

**PACIFIC FISHERY MANAGEMENT COUNCIL**

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Portland, Oregon 97201

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Exhibit G.11  
Attachment 3  
September 2000

*EXECUTIVE DIRECTOR*  
*Donald O. McIsaac*

*CHAIRMAN*  
*Jim Lone*

July 17, 2000

Mr. Robert Treanor, Executive Director  
California Fish and Game Commission  
PO Box 944209  
Sacramento, CA 94244-2090

Re: Recreational fisheries for bocaccio, lingcod, canary rockfish, and cowcod south of Cape Mendocino.

Dear Mr. Treanor:

The Pacific Fishery Management Council (Council) is responsible for recommending management measures to the federal government for marine fish in the exclusive economic zone, the area beyond state jurisdiction out to 200 nautical miles, off Washington, Oregon, and California. The National Marine Fisheries Service (NMFS) implements federal fishery management measures in that area, typically adopting the Council's recommendations. Groundfish resources and fisheries are managed in accordance with the Pacific Coast groundfish fishery management plan.

In 1999, NMFS designated the bocaccio stock off California and the lingcod stock off all three West Coast states as overfished, by federal definition. In response, the Council developed plans and initial management measures to rebuild these stocks, as required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The measures adopted for 2000 were based on preseason expectations of catch of these three species by recreational fishers. The Council recommended, and NMFS implemented, reduced recreational bag limits, seasons, and other measures to reduce recreational catch from previous levels. Based on recreational catch levels anticipated from these measures, the Council developed regulations for commercial fisheries. In effect, the remaining harvest is allocated among commercial fishing sectors.

At the Council's June 26-30, 2000 meeting in Portland, Oregon, the Council received a report that recreational harvest of bocaccio and lingcod south of Cape Mendocino appears to be proceeding much more rapidly than anticipated. In fact, recreational take of bocaccio in this area has already exceeded the preseason estimate and threatens to reach the entire annual quota for all fisheries. Similarly, the catch rate of lingcod taken by recreational fishers is also higher than anticipated. The Council is extremely concerned about the status of these important groundfish stocks, the effectiveness of the rebuilding plans, and management of all fisheries that impact these stocks. At its recent June meeting, the Council voted to request the California Fish and Game Commission to take appropriate action to ensure the preseason estimates of recreational catch of bocaccio, lingcod, cowcod, and canary rockfish south of Cape

Mr. Robert Treanor

July 17, 2000

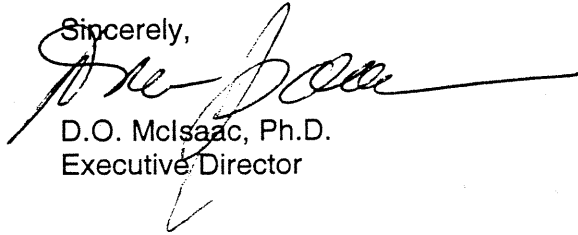
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Mendocino are not exceeded in 2000. It is our understanding the California Department of Fish and Game is making a similar recommendation, and the Commission will address this situation at its August 5-6, 2000 meeting. An immediate response will be necessary.

Achieving the rebuilding goals for these stocks, as well as allowing other depleted stocks to recover to more productive levels, will require close coordination and cooperation between state and federal management agencies. In this regard, the Council has advised NMFS to take similar action in federal waters, using its inseason groundfish management authority.

Thank you for your attention to this request, and we look forward to your positive response.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. O. McIsaac', written over a horizontal line.

D.O. McIsaac, Ph.D.  
Executive Director

JWG:kla

c: Council Members

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STATE OF CALIFORNIA

## **Fish and Game Commission**

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PFMC

August 21, 2000

Dr. Donald O. McIsaac  
Executive Director  
Pacific Fishery Management Council (PFMC)  
2130 SW Fifth Avenue, Suite 224  
Portland, Oregon 97201

Dear Dr. McIsaac:

The Commission, at its August 4, 2000, meeting, received a recommendation from the Department of Fish and Game (Department) to retain current fishing regulations affecting bocaccio rockfish and lingcod south of Cape Mendocino. This was in response to the letter that the PFMC recently sent to the Commission regarding the need to implement emergency regulations in the recreational fishery to slow or halt the catch of these two important groundfish species in the recreational fishery south of Cape Mendocino. The Department presented a report on the status of landings through the first four months of the year and concluded that:

- 1) the estimates of bocaccio and lingcod catch using California fishery data were 29-40 percent and 5 percent, respectively, of the estimates generated by the federal Marine Recreational Fishery Statistical Survey (MRFSS), and
- 2) it is likely—but not certain—that the catch for the year in the commercial and recreational fisheries will exceed 100 metric tons (m.t.) of bocaccio and 130 m.t. of lingcod.

