UNFINISHED BUSINESS

Bill No: SB 1393
Author: McGuire (D)
Amended: 8/19/26
Vote: 21

SENATE NATURAL RES. & WATER COMMITTEE: 6-0, 4/21/26
AYES: Becker, Seyarto, Cabaldon, Grove, Laird, Stern
NO VOTE RECORDED: Allen

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SENATE FLOOR: 39-0, 5/28/26
AYES: 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
NO VOTE RECORDED: Dahle

ASSEMBLY FLOOR: 76-0, 8/25/26 - See last page for vote

SUBJECT: Commercial fishing: steelhead trout: Dungeness crab

SOURCE: Author

DIGEST: This bill makes multiple changes to the commercial Dungeness crab fishery, revises and extends the sunset on the steelhead trout fishing report-restoration card (steelhead report card) until January 1, 2032, as provided.

Assembly Amendments retain existing law for the steelhead report card fee, set the base fee for the steelhead report card nonreturn fee to $20 for the 2028 license year, revise the information required in the steelhead trout report card legislative report, change the sunsets for the Dungeness crab fishery provisions to January 1, 2037, revise the process for providing funding from the Dungeness Crab Account

to the Pacific States Marine Fisheries Commission, revise the requirements for the transiting of closed waters with Dungeness crab onboard, and make various minor and conforming changes.

ANALYSIS:

Existing law:

1) Establishes the California Department of Fish and Wildlife (department) and the California Fish and Game Commission (commission) in the California Natural Resources Agency. In general, the department implements and enforces the regulations set by the commission, as well as providing biological data and expertise to inform the commission's decision-making process.

2) Authorizes a commercial fisher participating in eviscerated crab fishery authorized by the department director in an otherwise closed area due to public health risks to transit closed waters if the vessel adheres to electronic monitoring requirements specified by the department (Fish and Game Code (FGC) §5523(a)(3)).

3) Establishes the risk assessment and management program (RAMP) for the Dungeness crab fishery (FGC §8276.1), authorizes the department director to delay the start of the Dungeness crab fishery for specified reasons (FGC §8276.2), and creates the Dungeness crab task force (DCTF) to review, evaluate and make recommendations about the fishery, among other provisions applicable to the commercial Dungeness crab fishery, as provided. Sunsets the RAMP on January 1, 2030. Makes inoperative the department director's authority to delay the start of the fishery and the DCTF on April 1, 2029 and sunsets them on January 1, 2030.

4) Authorizes a vessel to transit state waters with Dungeness crab traps that are not tagged with California tags if the traps contain either a valid Oregon or Washington trap tag, no crab species are onboard the vessel, and the traps are not deployed in state waters (FGC §8276.5(a)(4)).

5) Authorizes the department director to open waters that are otherwise restricted for the commercial take of Dungeness crab or rock crab for public health reasons during a time period that the Department of Public Health authorizes the manufacture and sale of eviscerated Dungeness crab or rock crab, as provided, in accordance with the following requirements:
   a) The vessel is required to submit to electronic monitoring of the vessel when engaged in take of the crab species in order to verify location.

b) Prohibits a person from taking, possessing, or landing Dungeness crab or rock crab under an evisceration order on the same trip in which the Dungeness crab or rock crab are taken, possessed, or landed from waters outside where the evisceration order is in effect.
c) Authorizes a person taking Dungeness crab or rock crab to sell or provide the crab only to a licensed processor, as provided.
d) Requires the processor to identify on the fish ticket that the crabs were taken from an area under an evisceration order (FGC §8285).

6) Requires the department director, when the evisceration order is lifted, to lift restrictions in a manner to promote a fair and orderly fishery (FGC §8285).

7) Requires a person taking steelhead in inland waters to have a valid California sportfishing license and a valid nontransferable steelhead trout fishing report-restoration card. Requires the cardholder to record certain fishing information on the card, as specified, and return it to the department, as provided. Authorizes the commission to adopt necessary regulations to implement this section. Specifies the report card fee is $5 for the 2004 year. Authorizes annual adjustments via indexing to the fee, as specified (FGC §7380).

8) Authorizes revenue raised by the report card, upon legislative appropriation, to be expended to monitor, restore, or enhance steelhead trout resources, and to administer the program, as provided. Requires a legislative report providing information about the steelhead report card program on or before July 1, 2025, as specified. (FGC §7381).

