab for commercial purposes for 30 days in certain waters if the season opening has been delayed because of whale entanglement or meat quality risk and that vessel was used to take Dungeness crab from outside of the delayed waters. Establishes that a violation of the closure will result in the revocation of the Dungeness crab vessel permit (FGC § 8279.1).
- 10) Prohibits a person from taking, possessing, or landing Dungeness crab for commercial purposes with a vessel, unless the owner of the vessel has a valid Dungeness crab vessel permit. Prevents the issuance of new vessel permits. Establishes a fine and other penalties for a person who fishes without a vessel permit (FGC § 8280.1).
- 11) Establishes the eligibility requirements for a person to qualify for a Dungeness crab vessel permit, the allowable use of the vessel permit, and the process for vessel permit renewal (FGC § 8280.2).
- 12) Provides criteria for the transfer of a vessel permit if there are any changes in length and capacity of the vessel (FGC § 8280.3).
- 13) Grants the Commission the authority to revoke the commercial fishing license of any person who owns a fishing vessel engaged in the take or landing of Dungeness crab by trap if that person has not obtained a vessel permit and revoke the registration of that vessel (FGC § 8280.4).

- 14) Establishes the fees for a vessel permit for residents and nonresidents, fees for transferring a vessel permit, and requirements for transfer (FGC § 8280.6).
- 15) Requires CDFW, in consultation with the Task Force, to establish a program to retrieve lost or abandoned commercial Dungeness crab traps (retrieval program), establishes a retrieval permit and authorizes CDFW to determine the qualifications for, and cost of, the retrieval permit (FGC § 9002.5).
- 16) Determines that CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (FGC § 1802).
- 17) Delegates the power to regulate the taking or possession of birds, mammals, fish, amphibians, and reptiles to the Commission. This authority includes promulgating regulations for the specifics of a season, bag and position limit, territory for taking, manner of taking, and species characteristics for taking (FGC § 200 *et seq.*)

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author, “California’s steelhead trout and Dungeness crab fisheries are cornerstones of California’s natural heritage and economic lifelines for communities throughout the state. [This bill] preserves the state management frameworks that have been essential to sustainably overseeing these fisheries and protecting marine ecosystems from entanglement risk. The bill also ensures that reliable data — not guesswork — drives decision-making and determines how we allocate access and enforce laws. Fishermen, processors, and resource managers need clear and predictable rules around which they build their lives and livelihoods.”
- 2) **Background.** CDFW is a trustee agency, meaning that the department has jurisdiction by law over the natural resources that are held in trust for the people of California. For CDFW, this includes habitat and species protection and ensuring that the recreational enjoyment and commercial use of these resources would not interfere with maintaining a biologically viable population.

Steelhead report cards. Steelhead (*Oncorhynchus mykiss*) are the anadromous form of rainbow trout. These fish are important ceremonial, biological, economic, and recreational resources throughout the western United 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.

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) collecting steelhead angling data which enables CDFW to monitor catch trends over time, and 2) generating revenue for restoration projects (see Existing Law #2). 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.

CDFW recently released a report on the steelhead report card program covering FY 2022 and 2023.¹ Over those two years, 92,767 cards were sold to 66,359 individual anglers, generating \$794,365 in revenue. With respect to the data generated, the return rates for the steelhead report cards have generally been very poor. The report card dashboard indicates that “Steelhead Report Card return rates range from a low of 21.6% to a high of 42.83% from 2012 to 2024 and approximately half of all returned cards do not contain any trips recorded.” Steelhead report card reporting has been simplified at least once with no corresponding increase in response rates. In this latest report on the program, CDFW shares that only 36.7% of returned report cards had all data fields filled out correctly meaning that only 11.8% of sold report cards generated usable data for CDFW analysis. The lack of correctly returned report cards calls into question the reliability of the data. In fact, CDFW used \$655,000 of steelhead report card-generated funds to perform angler (creel) surveys of three rivers, while only one-third of revenues were dedicated to restoration projects.

Potential penalties for steelhead report card non-response have not been implemented by CDFW, although they have explicit authorization to do so [14 CCR § 1.74 (d)(1)(A)]. The agenda of the June meeting of the Commission considered multiple changes to the steelhead report card including, 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.² These draft regulations propose setting the steelhead report card nonreturn fee at \$20, matching the non-return fee of the spiny lobster report card. These changes are expected to increase the return rate of the steelhead report card and will be adopted at a future hearing.

