

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE REPORT ON 2017-2018  
MANAGEMENT MEASURES - PART I

The California Department of Fish and Wildlife (CDFW) hosted workshops over the winter throughout the state to discuss potential groundfish regulation changes for 2017 and 2018 and to solicit input from the public to help develop the State's recommendations to the Council. Workshop participants represented the majority of fishing sectors and while there were differing opinions expressed on preferred management measures, most expressed a desire to extend the seasons in the recreational fishery wherever possible, and allow for retention for canary rockfish. Maintaining a precautionary and risk-averse approach and preventing early closure of fisheries was important to all participants.

Based in part on public input received during the workshops, coupled with evaluation of recent catch trends and stock status information, CDFW offers the following recommendations for Council consideration in deciding preliminary preferred season structures and management measures for 2017-18.

**Rockfish Conservation Areas**

CDFW supports making technical corrections to Rockfish Conservation Areas (RCA) to better align fathom lines with actual depth contours so actual impacts better align with projected impacts. The proposed areas for technical corrections are the 30 fathom RCA and include: 1) north of the Ten Mile State Marine Reserve in the Northern Management Area, 2) near the Navarro River in the Northern Management Area, and 3) the South East Farallons in the San Francisco Management Area. One correction is proposed for the 40 fathom RCA at Salt Point in the San Francisco Management Area and one for the 150 fathom RCA in the Monterey Bay Canyon in the Central Management Area.

The proposed technical corrections were reviewed by enforcement staff; no issues were identified.

**Automatic Action**

CDFW supports granting NMFS authority to take action to modify routine management measures in the recreational and commercial groundfish fisheries in California based upon attainment or projected attainment of a federal harvest limit (i.e., ACL, HG, ACT) for three "trigger species" - black rockfish, canary rockfish and yelloweye rockfish. The goal is to implement a process similar to that utilized in the salmon and Pacific halibut fisheries, with the intent of only allowing for more restrictive management measures (not liberalizations). This would allow NMFS to implement inseason changes to California's groundfish fisheries outside a Council meeting, if needed, to prevent mortality from exceeding allowable limits. While CDFW designs seasons to minimize inseason disruptions there is some inherent uncertainty, especially when exploring deeper depths and/or allowing retention of previously prohibited species. Allowing for this new process will provide another tool to ensure that catches remain within allowable limits and prevent or minimize any unintended overages.

CDFW looks forward to working with NMFS to structure a process that minimizes workload for both agencies yet still achieves the overall goal of taking timely action to ensure that catches remain within allowable limits.

## California Recreational Fishery

### Season Structure

In accordance with CDFW’s policy to provide a stable fishery and minimize inseason disruptions, seasons are designed to maximize fishing opportunity while keeping harvest within specified harvest limits. This includes multi-month total fishery closures early in the year as part of the overall design to ensure that limits are not exceeded. Black and yelloweye rockfishes constrain the recreational fishery and are the main factors affecting season lengths in 2017 and 2018.

CDFW supports the following recreational RCA configuration and season structures (Fig 1). The season structure prioritizes increasing season lengths and depths when possible, recognizing the constraints imposed from black and yelloweye rockfishes. Compared to the 2016 season structure, the proposal for 2017-2018 would provide increased opportunities in almost all areas.

In the Northern and Mendocino Management Areas, the season would be extended two and a half months, through Dec. 31. Allowable fishing depths would be increased in the Northern Management Area to 30 fm May 1 through October 31. During November and December the depth restriction would be eliminated in both the Northern and Mendocino Management Areas and fishing would be permissible at all depths, comparable to the Oregon all-depth fishery. Allowable fishing depths would also be increased in the San Francisco Management Area (40 fm) and the Central Management Area (50 fm). The Southern Management area would remain at status quo seasons and depths<sup>1</sup>.

Management Area	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Northern	Closed				May 1 – Oct 31 <30fm						All Depth	
Mendocino	Closed				May 1 – Oct 31 <20fm						All Depth	
San Francisco	Closed				April 15 – Dec 31 <40fm							
Central	Closed			April 1 – Dec 31 <50fm								
Southern	Closed		Mar 1 – Dec 31 <60 fm									

Figure 1. Proposed California recreational groundfish season structure for 2017-2018.

A summary of projected impacts to overfished and non-overfished species and estimated number of angler trips is provided in Tables 1 and 2 respectively. Under the proposed season structure projected impacts remain within allow limits.

<sup>1</sup> Depths cannot be increased in this management area because projected impacts to cowcod would exceed allowable limits.