Public testimony was received at the meeting on the Department's recommendations and the status of California's rockfish and lingcod fisheries. The charterboat representatives were very concerned about the use of the federal MRFSS estimates for managing the fisheries on a real time basis. They expressed concern about the manner in which the federal data are collected, especially by the telephone survey. It was pointed out by former Council member Robert Fletcher that no fishery independent data are collected by the National Marine Fisheries Service (NMFS) on the status of the bocaccio stock south of Point Conception. Rather, the primary source of data for the stock is NMFS' triennial trawl survey, which occurs north of that landmark and, by necessity, avoids primary habitats occupied by bocaccio and other rockfish species. Finally, the presenters believe that the "overfished" situation for bocaccio and lingcod was not caused by the recreational fishery, but that they are now being asked to carry a major portion of the burden for rebuilding the stocks.

The NMFS, Southwest Region, testified at the meeting that they were in agreement with the Department's recommendation to not implement emergency regulations at this time.

Based on the above, the Commission took no action with regard to implementing emergency fishing regulations to affect the catch of bocaccio and lingcod in the recreational fishery south of Cape Mendocino. The Department will report back to the Commission on the status of bocaccio and lingcod landings at its October 20, 2000, meeting in San Diego. If necessary, emergency regulatory action can again be considered at that time.

Dr. Donald O. McIsaac  
August 21, 2000  
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The Department's status report on bocaccio and lingcod catches through April 2000 was previously forwarded to you. In addition to assessing the status of the fisheries, the report lists possible regulation options affecting bocaccio and lingcod for consideration by the Commission and PFMC which could become effective on January 1, 2001. The preliminary options are aimed at better ensuring that recreational fishery catches do not exceed the rebuilding plan levels that have been adopted for bocaccio and lingcod. The Commission will likely file notice of intent to modify its regulations following its August 25, 2000, meeting. The Council will be copied on those regulation options for use at the its September meeting.

Also at our recent meeting, Ms. Patty Wolf, Department of Fish and Game, presented an overview of the PFMC's Draft Groundfish Strategic Plan. The presentation primarily focused on fishery management, but briefly described the plan's goals and recommendations for science and Council process as well. The Commission is highly supportive of the mission and goals expressed in the document and at the same time recognizes the difficulty of their implementation. For example, reducing the groundfish fleet size by more than 50 percent will be difficult at best without Congressional assistance.

We were very pleased to learn that the plan proposes to transfer management responsibility for some nearshore groundfish species to the states and to require a permit in all fisheries that land federal groundfish. In that regard, the Commission expects to receive a recommendation from the Department at its next meeting to conform the Commission's list of nearshore species to those identified by the PFMC as nearshore rockfish. These would be in addition to the federal groundfish species that the Commission has already identified as nearshore species; namely, cabezon, greenlings, scorpionfish, and black and yellow, gopher, kelp, China, and grass rockfishes. A management plan for nearshore species is under development by the Department's Marine Region and is scheduled to be submitted to the Commission by January 1, 2002.

At its August 25, 2000, meeting in Oakland, the Commission also expects the Department to submit interim regulation recommendations for the nearshore commercial fishery which could become effective January 1, 2001. Be apprized that some federal groundfish may be part of the recommendations. For example, the Department is expected to recommend that optimum yields be established for cabezon and greenlings and that a higher minimum size limit be adopted for cabezon south of Cape Mendocino. If adopted by the Commission, it may be necessary for the Council to adopt the same regulations for federal waters.

For your information, Robert R. Treanor, the Commission's Executive Director, will be available at the Council's September 11-15, 2000, meeting in Sacramento to update the Council of any management actions taken by the Commission affecting federal groundfish species in state waters and the need to coordinate state and federal regulatory efforts.

Sincerely,



Mike Chrisman  
President



cc: Director Robert C. Hight  
National Marine Fisheries Service, Southwest Region  
LB Boydston, Intergovernmental Affairs Office  
DeWayne Johnston, Marine Region—Monterey  
Patty Wolf, Marine Region—Long Beach  
Rob Collins, Marine Region—Monterey