Dungeness crab fishery. The Dungeness crab fishery in California supports an economically important commercial sector as well as a popular recreational sector. The commercial fishery is divided into two management areas (Northern and Central) that are demarcated by the Sonoma-Mendocino County line. Despite a slow and steady decline in fishery participation since the 1980's, the commercial Dungeness crab fishery is consistently one of the most valuable fisheries in the state. In 2025 alone, the value of the 8,630,391 pounds of landed Dungeness crab was \$56.4 million dollars.³ In 2021, this fishery represented a quarter of the value of all California's commercial fishing.⁴ 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. The primary management authority for the Dungeness crab fishery rests with the California Legislature, although recent legislation (SB 1309, McGuire, Chapter 985, Statutes of 2018) delegated additional authority to CDFW, increasing its ability to be

¹ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=233384&inline>

² <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=245491&inline>

³ <https://marinespecies.wildlife.ca.gov/dungeness-crab/the-fishery/>

⁴ <https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://nrm.dfg.ca.gov/FileHandler.ashx%3FDocumentID%3D198970&ved=2ahUKewjr7MOlx5OVAXbADQIHwxxKmcQFnoECBgQAQ&usg=AOvVaw36ObswG7Ek6IPPH1tKgU2J>

responsive to emerging management concerns, such as increased marine life entanglement risk.

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. In response, a Dungeness crab working group developed RAMP, which provides authority to the CDFW Director to order changes in the fishery – such as closure or a reduction in gear – to minimize the risk of entanglement. For example, on June 18, 2026, the Director determined that the management actions established on May 15th should remain in effect, which includes a 15% Gear Reduction and 30-fathom Depth Constraint in Fishing Zones 1–2 for the commercial fishery, and the Crab Trap Prohibition in Fishing Zones 3–5 for the recreational fishery. Crab meat quality at the start of the season may also result in a delayed opening.⁵ These decisions are generally the result of high concentrations of domoic acid, a potent neurotoxin that concentrates in shellfish .

In 2008, the Task Force was established in statute. The Task Force is a forum for commercial fishers to provide input on the management of the fishery as well as to provide recommendations to the Legislature regarding proposed statutory changes to the fishery.

Recent Task Force recommendations⁶ include:

- Placing surplus moneys from the crab trap program fees into a separate account to be managed by the Pacific States Marine Fisheries Commission, in partnership with CDFW and the Task Force, to use in alignment with the Task Force’s priorities. Under existing law, the fees can only be used to administer the crab trap limit program and support the Task Force. 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.
- Authorizing vessels 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 CDFW 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 [FGC § 8276.5(a)(4)]. An exemption in the event of a mechanical breakdown of the vessel is also recommended.
- Extending the sunset of the commercial Dungeness crab fishery set to become inoperative on April 1, 2029 and be repealed on January 1, 2030.

⁵ <https://wildlife.ca.gov/News/Archive/recreational-dungeness-crab-fishery-open-in-northern-california-continued-meat-quality-and-whale-protection-delays-for-commercial-fishery>

⁶ https://opc.ca.gov/wp-content/uploads/2025/11/DCTF_LegReport_November-2025-508.pdf

- 3) **Proposed committee amendments.** To provide more technical clarity, the Committee may wish the author to consider the following amendments:

Amendment 1. Establish a non-return fee of \$20 for the steelhead report card (FGC § 7380):

(c) (1) A person who does not return a steelhead trout fishing report-restoration card by the date established by the department shall be assessed a late or non-return fee, and the department shall not sell a steelhead trout fishing report-restoration card for a subsequent year to that person until the late or non-return fee is paid in full.

(2) The base fee for the late or non-return fee shall be **twenty** dollars (\$ **20**) for the 2027 license year, and may be adjusted annually thereafter pursuant to Section 713.

Amendment 2. Reduce the sunset extension for the Dungeness crab fishery from 2039 to 2037 to be in line with previous 10-year extensions (FGC §§ 8276.1, 8276.2, 8276.3, 8276.4, 8276.5, 8276.6, 8279.1, 8280.1, 8280.2, 8280.3, 8280.4, 8280.6, 9002.5):

Amendment 3. Simplify the transfer of surplus funds to the Pacific States Marine Fisheries Commission by removing the creation of a subaccount [FGC § 8276.5 (e)]:

(3) Beginning in fiscal year 2027, and every two fiscal years thereafter through fiscal year 2039 ~~2037~~, the amount ~~remaining in the account after the allocations pursuant to paragraphs (1) and (2) are made shall be deposited into the Dungeness Crab Fleet Subaccount established~~ *not to exceed the remaining balance in the account after the allocations pursuant to paragraphs (1), (2), and a prudent fund reserve to be determined in collaboration with the Department of Finance, shall be made available to the Pacific States Marine Fisheries Commission* pursuant to section 8276.6.

Amendment 4. Clarify the process for approving and submitting spending plans for the surplus funds (FGC § 8276.6):

~~(a) (1) The Dungeness Crab Fleet Subaccount is hereby established in the Dungeness Crab Account established pursuant to Section 8276.5. Funds shall be deposited into the subaccount in accordance with paragraph (3) of subdivision (e) of Section 8276.5.~~

~~(2) The moneys deposited into the subaccount shall be managed and overseen by the Pacific States Marine Fisheries Commission.~~

~~(3) The moneys in the subaccount shall be available, upon appropriation by the Legislature, to implement the spending plan developed by the California Dungeness crab task force pursuant to subdivision (b).~~

(a) Upon appropriation by the Legislature, the California Department of Fish and Wildlife will provide Pacific States Marine Fisheries Commission funding from the Dungeness Crab Account established pursuant to Section 8276.5, consistent with the California Dungeness crab task force spending plan pursuant to subdivision (b).

