

**California Department of Fish and Game (CDFG) Request for March 2007 Agenda Item on Amendment 22 - Permitting the Groundfish Open Access (OA) Fishery**

At the June 2007 Pacific Fishery Management Council (Council) meeting, the Council took action on the Open Access Permitting (Amendment 22) agenda item selecting a qualifying window period of 1998-2006. The Council gave direction to the California Department of Fish and Game (CDFG), as lead agency in the project, to develop a set of alternatives for the process. The Council scheduled adoption of the preliminary range of alternatives and the preliminary preferred alternative for public review at its November 2007 meeting, with a final adoption of the preferred alternative at its April 2008 meeting. Since June, CDFG devoted considerable staff hours in conjunction with staff from the Pacific States Marine Fisheries Commission and National Marine Fisheries Service Northwest Region (NMFS), and input from the Washington Department of Fish and Wildlife (WDFW), and Oregon Department of Fish and Wildlife (ODFW), to draft an initial Environmental Assessment document to facilitate this process. During the summer of 2007, CDFG also conducted four public meetings throughout the state with California constituents, the comments from which have been incorporated in the draft Environmental Assessment (EA). However, at the Council's September 2007 meeting, the Council decided to again postpone the process until an undetermined future meeting due to higher priority agenda issues.

As a result of this September meeting decision, CDFG will release the first draft version of the document entitled "Environmental Assessment of a Program to Limit Entry into the Open Access Sector of the Pacific Coast Groundfish Fishery (Amendment 22 to the Pacific Coast Groundfish Fishery Management Plan)" to the ODFW, NMFS and the WDFW for review and comment to keep the process moving forward.

The recent postponement will provide ODFW, NMFS and WDFW sufficient time over the winter to review the draft document, talk to constituents, and provide comments to CDFG. However, CDFG is concerned that if the OA process is delayed any further than the March 2007 meeting, the results of the completed data analyses, as presented in the current EA document, will not be relevant to the most current fishing practices. Additionally, if the process is delayed beyond March, the Council may decide a new qualifying window period is needed and completely new data analyses will have to be completed, thus making it necessary to re-write the EA document. This will necessitate substantial unanticipated staff hours.

PFMC  
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