Table 1. Projected mortality in the California recreational fishery under the CDFW preferred season structure, including proposed changes to bag and sub-bag limits. Values in parenthesis indicate recommended bag limits other than status quo.

Stock	Projected Recreational Mortality	California Recreational HG 2017/18 a/	Non-Trawl Allocation 2017/18 b/
BOCACCIO (10)	184.9	411.6/385.9	596.0/558.8
CANARY (1)	42.5	380.1/351.4	780.6/721.7
COWCOD	2.2		2.6
YELLOWEYE	3.2	3.9	12.1
Black Rockfish (3)	217.4		
Blue Rockfish	149.3	305/311	
Cabezon	33.0		
California Scorpionfish	96.7		
Greenlings	10.2		
Lingcod N. of 40°10' N. lat. (2)c/	68.2		1,342.5/1,557.8
Lingcod S. of 40°10' N. lat. (2)	410.5		683.7/624.8
Widow Rockfish	30.3		169.2/161.2
Nearshore Rockfish N. of 40°10' N. lat.	7.7		
Nearshore Rockfish S. of 40°10' N. lat.	343.7		

a/ Based on No Action ACLs and allocations based on Sept 2015 scorecard

b/ Includes non-nearshore, nearshore, and recreational

c/ Only includes the area between 42° N lat. and 40° 10' N lat, while the non-trawl allocation is applicable for the entire area North of 40° 10' N lat.

Table 2. Number of anglers trips under CDFW preferred season structure.

Management Area	Number of Trips (thousands)
Northern	33.4
Mendocino	22.6
San Francisco	100.4
Central	137.9
Southern	611.0
Total	905.2

### *Management Measures*

#### Bag Limits

CDFW supports the No Action alternative for groundfish bag limits and size limits with the following exceptions for black rockfish, bocaccio, canary rockfish, and lingcod.

*Black Rockfish* - decreasing the sub-bag limit of black rockfish from five fish to three fish statewide is necessary to keep projected mortality within allowable impacts.

*Bocaccio* - eliminating the sub-bag limit and allowing retention of 10 fish intended to provide more opportunity for anglers and will reduce discarding. Mortality of bocaccio has been far less than the recreational harvest guideline and the stock is expected to be rebuilt by 2016.

Eliminating the sub-bag limit is not expected to exceed the recreational harvest guideline, let alone the entire non-trawl allocation or ACL.

*Canary Rockfish* - allowing retention of one canary rockfish within the overall 10-fish RCG bag limit is intended to reduce discards while preventing canary from becoming a target species. Canary rockfish was declared rebuilt in 2015 and projections suggest allowing retention of one fish can be accommodated well within the allowable California harvest guideline. However, because retention of canary rockfish has been prohibited for over a decade, there is significant uncertainty in accurately predicting angler behavior and projected mortality. CDFW asserts the need for caution when allowing retention of canary, as it could become a fishery target if a higher bag limit is authorized. CDFW plans to intensify its recreational inseason monitoring efforts for canary in 2017-2018 in response to allowing retention, given the uncertainty in the mortality projection.

*Lingcod* - in 2015, in response to California's recommendation, NMFS increased the California recreational lingcod bag limit from two fish to three fish because data available at that time suggested sufficient buffer existed within the non-trawl allocation to accommodate additional opportunity. Recreational data from 2014 and 2015 (Table 2) (which were not available when the bag limit increase was under consideration) now shows lingcod catches in these years exceeded model projections.

Both the recreational and commercial fisheries were subject to restrictions when lingcod was declared overfished. In 2000, a closure was implemented from December through April to protect lingcod during their peak spawning period, yet the spawning closure was not removed when the stock rebuilt to healthy levels due to interactions with yelloweye rockfish.

Since 2011, the recreational fishery in the San Francisco, Central, and Southern Management Areas has been open through December and retention of lingcod permitted during the entire course of the open season. Starting in 2015, retention of lingcod was permitted in the commercial fixed gear fisheries year round north of 40°10' N lat. and from November through February south of 40°10' N lat.<sup>2</sup>; commercial harvest of lingcod in March and April remains closed south of 40°10' N lat.

Although commercial trip limits were increased in 2015 generating higher commercial catches, recreational catches account for the overwhelming majority of the non-trawl fishery mortality south of 40°10' N lat. (Table 3). In order to remain within the non-trawl allocation, CDFW recommends reducing the lingcod bag limit back to two fish statewide in light of recent recreational harvest levels since 2013 and longer proposed seasons in the Northern and Mendocino Management Areas. If the bag limit is not reduced there is a risk that the non-trawl allocation may be reached<sup>3</sup>. Reductions in commercial trip limits are not expected to provide enough savings since they comprise a very small proportion of the non-trawl mortality; therefore, no changes are proposed.

