



State of California - The Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
1416 Ninth Street
Sacramento, CA 95814
(916) 653-7667

GRAY DAVIS, Governor



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MAY 14 2001
DFG

May 3, 2001

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

Dear Dr. McIsaac:

Thank you for your recent letter regarding states' efforts to minimize bycatch of canary rockfish in pink shrimp trawl fisheries. As you are aware, we have shared proposed regulatory language requiring the use of bycatch reduction devices (BRDs) in California pink shrimp trawl nets with the Council's Enforcement Consultants. They have provided comments on our proposed language and we currently are in the process of addressing their concerns. The original language was prepared in consultation with the states of Oregon and Washington.

The California Fish and Game Commission has authorized its staff, with Department input, to file notice of intent to adopt regulations requiring the use of BRDs in pink shrimp trawl nets. We expect to file those regulations by mid-June 2001. By copy of this letter, we are requesting that the Commission include this item for public discussion at their early August 2001 meeting. Final action could be taken at their late August 2001 meeting and implemented by the Secretary of State by mid-September 2001.

Earlier this year we considered emergency regulations for more timely implementation of the BRD regulations. However, because of depressed economic conditions in the pink shrimp fishery, a high level of effort is not anticipated before the season ends October 31; thus, canary rockfish bycatch, without the required use of BRDs, should be far less than we have seen in recent years.

We share the Council's concerns regarding bycatch of depressed groundfish species, and hope this letter is responsive to the situation in our pink shrimp trawl fishery.

Sincerely,

ROBERT C. HIGHT
Director

cc: Continued on page two.

Dr. Donald O. McIsaac
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cc: Fish and Game Commission
1416 Ninth Street
Sacramento, CA 95814

Ms. Lindsay Ball, Director
Oregon Department of Fish and Wildlife
2501 SW 1st Street
Portland, OR 97207

Mr. Jeffrey P. Koenings, Director
Washington Department of Fish and Wildlife
600 Capitol Way N
Olympia, WA 98501-1091

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EXECUTIVE DIRECTOR
Donald O. McIsaac

CHAIRMAN
Tom Lone

April 23, 2001

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APR 26 2001

DFG
DIRECTOR'S OFFICE

Mr. Robert C. Hight, Director
California Department of Fish and Game
PO Box 944209
Sacramento, CA 94244-2090

Re: Canary Rockfish Protection in State-managed Pink Shrimp Fisheries

Dear Mr. Hight:

Please let me draw your attention to an important matter concerning regulation of the state-managed pink shrimp fishery, in relation to impacts on federally-managed canary rockfish. Canary rockfish have been designated as overfished under the provisions of the Magnuson-Stevens Fishery Conservation and Management Act, and allowable catches in 2001 commercial and sport fisheries need to be dramatically reduced. The Council is asking your commission enact measures to mandate bycatch reduction devices in pink shrimp trawl nets to assure the catch of canary rockfish be minimized.

In November 2000, the Pacific Fishery Management Council developed groundfish harvest recommendations for 2001, along with management measures to achieve but not exceed those limits. The Council, with all three coastal state seats voting yes, submitted its recommendations to the National Marine Fisheries Service (NMFS), and the recommendations were implemented as federal rules for 2001. The canary rockfish total catch level specified for 2001 is 93 mt coastwide, of which 44 mt is available for recreational fishing and 44 mt for commercial fishing. These harvest levels are far below previous years, and all commercial and recreational groundfish fisheries must be severely constrained or these limits will be exceeded. Certain other commercial fisheries often take canary rockfish unintentionally as bycatch. The Council is particularly concerned about canary rockfish bycatch in the pink shrimp trawl fishery, which is managed by the states of Washington, Oregon, and California. The management measures for the groundfish fisheries were predicated on the pink shrimp fishery taking no more than 5.5 mt of canary rockfish, a 50% reduction from the 11 mt average of recent years. While the Council and federal government may set limits on how much incidental groundfish may be retained and sold by pink shrimp fishers, the pink shrimp fishery is a matter of direct state jurisdiction. It falls to the coastal state governments to insure the canary rockfish impacts are minimized and do not exceed the preseason allowance.

At its recent April 3-6, 2001 Council meeting, representatives of each state's fish and wildlife management agencies reported their intentions regarding bycatch reduction devices in shrimp trawl nets. There was uncertainty as to when the states would begin to require all shrimp vessels to use such bycatch reduction devices. Several Council members expressed concern that failure by the coastal states to require the use of these devices as a mandatory measure may result in more than 5.5 mt of canary rockfish being caught. Failure to reduce canary rockfish bycatch to 5.5 mt in this fishery can easily result in further restriction of either commercial or recreational groundfish fisheries. There is even concern the National Marine

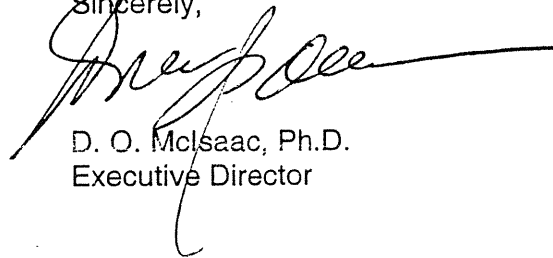
REFERRED TO: DATA #:
TAKE ACTION
cc: CB, RCH, PAMA
DATE: 4/24/01 (BY: PLW)

Mr. Robert C. Hight
April 23, 2001
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Fisheries Service (NMFS) may not approve future Council recommendations for groundfish fishing that depend on full cooperation of the states if the 5.5 mt level is exceeded in the pink shrimp fishery.

Let me stress again that the Council believes it is essential the states move forward to meet their commitment to reduce canary rockfish bycatch in the pink shrimp fishery. Thank you for your immediate attention to this concern.

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: Mr. Jim Lone, Chairman
Council Members
Mr. Brian Culver
Dr. Jim Hastie
Dr. John Coon
Council Staff Officers