

February 9, 2003

Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 200  
Portland, Oregon 97220-1384

**RECEIVED**

FEB 13 2003

**PFMC**

To Council Members,

We request that you reconfigure the cow cod closure area to conform with the rock fish conservation areas, and allow fixed gear outside the 150 fathom curve.

We request that the straight lines be abandoned and either Garmin or C-map GPS chart plotters be substituted (C-map is accurate) as it will make it simpler if fishermen and enforcement are on the same page instead of debating some imaginary lines.

The cow cod conservation area causes severe health and safety issues. I am forced to fish 120 miles offshore in a small boat without being able to seek the shelter of the islands in the event of bad weather. We are fishing so far offshore that we are out of range of the weather broadcast, risking the chance of sudden gales and heavy weather and possibly having our vessel overwhelmed. The slope fish are available in large quantities inside the CCA with no intermixing with shelf species.

The purported science used for the CCA is extremely dubious at best. A few of my favorites are:

*The calcofi plankton tows 140 miles off the southern California bight.*

The problem with this is the current comes from Mexico this distance from the California coast- Mexican cow cod.

Further science is this phrase:

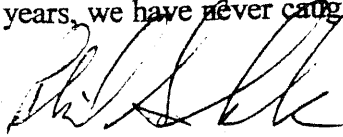
*The model we used produced an improbably high bio mass so we had to readjust our numbers downward.*

All the numbers were imaginary in the first place with absolutely no stock assessments whatsoever.

You should also do away with that transit corridor, as it causes travel in a dangerous direction, plus the many extra hours of travel and increased fuel consumption.

The original excuse for the massive area closure was that enforcement could not do fathom curves. Well, now you have created fathom curves with the R.C.A's. The islands are inside CCA with fathom curves and you still have this massive area closure. We want fixed gear access to the slope fishery outside 150 fathoms everywhere. This is a

minuscule fishery in Southern California with low quotas and few participants. In all our 30 years, we have never caught a shelf rock fish on the slope!



Phil Schenck  
Owner/Operator  
F/V Terri's Gale

14212 Alta Street  
Westminster, California  
92683  
714-898-7825 home phone/ FAX

cc:  
Fish & Game Commission  
Robert R. Treanor, Executive Director

California State Assembly:  
Patricia Bates  
Bill Campbell  
John Campbell  
Lou Correa  
Lynn Daucher  
Thomas Harman  
Ken Maddox  
et al  
California House of Representatives  
Dana Rohrabacher  
Christopher Cox  
Darrell Issa  
Gary Miller  
Edward Royce  
et al  
California Senators  
Dick Ackerman  
Joseph Dunn  
Ross Johnson  
et al

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JAN 21 2003

PFMC

January 12, 2003

Dr. Hans Radtke, Chairman  
c/o John DeVore  
7700 N E. Ambassador Ave., #200  
Portland, OR 97220-1384

Re: California Recreational Fishing Opportunities

Dear Dr. Radtke:

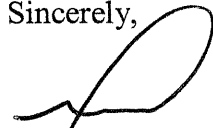
Currently, a depth-based closure is in effect south of 40° 10' North, regulating all recreational fishing for ground fish to 20 fathoms or less.

No provision is made to allow for fishing in waters of 150 fathoms or deeper, as is available to the open-access commercial fishery. This effectively allots 100% of the slope rockfish take to the commercial allocation and affords nothing to the recreational fishery.

Perhaps this is merely an oversight, as this split certainly is not equitable. Allowing recreational fishing for ground fish species at depths greater than 150 fathoms would be of minimal impact on the resource, as very few recreational fishermen would likely be interested in this type of fishing.

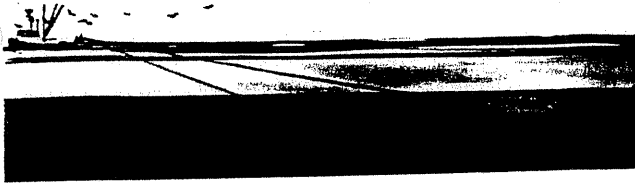
I am asking that you reconsider this depth-based closure to allow recreational fishing to be comparable to the open-access commercial fishery, and allow fishing in waters of 150 fathoms or greater.

