

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE COMMENTS ON THE  
UNMANAGED FORAGE FISH INITIATIVE**

California Department of Fish and Wildlife (CDFW) recommends adding a sentence to the very end of the “Purpose and Need” statement as it appears at the bottom of page 4 in Agenda Item I.1.a, Attachment 1 (April 2014), as follows:

“This action is not intended to apply to, supersede or otherwise affect fishery management in state waters for these species.”

CDFW is concerned that the Ecosystem Initiative I document does not explicitly state or describe this intent. Although the “Reader’s Guide to the Ecosystem Workgroup Report on FEP Initiative 1” webinar and the Ecosystem Workgroup Summary Report (Agenda Item I.1.a, April 2014) make reference to state regulations and small-scale or incidental state fisheries for some of these species, the Initiative I document itself speaks only to the purpose of prohibiting new directed commercial fishing in federal waters on unmanaged, unfished forage fish species.

With very rare exception, it is the practice of CDFW and the California Fish and Game Commission to ensure consistency between state and federal fisheries rules in state waters and in the EEZ off California. Consistency of rules in adjacent waters allows for ease of enforcement, minimizes confusion, and allows for a comprehensive approach to resource management. However, in this instance, CDFW would not wish any prohibition on fishing in federal waters to automatically apply in state waters as a matter of conformance.