

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE REPORT ON AREA CLOSURES  
PROPOSED IN CONJUNCTION WITH REPEAL OF THE COWCOD CONSERVATION  
AREAS

In April 2022, the Pacific Fishery Management Council adopted a Range of Alternatives for this item that included a proposal to close new areas within the existing Cowcod Conservation Area (CCA) that was concurrent with repeal of the CCA as described in the California Department of Fish and Wildlife report (CDFW) in [Agenda Item F.6.a CDFW Report 1, April 2022](#).

CDFW provides this report to further describe the need for these proposed closed areas. The areas proposed for closure were identified through a multi-stakeholder process to meet a suite of goals. Those goals were: 1) protecting corals and sponges in areas with high suitability habitat for these organisms 2) allow for additional fishing opportunities in the areas currently closed in the CCAs, 3) ensure proposed areas are of adequate size and shape to be enforceable, and 4) minimize regulatory complexity.

CDFW and the stakeholder group recommended, and continue to recommend, that these areas be closed to all groundfish fishing, in order to best achieve all of these goals in tandem.

Typically, area closures for the purposes of protecting corals, sponges or other benthic needs are specific to bottom contact gears which are more commonly associated with commercial groundfish fishing activity. However, CDFW supports the proposed action to include closure to all fishing sectors and gears that are legally allowed to take groundfish, not just gears that are federally designated as “groundfish bottom contact gears”. California regulations specific to recreational groundfish fishing do not explicitly distinguish between bottom contact or non-bottom contact gear types. There is no recreational regulation defining “mid-water only” gear versus other gear configurations that commonly ‘touch’ or make temporary contact with the bottom. Despite the diverse configurations and methods of recreational gears used off California, methods most commonly used to target and catch groundfish involve dropping a weighted line to the bottom or bouncing a heavy jig along the bottom, such that temporary bottom contact is made. While regulations are in place to limit each angler to one line and two hooks for most groundfish species, the number of recreational anglers and associated fishing effort, particularly in southern California, is not insignificant. Moreover, there is no regulation limiting the amount of weight that may be used on the angler’s line to get the hooks to the bottom.

CDFW supports prohibiting all groundfish fishing within the proposed protection areas to promote equity among all sectors and fleets rather than offering exceptions for some groundfish fishery sectors to fish in these areas using defined midwater gear. Prohibition for all gear also provides the most effective protection for coral and sponge aggregations in the proposed closed areas. This one-size-fits-all ‘no groundfish fishing or possession of groundfish aboard’ approach to the proposed closed areas also has the benefit of regulatory clarity and simplicity, which in turn, allows for ease of enforcement. This approach is consistent with comments offered in the Enforcement Consultants (EC) report ([Agenda Item F.6.a, Supplemental EC Report 1, April 2022](#)), which noted the proposed area closures are difficult for enforcement assets to patrol due to their remote, offshore locations