Sincerely,



Michael Hoffman  
23861 Candor Lane  
Lake Forest, CA 92630





# Southern California Trawlers Association

February 11, 2003

Mr. Hans Radke, Chairman  
Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 200  
Portland, OR 97220-1384  
June 20, 2002

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FEB 18 2003

**PFMC**

## **RE: PROPOSED CHANGES TO SOUTHERN CALIFORNIA COWCOD CONSERVATION CLOSURE AREAS**

Dear Mr. Radke:

The Southern California Trawler's Association is a group of eighteen small trawlers (80% from 32 feet to 45 feet, largest is 60 feet in length) fishing out of the ports of Morro Bay, Santa Barbara, Ventura, and San Pedro, principally in the Santa Barbara Channel. We fish for ridgeback shrimp, spot prawns, sea cucumbers and (mostly live) halibut. A few of our members also fish for pink shrimp.

A proposal is now being circulated among Council Committees that may make changes to the Southern California Cowcod Conservation Area established over the last couple of years to rebuild cowcod stocks. Our Association members are concerned that these proposed changes to the boundary lines of the Cowcod Conservation Area will significantly impact our members without adding measurable conservation benefits to cowcod stocks.

After the closure was initiated, Association members who used to trawl for spot prawns in the area started fishing deeper, outside the closed area, and found a few areas that hold spot prawns, enough, at least, to keep the boats working. The current boundaries approximate the 150 fathom depth contours. The proposed boundaries in most places would close fishing to our members out to 200 fathoms, a depth beyond which spot prawns do not inhabit in commercial quantities. Further, our small boats don't carry enough cable or horsepower to fish the net in that deep of water.

We feel that by staying outside of 150 fathoms, we have complied with both the spirit and the letter of the PFMC Groundfish Amendments to conserve cowcod. To our knowledge, none of our members have caught a cowcod while trawling for spot prawns outside 150 fathoms since the closure of the Cowcod Conservation Area. From our perspective, we have done everything asked of us to conserve cowcod. The Council set 150 fathoms as the maximum depth at which cowcod are normally found, and our spot prawn fishing outside the Conservation Area is bearing out this wisdom.



We urge the Council not to adopt this change to the Cowcod Conservation Area boundaries in light of the questionable additional conservation benefits it provides cowcod, especially when the effects of this kind of change under the Magnuson Act must be looked at in a balanced view considering also the social and economic impacts to members of our Association, all of whom are individual family fishermen.

This proposed regulation must also be viewed in context of the other Groundfish Plan amendments that have essentially closed most of the Continental Shelf south of Point Conception to trawling between 100 and 150 fathoms. These depth zones are predominantly where we traditionally have fished for spot prawns. Therefore, most of our spot prawn grounds have already been prohibited. We have been eking out market orders by adhering to all of the groundfish conservation measures, but barely. Now, with the proposed changes to the Cowcod Conservation Area, our last few spot prawn areas would be halved again, since the Island side of the Santa Barbara Channel was also restricted for our exempted trawl fisheries south of Point Conception.

For these reasons, we urge the Council not to make further changes to the boundaries of the Cowcod Conservation Area. The idea that improved enforcement will result from these proposed changes isn't consistent with modern navigational technology. Our members have been able to avoid entering the existing CCA without difficulty using modern GPS and fathometers. The new Department of Fish and Game enforcement vessels are even better equipped than ours. They, too, should have no problem detecting the existing boundary and water depths.

Our Association members support Council measures that promote long-term sustainability of our fisheries. The proposed changes, however, offer no demonstrable conservation benefits to cowcod while significantly impacting what little spot prawn trawl grounds that remain to us, given all the other conservation measures we are now in compliance with.

Thank you for the opportunity to comment on these proposed changes to the Southern California Cowcod Conservation Area. If you have any questions or comments for our members, please do not hesitate to contact me at (805) 566-1400 or [fish4u1@msn.com](mailto:fish4u1@msn.com).