(b) (1) The California Dungeness crab task force shall, on or before December 31, 2027, and by December 31 annually thereafter until December 31, 2039, develop and submit to the Legislature a spending plan for the funds ~~in the subaccount~~ ***provided under subdivision (a).***

(2) The task force shall submit the plan pursuant to paragraph (1) in accordance with Section 9795 of the Government Code.

(c) This section shall become inoperative on April 1, 2039, ***January 1, 2037*** and, as of January 1, 2040, ***2038***, is repealed.

Amendment 5. Provide additional context and clarity for the circumstances under which a vessel can transit waters of the state that are closed and sunset this authority on the timeline of other provisions of this bill (FGC § 8286):

(a) ***Unless otherwise specifically prohibited in regulation or by a director's action pursuant to Section 8276.1, a*** ~~A~~ vessel may transit waters ***that are*** closed pursuant to ~~this article~~ ***Section 8276.1*** with Dungeness crab traps and Dungeness crab onboard the vessel if all the following conditions are met:

(1) The vessel owner or operator shall submit a notice of intent to the department at least 72 hours before entering a closed area. The notice shall ***be in a manner prescribed by the Department and*** include all of the following:

(A) The vessel's name ***and permit number.***

(B) The ~~vessel's captain's~~ name and phone ***number of both the vessel owner and operator.***

(C) The port of landing ***and the fish business that the Dungeness crab will be delivered to.***

~~(D) The number of trips anticipated where the vessel will enter a closed area.~~

~~(E)~~ ***(D)*** The requested start ***time and date*** and end ***time and date*** of ~~the~~ closed area transit.

~~(F) The procedures the vessel will follow in case of mechanical failure or breakdown during transit.~~

(E) Any other information prescribed by the Department.

(2) The vessel maintains continuous transit through the closed waters.

(3) The vessel possesses an electronic monitoring system ~~approved by the department~~ ***that meets the requirements of 14 CCR 132.8.*** The system shall remain fully operational during transit through closed areas.

(4) All gear is secured so that all traps are rendered unusable, ***including not having bait inside or attached to the traps on board the vessel.***

(b) The department shall provide ~~an exemption from the requirements of subparagraphs (C), (D), and (E) of paragraph (1), paragraph (2), and paragraph (4) of subdivision (a)~~ **a notification procedure** for a vessel experiencing mechanical issues during transit.

(c) For purposes of this section, “continuous transit” means transiting through an area closed to take of Dungeness crab on a heading as close as practicable to a direct route, without stopping or delaying, and maintaining speeds greater than three knots at all times during transit.

(d) This section shall become inoperative on January 1, 2037 and, as of January 1, 2038, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2038, deletes or extends the dates on which it becomes inoperative and is repealed.

- 4) **Arguments in support.** The Nature Conservancy and the Pacific Coast Federation of Fishermen’s Associations write jointly in support for this bill. They share that the Dungeness crab fishery is under increasing stress due to delays, closures, and ongoing uncertainty. They claim that by including some of the recommendations from the Task Force, this bill will ensure stable governance, uphold regulatory requirements and protections, safeguard coastal economies, and ensure uninterrupted, sustainable management of California’s most valuable fishery.

East Bay Municipal Utility District (EBMUD) also writes in support of this bill. EBMUD’s primary source of drinking water comes from the Mokelumne River, which is home to a federally listed population of steelhead trout that are supported by the Mokelumne River Fish Hatchery. EBMUD supports continuing the steelhead report card program so that CDFW can continue gathering fishing data to make informed management, regulatory, and funding decisions regarding the conservation, monitoring, and recovery of steelhead.

- 5) **Related legislation.** SB 156 (Committee on Budget and Fiscal Review), Chapter 72, Statutes of 2024, among other things, extends the sunset on the steelhead report card to January 1, 2027.

AB 203 (Committee on Budget), Chapter 60, Statutes of 2022, among other things, extends the sunset on the steelhead report card to January 1, 2025.

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

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

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

SB 1309 (McGuire), Chapter 985, Statutes of 2018, extends 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, among other things, extends the sunset on the steelhead report card to January 1, 2023.

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

SB 369 (Evans), Chapter 335, Statutes of 2011, establishes 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, creates the Task Force with a January 1, 2011 sunset.

AB 2187 (Tanner), Chapter 1037, Statutes of 1991, establishes the steelhead report card.

REGISTERED SUPPORT / OPPOSITION:**Support**

Bodega Bay Fishermen's Marketing Association
Crescent City Commercial Fishermen's Association
East Bay Municipal Utility District
Half Moon Bay Seafood Marketing Association
Humboldt Fishermen's Marketing Association
Pacific Coast Federation of Fishermen's Associations
Salmon Troller's Marketing Association
San Francisco Crab Boat Owners Association
The Nature Conservancy

Opposition

None on file

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