

SENATE THIRD READING
SB 1393 (McGuire)
As Amended August 13, 2026
Majority vote

SUMMARY

Makes changes to the steelhead trout fishing report-restoration card (steelhead report card) program and to the management of the Dungeness crab fishery.

Major Provisions

- 1) 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 \$20 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.
- 2) 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.
- 3) Extends the sunset of the steelhead report card program to January 1, 2032.
- 4) 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, 2037;
 - 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 January 1, 2037;
 - c) The Dungeness Crab Task Force (Task Force), from April 1, 2029 to January 1, 2037;
 - d) The Dungeness crab program, from April 1, 2029 to January 1, 2037;
 - e) The provisions governing a fair start to the season, from April 1, 2029 to January 1, 2037;
 - 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 January 1, 2037; and
 - g) The retrieval program for lost or abandoned commercial Dungeness crab traps, from April 1, 2029 to January 1, 2037.
- 5) Requires that surplus funds from the Dungeness Crab Account, as described, beginning in fiscal year (FY) 2027 and every two years thereafter, be made available to the Pacific States Marine Fisheries Commission (PSMFC) for spending plans that the Task Force is required to submit annually to the Legislature.

- 6) 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.
- 7) States that no reimbursement is required under this bill.

COMMENTS

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 Card. 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. Under the federal Endangered Species Act (ESA), four of the six steelhead "distinct population segments" 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. 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 FYs 2022 and 2023. 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 Section 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. 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. In 2021, this fishery represented a quarter of the value of all California's commercial fishing. 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.

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. 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.

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."

Arguments in Support

The Nature Conservancy and the Pacific Coast Federation of Fishermen's Associations write jointly in support of 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.

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, this bill has the following fiscal impact:

Ongoing costs and revenue impacts [General Fund, Fish and Game Preservation Fund (FGPF)] of an unknown amount for CDFW to continue administering the steelhead report card program, implement and administer a late or nonreturn fee, update required legislative reporting, grant surplus funds from the Dungeness Crab Account to PSMFC, process vessel transit notices, and continue Dungeness crab fishery management activities, as described below.

Steelhead Report Card. A \$20 late or nonreturn 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 of the program.

Dungeness Crab Fishery. CDFW's annual cost of administering the Dungeness crab fishery is about \$1.1 million. Extending various sunsets dates related to this program means these costs will continue through 2037.

The provision in the bill allowing a vessel to transit waters closed to Dungeness crab fishing would result in additional workload for CDFW's law enforcement division, as CDFW would need to monitor notices of intent as vessels transit through closed areas and develop a notification procedure for a vessel experiencing mechanical issues during transit. However, CDFW anticipates these costs to be absorbable within existing resources.

The bill will also result in the transfer of an unknown amount, potentially in the hundreds of thousands of dollars, of surplus funds in the Dungeness Crab Account to the PSMFC every two years. The Fish and Game Code establishes the Dungeness Crab Trap Limit Program (DCTLTP). Revenues collected through the DCTLTP are deposited in the Dungeness Crab Account, and the use of these funds is restricted to administration and enforcement of the DCTLTP and supporting the administration and facilitation of the Task Force. As of FY 2023–24, the Dungeness Crab Account had an end-of-year balance of approximately \$3 million. [Department of Finance] requires the account to maintain a reserve sufficient to cover CDFW's two-year spending authority of \$1.1 million. The surplus in the account 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. The Task Force, in its 2025 annual report, recommends surplus funds in the Dungeness Crab Account in excess of CDFW and the Task Force's expenditures be provided to the PSMFC biannually for, among other things, gear retrieval programs, vessel surveys, applied research, and the testing or adoption of new technologies that enhance fishery operations and sustainability.

VOTES**SENATE FLOOR: 39-0-1**

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Dahle

ASM WATER, PARKS, AND WILDLIFE: 11-0-2

YES: Papan, Jeff Gonzalez, Alanis, Alvarez, Ávila Fariás, Bennett, Boerner, Caloza, Hadwick, Hart, Rogers

ABS, ABST OR NV: Bains, Celeste Rodriguez

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

VERSION: August 13, 2026

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FN: 0003642