Sincerely, 

Mike McCorkle, President  
Southern California Trawler's Association

Cc: Dr. Don McIsaac, Executive Director, PFMC  
Mr. John DeVore, Groundfish Staff Officer, PFMC  
Mr. Jim Seger, Fisheries Economics Staff Officer, PFMC  
Mr. Rod Moore, Groundfish Advisory Subpanel  
Dr. Alec McCall, Scientific and Statistical Committee  
Dr. Steve Ralston, Scientific and Statistical Committee  
Dr. Cindy Thompson, Scientific and Statistical Committee  
Mr. L.B. Boydston, Ad-Hoc Allocation Committee  
Ms. Marija Vojkovich, Department of Fish and Game  
Mr. Brian Culver, Groundfish Management Team  
Dr. James Hastie, Groundfish Management Team  
Mr. Zeke Grader, Pacific Coast Federation of Fishermen's Associations

**Subject:** Fwd: Tougher Groundfish Regulations Needed  
**From:** "PFMC Comments" <pfmc.comments@noaa.gov>  
**Date:** Mon, 03 Mar 2003 08:03:18 -0800  
**To:** John.Devore@noaa.gov  
**CC:** Mike.Bumer@noaa.gov  
**X-Mozilla-Status:** 0001  
**X-Mozilla-Status2:** 00000000  
**Return-Path:** <pfmc.comments@noaa.gov>  
**Received:** from mercury.akctr.noaa.gov ([127.0.0.1]) by mercury.akctr.noaa.gov (Netscape Messaging Server 4.15 mercury Jun 21 2001 23:53:48) with ESMTP id HB6KLJ00.55F; Mon, 3 Mar 2003 08:03:19 -0800  
**Message-ID:** <8c39af8be23e.8be23e8c39af@mercury.akctr.noaa.gov>  
**X-Mailer:** Netscape Webmail  
**MIME-Version:** 1.0  
**Content-Language:** en  
**X-Accept-Language:** en  
**Content-Type:** multipart/mixed; boundary="--1da05537687a6e75"

Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 200  
Portland, Oregon 97220-1384  
Phone: 503-820-2280  
Fax: 503-820-2299  
On the web at: <http://www.pcouncil.org>

**Subject:** Tougher Groundfish Regulations Needed  
**From:** (Branden Leach) branden@leach.net  
**Date:** Sat, 1 Mar 2003 08:09:08 -0800  
**To:** rhight@dfg.ca.gov  
**CC:** rtreanor@dfg.ca.gov, mvojkovi@dfg2.ca.gov, governor@governor.ca.gov, Assemblymember.Wayne@assembly.ca.gov, Assemblymember.Hollingsworth@assembly.ca.gov, carol.wallisch@sen.ca.gov, Senator.Oller@sen.ca.gov, pfmc.comments@noaa.gov  
**X-Mozilla-Status:** 0001  
**X-Mozilla-Status2:** 00000000  
**Return-Path:** <pfmc.comments@noaa.gov>  
**Received:** from mercury.akctr.noaa.gov ([127.0.0.1]) by mercury.akctr.noaa.gov (Netscape Messaging Server 4.15 mercury Jun 21 2001 23:53:48) with ESMTP id HB6KLJ00.55F; Mon, 3 Mar 2003 08:03:19 -0800  
**Message-ID:** <8c39af8be23e.8be23e8c39af@mercury.akctr.noaa.gov>  
**X-Mailer:** Netscape Webmail  
**MIME-Version:** 1.0  
**Content-Language:** en  
**X-Accept-Language:** en  
**Content-Type:** multipart/mixed; boundary="--1da05537687a6e75"

I have been fishing the California coast for more than 30 years. In the last ten years I have seen the average size of rockfish decline steadily. At the same time I have seen the size and frequency of lingcod decline as well. I strongly support the draconian measures described above to preserve and restore these fish stocks. I believe the burden of a fishing moratorium should fall on all of us, sport and commercial anglers as well, though primarily on commercial fishermen since there are fewer of them and they take a greater number of fish. Furthermore, if enforcement required raising taxes I would support this provided the burden was progressive and the funds went directly to the DFG instead of into the State's general fund. Thank you.

I, as a California recreational angler, find the increasing body of evidence indicating the severe depletion of California's groundfish stocks alarming. I believe the interim CDFG regulations will prove inadequate to stop further deterioration of the stocks and urge the department to implement the following measures.

Immediately end the use of traps for catching fish.

Restrict commercial fishing to the use of rod-and-reel gear in waters less than 60 fathoms, and limit the number of fish caught per day per vessel. We are in agreement with, and support the United Anglers proposed limit of 20 fish per day per commercial fishing vessel.

Require all rockfish catches be landed at designated landing sites where DFG employees are present to monitor and sample the catch.  
Documentation of the catch by CDFG would be provided. Charging commercial vessels would fund the program.

