

Application for Issuance of an Exempted Fishing Permit for the sport harvest of rockfish from partyboats in waters deeper than 20 fathoms off the south central coast to duplicate the sampling program conducted by the Department of Fish and Game from 1988-1998.

A. Date of application: August 20, 2003

B. Applicant Contact

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C. Statement of purpose and goals of the study for which the EFP is needed

The purpose of the study is to determine trends in rockfish populations in the south central coast, an area currently poorly sampled by existing fishery sampling.

The Specific Goals of the Study:

Sampling data from partyboats (known technically as commercial passenger fishing vessels or CPFVs) is the only data that has shown site-specific trends in rockfish species on the central coast. A California Department of Fish and Game (Department) unpublished partyboat sampling study, was conducted between 1988 and 1998, and effectively sampled some rockfish assemblages on a site-specific basis. The Department has provided us with the unpublished data for our area and, this summer, we plan to begin a long-term sampling program as a cooperative effort between California Polytechnic University, San Luis Obispo (Cal Poly) and local partyboat fishers, following the Department's protocol.

Current federal regulations prohibit sport fishing outside of 20 fm. However, the original Department study included areas well outside the 20 fm depth. Without an EFP, our sampling will not be comparable to that of the ten-year study, as fishing may only occur in nearshore waters shallower than 20 fathoms. This restriction would bias our data to the shallowest species only. Further, without some level of sampling from these depths, little knowledge of the closure's effects will be available for analysis. We request that this exemption apply to only two trips per week during the months of August through November, 2004.

We also intend to conduct a sampling program using 4.9-m or 7.6-m biological trawls to determine the abundance of YOY rockfish at depths to 200 fathoms. These small meshed nets are used for biological sampling in southern California but have not been used north of Point Conception. The use of these nets following the

SCWRRP, southern California Bight protocol will allow comparison of fish assemblage data around this major faunal break.

Disposition of the species harvested under the EFP will be as follows:

Samples by partyboats, except for closed species, will be the property of the recreational fishers. We will retain all rockfish not desired by the recreational fishers or closed species for laboratory work (otoliths, fecundity, gut samples, etc and genetic sampling). Trawled samples will be deposited in the Cal Poly Biological Science Museum.

D. Valid justification for issuance of the EFP

The PMFC has recognized that rockfish stocks are heavily impacted, and has closed or severely restricted fishing on many stocks. Stocks, however, must be monitored for continuing updates. This study will provide updated information on species of concern. Further, the region between Pt. Conception and Point Mendicino is not uniform, as the south central coast (Pt. Sal to San Simeon) has the most southern influence as well as the lowest fishing pressure. Many rockfish species may not have reproduced or recruited successfully south of Point Conception since the initiation of the warm PDO in 1977. If, in fact, the PDO is presently changing again, this southern section will be key to population enhancement. It is important to measure YOY availability as well as recruitment and stock enhancement from this area. Limited sampling from closure areas is needed to complement other data we will collect, including nearshore partyboat observations and trawl samples, as well as diver recruitment observations and SMURF deployment for larval settlement. We also are committed to doing some genetic sampling from these stocks for NMFS studies, which is being coordinated with Steve Ralston of NMFS. We intend for this study to be renewed annually and continue for at least ten years to enhance the regional data base for marine fish species.

E. A statement of whether the proposal has broader significance than the applicant's individual goals.

The applicant believes that these data collected from this area of the south central coast of California, has broad implications for rockfish populations throughout California and the west coast.

The study will produce data not available from any other source.

We will be monitoring YOY and larval settlement as well as size and numbers of adult rockfish caught by partyboat anglers both in the open nearshore environment(<20fm) and in the deeper area of closure.

The limited trawl data will compliment the bightwide regional study (SCCWRP, 2003) for the southern California bight.

F. Vessels covered under the EFP.

Vessels covered under this EFP will be vessel from Port San Luis and Morro Bay participating in the partyboat fishery.

Patriot Sports Fishing: F/V *Patriot* and/or F/V *Mallard*.

Virg's Sports Fishing: F/V *Pathfinder* and/or F/V *Lotafun*

No more than 2 trips per week will fish in the closure zone.

Trawling will be conducted from the F/V *Suzanne* owned by Guy Grundmeier.

G. Species targeted a numbers.

Because entry into the closure area will be closely monitored and limited to two trips per week (August –November) excessive harvest is not likely. All rockfish caught, both retained and discarded, will be recorded by observers on partyboats entering the closure zone. Eighteen species of rockfish were recorded by the Department from the southern study area during the 1995-1996 observer program. These were, in order of abundance, *Sebastes mystinus*, *S. flavidus*, *S. miniatus*, *S. rosaceous*, *S. entomelas*, *S. carnatus*, *S. constellatus*, *S. serranoides*, *S. paucispinnis*, *S. caurinus*, *S. auriculatus*, *S. pinniger*, *S. melanops*, *S. chlorostichus*, *S. nebulosus*, *S. elongatus*, *S. ruberrimus*, and *S. goodei*. The other primary species targeted in this fishery is the lingcod *Ophiodon elongatus*.

Observer data from the Department's CPFV observer program in the San Luis Obispo port complex from 1988-1998 were used to estimate the average mortality per trip for overfished rockfish species. Therefore, the total estimated fish mortality for overfished rockfish species is as follows:

Species/Species Group	Avg. weight per fish (lbs)	Avg. # fish per trip	Total EFP trips	Total Estimated Catch (lbs)	Total Estimated Catch (mt)
Bocaccio Rockfish	2.41	65.0	44	6892.60	3.13
Canary Rockfish	1.47	84.0	44	5433.12	2.46
Cowcod Rockfish	11.29	1.4	44	695.46	0.32
Yelloweye Rockfish	2.53	28	44	3116.96	1.41

* There are 2 trips per week scheduled during the 4-month EFP period, for a total of 44 trips.

- H. For each vessel covered by the EFP, the approximate time(s) and place(s) fishing will take place.

The study will begin August 1, 2004 and continue until November 30, 2004.

The EFP will be valid in closed waters between Pt. Conception and Piedras Blancas. The maximum depth of the rockfish study will be 100 fm while the larval trawl survey may reach 200 fm.

- I. All vessels under the authority of the EFP:

- Must carry trained observers
- Must land all fish caught under the authority of the EFP into the State of California.
- Must sign a contract with the Applicant detailing the vessel's responsibility to the EFP fishery. Failure to abide by conditions in the contract or to follow provisions in the EFP will result in revocation of the contract and the EFP for the year.

- J. Signature of the applicant

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