9) Sunsets the steelhead report card provisions on January 1, 2027. (FGC §7382).

This bill:

1) Extends the sunset on various commercial Dungeness crab fishery sections, including the RAMP, 10 years to January 1, 2037. Extends 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 and the DCTF, 7-2/3s years to January 1, 2037, and 8 years to January 1, 2038, respectively.

2) Authorizes 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, and when all the requirements of 5) below are met.

3) Requires the department, upon appropriation by the Legislature, to provide the Pacific States Marine Fisheries Commission (PSFMC) with funding from the Dungeness Crab Account (Account), as provided. Requires the DCTF, on or before December 31, 2027, and by December 31 annually thereafter, to develop and submit a spending plan for the moneys provided to the PSMFC. Makes these provisions inoperative on January 1, 2037, and repeals them on January 1, 2038.

4) Requires the amount remaining in the Account after certain allocations are made and if there is a prudent reserve to be made available to the Legislature for appropriation to the PSFMC per 3) above, as provided.

5) Authorizes a vessel to transit certain closed waters with Dungeness crab traps and Dungeness crab onboard if all of the following conditions are met:
   a) Requires the vessel to submit a notice of intent to the department at least 72 hours before entering the closed area. Requires the notice to include the vessel's name and permit number, the name and phone number of the vessel operator and owner, the port of landing and fish business to deliver to, the requested start and end time and date of closed area transit, and any other information prescribed by the department, as provided.
   b) Requires the vessel to maintain continuous transit through the closed waters and to possess and operate a fully operational electronic monitoring system during the closed area transit. Requires all gear to be secured so no traps are rendered unusable.
   c) Requires the department to provide a notification procedure for a vessel experiencing mechanical issues during transit.
   d) Defines 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.
   e) Sunsets this provision on January 1, 2037 and repeals it on January 1, 2038.

6) Requires the department to assess a late or non-return fee of someone who does not return a steelhead report card by the date established by the department. Prohibits the department from selling a steelhead report card for a subsequent year until the late non-return fee is paid in full.
   a) The base fee for the late or non-return fee is $20 for the 2028 license year and is authorized to be adjusted annually, as provided.
   b) Revenues from the late or non-return fee shall be treated the same as steelhead report card fees, as provided.
   c) The department or commission is prohibited from waiving the late or non-return fee.

7) Adds a legislative report providing information about the steelhead report card program on or before July 1, 2030, as specified.

8) Extends the sunset on the steelhead report card program five years to January 1, 2032.

9) Makes various minor technical and conforming changes, and provides that no reimbursement is required for local agencies and school districts for certain costs mandated by the state, as specified.

[NOTE: Additional background and information about this bill may be found in the Senate Natural Resources and Water Committee analysis.]

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee:

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 (DCTLP). Revenues collected through the DCTLP are deposited in the Dungeness Crab Account, and the use of these funds is restricted to administration and enforcement of the DCTLP 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

SUPPORT: (Verified 8/18/26)

Bodega Bay Fishermen's Marketing Association
California Trout
Crescent City Commercial Fishermen's Association
East Bay Municipal Utility District
Half Moon Bay Seafood Marketing Association
Humboldt Fishermen's Marketing Association, Inc.
Pacific Coast Federation of Fishermen's Association
Salmon Trollers Marketing Association
San Francisco Crab Boat Owners' Association
The Nature Conservancy
Trout Unlimited

OPPOSITION: (Verified 8/18/26)

California Department of Finance
ARGUMENTS IN SUPPORT: 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. SB 1393 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 OPPOSITION: The California Department of Finance writing in opposition states "Finance is opposed to this bill, because it may be duplicative of regulations that the Fish and Game Commission is considering for the Steelhead Report Card Program and because it may limit CDFW's flexibility to spend the balance of the Dungeness Crab Account on state priorities."

Assembly Floor 76 0 3 SB 1393 McGuire Senate Third Reading By Papan Ayes: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas Noes: No Vote Recorded: McKinnor, Schiavo, Ta

Prepared by: Katharine Moore / N. R. & W. / (916) 651-4116
11/13/26 15:54:11

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