

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE REPORT ON FUTURE COUNCIL MEETING AGENDA AND WORKLOAD PLANNING

Under Agenda Item F.9, Groundfish Biennial Management Measures for 2019-2020, the Council moved to evaluate Action Item 19 - Modification of the outer boundary of the western Cowcod Conservation Area (CCA), in a separate stand-alone agenda item.

The western CCA regulations apply to all gears, and closes 4200 square miles of fishing area to groundfish fishing at all depths, except for nearshore waters inside of 20 fathoms. Changing or eliminating the CCAs is a request that has been repeatedly and consistently voiced by stakeholders from the fixed gear and recreational sectors in a number of prior specifications cycles. Amending these regulations has been forwarded as a California Department of Fish and Wildlife priority in each of the specifications processes since 2006.

The Council has tentatively agendized decisions on the Essential Fish Habitat/Rockfish Conservation Area (EFH/RCA) item for April 2018. It is unclear when regulations to implement the Council's decisions that would alter trawl EFH areas off Southern California will take effect, given the logjam in the groundfish regulatory pipeline.

As noted in Council discussion, CDFW is underway with analysis on this item and looks forward to discussions with National Marine Fisheries Service (NMFS) and Council staff on regulatory alternatives that would shrink the footprint of the western CCA. It is possible that current CCA regulations could be modified such that any boundary changes would apply only to the fixed gear and recreational sectors, and would leave CCA regulations applicable to trawl gear intact. CDFW acknowledges this would require restructuring of current regulations, but it is not clear how ominous a task that might be, and in fact may be quite simple.

As cowcod continue to rebuild, California fixed gear and recreational sectors continue to wait patiently for access to areas within the CCA that have realistically very little likelihood of encountering cowcod. Effectiveness of regulations to change the western CCA boundary for these sectors should not be definitively tied to effectiveness of trawl EFH/RCA regulations.

Given the western CCA boundary item will proceed as a stand-alone agenda item, CDFW suggests the Council agendize a preliminary preferred alternative in September 2017, with adoption of a final preferred alternative in November 2017. This will allow time for CDFW to focus on the biennial specifications and prospective new Exempted Fishery Permits (EFP) that the Council has prioritized through June of 2017, and then turn focus to this item.

CDFW appreciates the information provided in Supplemental NMFS Report 2 and the report of the Enforcement Consultants in Agenda Item F.11 regarding unmarketable and small whiting discards from participants in the Electronic Monitoring EFP, and requests that NMFS Office of Law Enforcement continue to update the Council on enforcement actions as appropriate.