

Mr. DeVore,

I have been reading and re-reading the restrictions being placed on the recreational fisherman for 2008 based on count numbers from 2007 for Yellow Eye and Canary rockfish catches. I am totally confused and personally just don't understand how 5.9 mt of Yellow Eye and 2.1 mt of Canary rockfish, which were the reported counts for 2007, were determined as an over harvest of the species. This was all directed at the recreational fishermen in the areas north of Point Area to the Oregon border. That is a huge amount of catch or by-catch by such a small number of fishermen; that seems closer to a commercial drag.

Considering the small number of fishermen that leave my home port of Eureka an area that had a great salmon catch year as well as an outstanding albacore year, where did all the fishermen come from to fish Cape Mendocino and Trinidad. These are the only areas close by that hold our sport rockfish. Sure some of us with bigger boats can travel up to Reading Rock, which is about 15 miles north of Trinidad, but it is very difficult for the smaller aluminum boater. The same is true for Cape Mendocino, the smaller recreational boater cannot make the 25 mile trip south of Eureka on a regular basis to make the impact the reported counts say we did.

I am sorry, I just don't understand where these numbers were generated, who and where the counters were located and how the weight was determined. I would be very interested in seeing the detailed reports by area become public so we can scrutinize the numbers.

We are working hard here in Eureka to educate all our fishermen as to how to identify the Canary and Yellow Eye; most understand the implications. Those that don't understand, we are emphasizing the fact that if we cannot reduce or eliminate the mortality of the protected species that we are in danger of losing our right to fish. All fishermen will be equipped with fish savers to help a fish decompress and increase the release rate.

Any further fishing restrictions in the Eureka area (includes Trinidad) will continue to hurt the economy, which is now severely impacted by the change in salmon regulations, poor crab season and high gas prices.

Please release the information so we can understand how these determinations have been done.

Thank you and sincerely,

Bob Taylor  
*Owner/Developer*  
*Taysys Software*  
*326 I Street, PMB 141*  
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*Phone: (707) 616-5946*

Mr. DeVore, I am a charter boat operator in Eureka Ca. I am concerned about the data being used to establish restrictions in California to promote yelloweye stock recovery. As I'm sure you know, Northern Ca exceeded the allowable yelloweye harvest by a considerable amount. The majority of the "take" came from Shelter Cove (45%). Shelter Cove is the smallest access point in Northern Ca. It does not have a large fleet, especially when salmon fishing is slow like last year. The numbers that Ca F&G came up with last year amounted to 21 yelloweye per DAY every single day of the season. There are many days when boats cannot get out due to weather and many other days when only one or two boats are launched. I understand how the data is obtained and assembled and I am well acquainted with the personnel obtaining this information. After reviewing this information with local fishermen and others familiar with effort last year it is our feeling that there is a flaw somewhere in the process. I am not in any way questioning the people involved but I and many others have questions about the results. On the other side of the equation is the most recent stock assessment being used. The 2007 Yelloweye stock assessment by John R Wallace states on page 10:" the sparseness of the size and age composition data and the lack of a relevant fishery-independent survey has limited the model's ability to properly assess the status of the resource". Unfortunately all of this 'bad' data is being used to restrict our ability to fish. With the recent CV salmon collapse we are more dependent on rockfish than normal. Obviously yelloweye stocks in California are in much better shape than previously thought. I know that a new stock assessment is in the works and it is definitely needed. Lets make it a good one this time that does not have to have disclaimers about it's accuracy attached. After all, for some of us our very livelihood is at stake. I would like a response to this e-mail please. Thank you, Tim Klassen

*I fish alot at Shelter Cove CA. This last season I used a homemade deep release device and stuck around to watch for floaters after release and saw none. Why arn't deep release devices like Bill Sheltons mandatory on all recreational fishing boats? Why can't they be given out with fishing licenses. They only cost like 4 bucks. Also there needs to be large color posters of the fish that can't be taken posted. That way there is no quesswork on the part of new anglers. I am disabled and fishing is one of the few things I can do. Closing the season was a huge blow to me.*

*Sincerely*

*Kevin Mc Grath*

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Mr. John Devore:

I have received a copy of the Yellow Eye counts for California in 2007. I cannot understand how anyone would project a catch/loss of 8.0mt based on a total of 80 counted fish. I know you have models and there are adjustments for forecasting that more fish were caught than reported, but my gosh, those numbers are outrageous.

Reading into way corrections were made to the 2006 calculations raise a red flag here. You have the following:

mean angler-trips per day (*Angler-trips per day = angler-hours per day x mean angler-trips per angler-hour*)

angler trips per day in the Humboldt region is and has been unpredictable, especially in 2007. We are so dependant on the weather here that there are many days during a fishing season anglers cannot make it to the fishing grounds. There are times that you may want to go rockfishing and half way to where you were going to fish you have to turn around due to a strong wind. So how many fishing days were used? Was it determined from actual interviews or speculation?

