

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE REPORT ON BIENNIAL
MANAGEMENT MEASURES FOR 2019-2020

In light of the Council's discussion under Agenda Item F.2 (Trawl Catch Share Review and Follow-On Actions), the California Department of Fish and Wildlife (CDFW) would like to reiterate that biennial management measures for 2019-2020 remain California's highest priority.

The biennial specification process is the only agenda item where substantive changes to regulations for the commercial open access, limited entry fixed gear and recreational sectors can be considered. By comparison, trawl fishery issues, including those deliberated in trailing actions, follow-on actions, omnibus actions, and special initiative agenda items (e.g., trawl 5-year review, whiting and bottom trawl electronic monitoring and gear changes) are regularly scheduled and consume a substantial number of Council agenda items and floor time. Drawing on the National Marine Fisheries Service (NMFS) report (Agenda Item F.1), it is clear that their groundfish staff are overbooked to complete both regulatory activities and NEPA analyses, and the Council's to-do list already exceeds current capacity. However, plans to implement new or modified biennial management measures for recreational and non-trawl fisheries by January 1, 2019 must remain on track.

Some on the Council expressed a desire to evaluate removing the 36° management line in hopes such an action might allow for greater utilization of sablefish trawl quota pounds coastwide. CDFW believes the biennial specifications process is not the appropriate vehicle to evaluate removal of the 36° management line for the trawl sector.

CDFW is gravely concerned about the ability to meet analytical deadlines and possible jeopardy of a January 1 implementation date if removal of the 36° management line is included in the biennial specifications. The GMT noted this item has a high analytical burden and CDFW feels it would not be in the best interest of the entire groundfish fishery to add this analysis to the biennial specifications given its risk of jeopardizing the deadline. CDFW also reminds the Council that in the process of undertaking the 5-year review of the Trawl Catch share program, neither the GAP nor the CAB identified these topics as an immediate need. In fact, the GAP and CAB both expressed in multiple statements that their first priority was to ensure that rulemakings already in the pipeline (EFH/RCA, trawl gear package) be completed first. Both of these rulemakings have the ability to provide relief to trawlers and meet the goal of increasing quota pound utilization in the trawl fishery.

CDFW recommends pairing future discussions on removal of the 36 degree management line with future discussions on gear switching, and that work to conduct additional analyses or regulatory development on these items be prioritized below that of biennial specifications and other items already in the queue, many of which are already far behind schedule.