



KEN FRANKE
PRESIDENT

SPORTFISHING ASSOCIATION OF CALIFORNIA

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March 5, 2010

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

Dear Chairman Ortmann,

The Sportfishing Association of California represents over 130 commercial passenger fishing vessels in Southern California. Many of these small businesses rely on fishing for rock fish in the waters of the Southern California Bight. This fleet was directly impacted when the Cow Cod Conservation Area (CCA) was created in 2001. Current available science, including extensive ROV work in the CCA, would indicate the 4600 square miles of the CCA encompassed a great deal of shallow water habitat not common to Cow Cod. Access to these shallow areas could significantly restore some of the loss the sportfishing public experienced after the initial closure.

We have been in contact with Dr. John Butler, NOAA/NMFS, an expert in Cow Cod, and asked if this request was reasonable based on the information that has been developed since the CCA was established. We explained our desire to fish in less than 30 fathoms in the CCA. From a factual standpoint, Dr. Butler said fishing in less than 30-fathoms would not be a threat to Cow Cod as they live in deeper water.

We have also been in contact with the enforcement side of the Department of Fish and Game and advised them of the desire to engage in fishing this area again. Our discussion revealed enforcement would be a challenge. We agreed we would welcome the opportunity to partner with the DFG to come up with a plan to help them solve this challenge.

The purpose of this letter is therefore to respectfully request that the Council consider two items.

1. Staff consideration be given to study the viability of opening those areas of the CCA less than 30 fathoms to ground fishing.

2. To permit retention of slope rockfish when fishing in less than 30 fathoms in the CCA.

In closing, the purpose of the CCA was to protect Cow Cod. The best available science indicates much more area was closed than necessary. Opening the area shallower than 30-fathoms, and permitting the lawful take of slope rockfish, would restore a critical fishing area to the sportfishing community at large.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ken Franke". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

Ken Franke
President
Sportfishing Association of California

RECEIVED

March 19 2010

MAR 22 2010

To Mr David Ortmann Chairman
PFMC

PFMC

My name is Robert Valney, I own and operate the F/V Seabiscuit. It is a commercial passenger fishing vessel out of Oxnard harbor. Since the Cow Cod conservation closure has been in regulation the sport fishing fleet has been severely impacted. This law has restricted opportunity to work and fish, especially when weather conditions are marginal. The 20 fathom depth line in the CCA is unreasonable when cow cod are rarely caught in less than 50 fathoms! In my opinion pushing the depth line back to 40 or 50 fathoms is a reasonable request. This would create a lot of opportunity without harming any cow cod. I also believe that shelf rockfish should be allowed to be retained within the CCA because the true intent of this law was to protect cow cod. The restriction of shelf rockfish in these areas once again takes away opportunity and in my opinion is completely unjust. To consider these request is greatly appreciated ! This might help the sport fishing fleet survive and keep people out of the unemployment line.

Thank You for your time in this matter.

Robert Valney owner / operator F/V SEABISCUIT



March 19, 2010

Mr. David Ortmann, Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384

RECEIVED

MAR 22 2010

PFMC

Dear Chairman Ortmann,

I own a charter fishing vessel in Oxnard California.

In 2001 the Council closed 4600 square miles of ocean. This was done to protect the Cow Cod in this area (Cow Cod Conservation area.... CCA). Several years after the closure was implemented the California Department of Fish and Game restricted any retention of shelf rockfish in the CCA. We have been negatively impacted by the restricted take of the shelf rockfish in the CCA. It has cost us business. It has made it difficult to fish the CCA for other species. Also it has forced us to rely on other areas to fish and put excess pressure on those areas.

Current available science, including extensive ROV work in the CCA, would indicate the 4600 square miles of the CCA encompassed a great deal of shallow water habitat not native to Cow Cod. Access to these shallow areas could significantly restore some of the loss the sportfishing public experienced after the initial closure. It would also relieve pressure on other areas in Southern California bight

The purpose of this letter is therefore to respectfully request that the Council consider two items.

1. Staff consideration be given to study the viability of opening those areas of the CCA less than 30 fathoms to ground fishing.
2. To permit retention of shelf rockfish when fishing in less than 30 fathoms in the CCA.

Sincerely,



John Fuqua
Owner