We also had a very good salmon and albacore season where many anglers targeted those species. Are we counting all the anglers that launch a boat?

So I ran a query of the raw catch totals for all species in Humboldt county for Jan-Feb to Nov-Dec, 2007. I received a total 42 Yellow Eye counted in Humboldt, 80 in Humboldt and Del Norte counties. The average counted weight for Humboldt was 1.57 lbs.; for Humboldt and Del-Norte 1.50 lbs/fish. So using this data alone we come up with 66 lbs in Humboldt and a total for both counties 120 lbs. Now we want to add in hearsay data (interviews), apply your model calculations and we wind up with 8.0mt. From 120 lbs of actual catch we get 8.0 mt. That is fuzzy math. How can you speculate that large of a number on fish you never saw. That is just wrong and us sportfishermen are going to pay the price for it.

This count closed our rockfishing on the North coast in October, three months earlier than was scheduled. This counting method is also jeopardizing all our rock fishing here, maybe with seasonal adjustment yet to be realized. But we understand one thing here, until we can get an accurate count of how many fish are caught, your calculations are only SWAG.

What are the alternatives? Number one, the many concerned fishermen and banding together to educate fishermen who fish our waters. We have information posted at tackle stores in the area. We are investing in newer "sure release" devices that will reduce the mortality of any rockfish that is released. We are contacting you to express our concerns.

Please consider my concerns and others that have written to allow us to continue enjoying our sport.

Thank you.

Bob Taylor

**Subject:** Agenda Item H5, April meeting, public comment  
**From:** Jan Joyce or Jessie Zeiters <jzfarm@humboldt1.com>  
**Date:** Fri, 28 Mar 2008 20:14:07 -0700  
**To:** Merrick.Burden@noaa.gov

I and many other recreational anglers have some serious reservations about CDFG's compilation of Yelloweye rockfish kill numbers for the 2007 season.

There is no doubt that there were in fact Yellow eye caught and killed by recreational anglers during the 2007 season. However, the part of this information that myself and many others question is the anecdotal data taken by DFG's Creel Census people at the landings and the estimation of the fish being killed that anglers claimed they released.

These numbers are at best a guess of what happened and in my opinion neither truly accurate nor indicative of the actual number of fish killed.

The rockfish season was shut down early last year with these numbers, anglers being informed that it was in an effort to keep recreational anglers from exceeding the kill limit of Yellow eye. Now in reading the PFMC site I see that the estimate of Yellow eye kill is over eight MT. Just how in the devil did we go from not yet exceeding the kill quota to way over the mark... Smoke, mirrors or is the DFG data that flexible?

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Agenda Item F.5.c (March Meeting)  
Supplemental CDFG Report  
March 2008

"In season management, actions were initiated closing the Northern and North-Central Management Areas on October 1, 2007 to prevent the 2.1 metric ton (mt) HG for Yelloweye rockfish from being further exceeded. **Recreational catches are estimated using the California Recreational Fisheries Survey (CRFS) data and the 2007 Yelloweye rockfish catch estimate of 8.0 mt was 5.9 metric tons over the harvest guideline for the California Recreational Fishery**"

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I have sent emails to both the DFG Commission and Director DFG about this issue and I have received an answer but the numbers are still questionable to me and many other anglers.

I would task the PFMC to examine these kill numbers that are currently being accepted as scientific fact with more skepticism and ask that the SWAG estimates and projections be separated from the actual kill numbers. Per a recent telephone conference the DFG admitted that they knew that recreational anglers were inflating the Yellow eye numbers in a mistaken attempt to help the recovery.

The partial table below shows the sample data and catch estimates from CRFS for Yellow eye rockfish in 2007.

Catch type Sample data

(Number of fish)

Table 1

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Sampler examined	80 fish
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Landed catch

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Angler reported

Dead/released                    299 fish

dead

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Angler reported

released alive fish                979 fish

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Total                                1358

\*The PFMC applies a 42 percent mortality rate to fish released alive

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After the estimators were finished with these numbers they guessed that recreational anglers had killed an estimated 8 metric tons, quite a stretch with the numbers.

If this is done I think that you will see a great difference in actual kills verses what they guess was killed.

I am not impugning the honesty nor the integrity of CDFG, more so I am questioning the veracity and accuracy of the data used on this issue.

My question to the director was if these Yellow eye were being taken at specific locations where was DFG enforcement during all this? How many citations were issued ?

**The answer was 11 citations were issued and the reason is there were only 80 fish observed by DFG.**

The rest of the "Kill" levied against the recreational anglers beyond the 1358 fish is nothing but an estimate or a SWAG.

As a conservation minded angler I support and applaud the efforts of PFMC/NOAA and CDFG to protect the resources, however if I were to use estimated numbers like these that were used to calculate the Yellow eye kill to do my taxes I'm sure that the IRS would be having words with me about the accuracy of my returns.

Respectfully,

Mr. Jan Zeiters  
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