Require all merchants to document purchases and sales of rockfish so they could be tracked back to the fisherman.

Seasonal closures should be timed when the majority of species in an area are spawning, such as banning ling cod fishing in water less than 20 fathoms in December and January.

Begin recruitment and training of an enforcement staff large enough to make the regulations effective.

Dramatically increase penalties for any violation of Fish & Game regulations associated with groundfish; including poaching and possession of undocumented catch, to include seizure of assets.

Begin moving to a computer based licensing system such as in use by the State of Oregon. This would allow limiting the amount of days the recreational anglers could target rockfish through the use of stamps affixed to the license.

These emergency measures, if enacted and enforced, may allow us to save this valuable public resource while the while the long-term solutions and regulations required to create a sustainable fishery are established.

Sincerely,  
Branden Leach  
ocean0

ARTICLE:  
Tougher Interim Regulations Needed to Protect Rockfish Stocks

By: Richard Alves 2-12-01  
Fishsniffer.com

"The West Coast groundfish fishery cannot ever reach sustainable levels, either biologically or economically, if it continues as is," wrote the Pacific Marine Conservation Council in their newsletter last summer. The PMCC is a non-profit group based in Astoria Oregon.

Government agencies, commercial fishermen and sport anglers agree the California groundfish fishery is in trouble. After years of inaction, and many species of rockfish being on the verge of collapse, the California Department of Fish and Game, at the insistence of the Pacific Fishery Management Council Commission have enacted interim regulations aimed at protecting the fishery while the long-term solutions are to be determined over the course of the year.

The caveat being, the regulations have been formulated without any accurate data regarding the fishery or the fishery harvest. I can't tell you how hard it has been to find any data on the fishery, and the information published by CDFG, <http://www.dfg.ca.gov/mrd/mlma/reports/> (Only the Acrobat Files have the numbers), is unbelievable if given more than a cursory reading.

The problem with the Interim Regulations, <http://www.fishsniffer.com/steelhead/020201rockfishregs.html>, is they fail to address the most serious threats to the fishery, highly efficient commercial gear, blanket harvest (<http://www.fishsniffer.com/steelhead/021201bgrockfish.html#fishtrap>), and illegal catch, while at the same time create economic havoc for the sportfishing and coastal tourism industry.

Regulations enacted without effective enforcement and severe penalties will prove futile. Unfortunately the history of CDFG enforcement is not encouraging. They are simply understaffed for the challenges they are facing. Unless manpower is increased and the agency is better organized, whatever regulations are adopted, are doomed to failure.

For Example:

An interim rockfish species quota has been adopted by the California Fish And Game Commission, however, the CDFG has yet to establish verification methods or obtain the funding to pay for them.

Meanwhile, the commercial livefish boats are systematically cleaning out the nearshore fishery. "On Friday, October 27, 2000, five commercial livefish boats were working 50 traps in a kelp bed the size of a football field inside Noyo Cove. The traps were set five or ten yards apart," a Fish Sniffer Reader reported.

A 1996 NMFS study showed that most of the live fish sold in their sample of San Francisco fish markets and restaurants were sub legal and/or undocumented.

At this moment we are heading into another season where the documentation of the commercial catch will be spotty at best, while the unreported illegal catch goes completely undocumented. Current lack of enforcing reporting statutes for commercial passenger fishing vessels, party boats, also brings into question the validity of that source of data, <http://www.fishsniffer.com/steelhead/021201bgrockfish.html#available>.

But rest assured, the fishery will be hammered for another year while we attend endless hearings to develop another set of temporary regulations, which the State can't enforce. Unless California can find the courage and determination to make meaningful change stick, the future of the groundfish species in California is bleak.

Where do we go from here?

Immediately end the use of traps for catching fish.

Restrict commercial fishing to the use of rod-and-reel gear in waters less than 60 fathoms, and limit the number of fish caught per day per vessel. We are in agreement with, and support the United Anglers proposed limit of 20 fish per day per commercial fishing vessel.

Require all rockfish catches be landed at designated landing sites where DFG employees are present to monitor and sample the catch.  
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These emergency measures, if enacted and enforced, may allow us to save this valuable public resource while the while the long-term solutions and regulations required to create a sustainable fishery are established.