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<sup>2</sup> Trip limits during November through February were set at 200 lb per month (limited entry) and 100 lb per month (open access) to allow for incidental retention.

<sup>3</sup> There is no risk of exceeding the ACL because the trawl allocation has been under harvested.

Table 3. Summary of recreational and commercial mortality (mt) of lingcod south of 40°10' N lat. from 2011-2015.

Year	Recreational	Commercial	Total	% Rec	% Com
2011 <sup>a/</sup>	225.2	29.8	255.0	88.3	11.7
2012 <sup>a/</sup>	281.4	33.0	314.4	89.5	10.5
2013	381.3	35.4	416.7	91.5	8.5
2014	492.4	56.3	548.7	89.7	10.3
2015	590.8	79.4	670.2	88.2	11.8

a/ mortality reported south of 42° N lat.

### Area Closures (“Hot Spots”)

During public workshops, CDFW staff asked participants to identify areas that were known “hot spots” for yelloweye rockfish and cowcod. Staff explained that areas may need to be closed as part of a tradeoff for allowing access to deeper depths to ensure that allowable limits of overfished species were not exceeded. Hot spot identification was solely focused on yelloweye rockfish and cowcod and not on canary rockfish since it has now been declared rebuilt. Nine separate locations were identified as possible hot spots in areas north of Point Conception<sup>4</sup>.

While projected impacts under the CDFW preferred season structure option are within allowable limits, some model uncertainty exists which may cause projected impacts to differ from actual impacts. These uncertainties are further discussed in the recreational model description within the EIS, though generally, uncertainty is associated with some model assumptions for species which are not frequently encountered. These closures would be used preseason to minimize overfished species impacts and reduce the possibility of disruptions to the fishery.

Currently there are four yelloweye rockfish conservation areas (YRCAs) located in the Northern and Mendocino Management Areas and defined in Federal Regulation which could be used in combination with or lieu of hot spot closures in some areas. The YRCA areas are mostly open to fishing during the 2016 season (they are in shallower depths) whereas most of the proposed hot spot closures are located in deeper depths.

Further discussions with industry area needed to refine and discuss closures (hotspots and YRCAs) to better understand the impacts of closed areas; therefore CDFW supports forwarding all proposed hot spot closures for further exploration and refinement.

### Petrale Sole

Under No Action, retention of petrale sole in the California recreational fishery is currently permitted during the open seasons and depths for groundfish. Any petrale caught outside the open season and depths for recreational groundfish must be discarded. Regulatory discarding occurs when targeting other species where fishing tends to occur in much deeper depth than rockfish trips (e.g. Pacific halibut) or outside the groundfish season. Petrale sole do not suffer from barotrauma because they do not possess a swim bladder, but they do suffer mortality from hooking and handling injuries when they are released.

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<sup>4</sup> Participants were not asked to identify hot spots in southern California because the Cowcod Conservation Areas close 4,300 square miles specifically to protect cowcod.

CDFW received public requests to exempt petrale sole from the recreational groundfish season and depth restrictions and to allow those petrale sole which would have been discarded to be retained. Removing the restrictions would eliminate regulatory discards and most likely lead to anglers retaining petrale sole they would otherwise discard while targeting other species.

RecFIN data indicate that petrale sole have not been frequently encountered in the recreational fishery in recent years during the closed months (e.g., in 2014, 426 petrale sole were encountered). If it is assumed that all fish encountered outside of the groundfish season would be retained, the resulting additional/increase in mortality in 2014 would have been approximately 0.35 mt<sup>5</sup>. Additionally, it should be noted that even when the fishery was not restricted by season length and depth mortality of petrale sole was relatively minimal (Table 4).

Table 4. Recreational mortality of petrale sole north and south of Point Conception (34°27' N lat.), during an all depth, year round fishery, 1996-2000.

Sub-Region	1996	1997	1998	1999	2000	Average
North	0.31	0.11	0.02	0.00	0.00	0.85
South	0.27	0.11	0.04	0.00	0.15	0.11
Total	0.58	0.22	0.06	0.00	0.15	0.20

CDFW supports exempting petrale sole from the recreational groundfish season and depth restrictions. If inseason tracking indicates that mortality is tracking higher than expected, action can be taken to reduce or eliminate catches.

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<sup>5</sup> Assuming the mean weight of observed petrale sole in 2014 (0.83 kg).