CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
2027-2028 EXEMPTED FISHING PERMIT APPLICATION

The California Department of Fish and Wildlife (CDFW) proposes to renew the current 2025-2026 Exempted Fishery Permit (EFP), with slight modifications, for the purpose of collecting fishery-dependent biological data for cowcod and yelloweye rockfish in the 2027-2028 biennium. Modifications from the EFP issued for the 2025-2026 biennium include removing quillback rockfish from the species list and including additional collection opportunity for yelloweye rockfish and/or cowcod.

If retention of cowcod and/or yelloweye rockfish is recommended for the 2027-2028 biennium, it is anticipated to be limited (e.g., bag limits), which may include only certain months during the otherwise open recreational season. As a result, the 2027-2028 EFP is designed to allow collection of biological samples during the entire year when retention of these species is prohibited, as well as when any cowcod or yelloweye rockfish are taken and retained as authorized by regulations.

There are no proposed changes to operational functionality or procedures from the current authorized 2025-2026 EFP, however, the species being collected are proposed to change to include only cowcod and yelloweye rockfish. Collection of biological samples would be allowed during times of both prohibition and retention if authorized by regulations. Proposed collection maximums have been increased from the initial application (Agenda Item F.4, Attachment 1, November 2025).

CDFW welcomes additional Commercial Passenger Fishing Vessels (CPFVs) that are interested in participating in the EFP to contact Thompson.Banez@wildlife.ca.gov for enrollment information.

General Description

CDFW proposes to collaborate with select CPFVs to collect cowcod and yelloweye rockfish encountered incidentally when retention of those species is prohibited, as well as when any cowcod or yelloweye rockfish are taken and retained as authorized by regulations. The purpose of these collections would be to obtain additional biological data for inclusion in future stock assessments. Both cowcod and yelloweye rockfish are likely to remain prohibited for the majority of the 2027-2028 fishing season in California recreational fisheries so there are limited mechanisms to retain individual fish for scientific purposes that are inadvertently taken in conjunction with regular fishing activities. Under current state and federal laws, these species must be returned to the water immediately if encountered incidentally when retention is prohibited, however, there is consideration for allowing limited retention in the non-trawl fisheries in the next biennium (Agenda Item C.7.a, Supplement GMT Report 3, April 2026). Biological data for these stocks is somewhat scarce and the opportunity for retention in a brief open period may provide additional but still limited collection opportunities The proposed EFP aims to address this insufficiency.

The proposed EFP would provide exemption from federal regulations that prohibit retention and would also allow for exceeding any bag or possession limit established for cowcod and yelloweye

rockfish under certain conditions. In addition, the EFP would provide that both of these species when retained under the proposed EFP activities would be exempt from (e.g., not included in) existing recreational bag and possession limits for rockfish, cabezon and greenlings in the aggregate. The principal goal of the EFP would be to collect cowcod and yelloweye rockfish that are encountered incidentally during times when possession of these species is prohibited, and secondly, when retention is authorized, allow for retention and possession in excess of bag or possession limits. The proposed EFP activities would occur during the entire year to account for incidental catch that may occur in conjunction with other fishery targets such as California scorpionfish, lingcod, rockfish, halibut, and others.

As part of the proposed EFP and as a term and condition, participating vessels would need to agree to not change their fishing strategies or practices. The terms and conditions would not include access to closed fishing areas and also would expressly prohibit targeting of these species during months when prohibited. If there is information indicating that the species authorized under this EFP were being directly targeted when retention is prohibited, removal from further EFP participation would be considered and addressed as appropriate with National Marine Fisheries Service (NMFS) and CDFW staff.

CDFW groundfish project staff will be responsible for processing, storage and delivery of data and samples. The project intends to collect lengths, weights, sex and otoliths from all fish collected under the proposed EFP. Sexual maturity (macroscopic), genetic tissue samples, and ovaries will be collected from fresh fish (i.e., not previously frozen). CDFW will continue to coordinate with NMFS-Southwest Fisheries Science Center (SWFSC) regarding biological workup parameters needed for assessment inclusion. Whenever feasible, any remaining and useable meat would be donated to local food banks.

Justification
The proposed 2027-2028 EFP provides an efficient vehicle to collect vital information from the California recreational fishery needed to inform future stock assessments of cowcod and yelloweye rockfish. Currently, the only way to collect enough biological specimens is through fishery-independent research activities authorized under scientific research or collection permits issued by federal or state agencies. Those specimens cannot be presumed to be representative of the fish taken in the directed commercial or recreational groundfish fisheries.

Recent stock assessments for both species included recommendations to increase age data collection to improve future stock assessments. The 2019 cowcod Stock Assessment Review panel report (Agenda H.5, Attachment 10, September 2019) identified the need, "Given the lack of biological data for cowcod, it is critical to improve and expand collection of length and age data for fishery [dependent] and fishery independent data sources…". Similarly, the 2025 yelloweye rockfish update assessment reiterated the research and data needs noted in the 2017 yelloweye rockfish stock assessment which stated, "It is essential to continue yelloweye data collection, especially in this recent period, when commercial and recreational catches are considerably lower than the historical period, to provide a fuller picture of age structure and population dynamics."
As designed, CDFW cannot identify any immediate or direct financial benefit to vessels participating in the EFP, as the CPFVs would not be permitted to fish in closed areas or change fishing strategies. Any potential benefits that may accrue as a result of this EFP would occur to the

fishery as a whole and not to specific individual fishing operations. CDFW appreciates the current and previous CPFV operations who have participated in the EFP to date, and notes the greater the geographic diversity in participating vessels, the better. CDFW greatly values this collaboration and commends participants' commitment to improving the baseline biological data and best available science.

Participating Vessels, Selection Criteria, and Operations

CDFW seeks approval for up to 30 participating vessels. After soliciting volunteers and vetting prospective applicants with CDFW's Enforcement Consultant representative, vessels will be selected based on their past participation or expected fishing grounds in 2027 and 2028. Efforts will be made to obtain a representative sample of cowcod and yelloweye rockfish distributed among each species' primary range off California. Also, CPFV operations are quite specialized in the locations fished, the length of the trip, the number of passengers they carry, and the resulting amount of gear deployed. Since the goal of the EFP is to collect samples that are representative of the recreational fishery as a whole, the vessel selection will likewise seek to include the most diverse fleet possible, and ideally will include vessels that typically run half, three-quarter, and full- day trips, as well as vessels that fish at offshore islands and banks on longer trips.

CDFW does not propose any at-sea monitoring associated with this EFP application, as the only exception to regulations pertains to possession of cowcod and yelloweye rockfish, for which the vessel crew would be responsible to provide the fish to the CPFV landing upon return of the trip.

Harvest Limits

CDFW does not request a formal set-aside because any mortality that would accrue under this EFP would be captured as part of the normal recreational mortality estimation process conducted by the California Recreational Fisheries Survey (CRFS).

Cowcod

CDFW proposes collecting a maximum of 2,000 cowcod per year, for a total of 4,000 cowcod during the two-year EFP period. The limit would be geographically stratified each year at Point Conception, such that not more than 1,350 fish would be retained from waters in the south, and not more than 650 fish from the north. The recommended limits are expected to provide sufficient fishery-dependent data to better inform future assessments.

CDFW estimates 2.72 metric tons (mt) of cowcod fishery mortality may accrue from the proposed EFP activities. Rather than being released, the cowcod will be calculated as retained fish and included in CRFS catch estimates. Estimated mortality was determined by multiplying the maximum yearly cowcod limit by the average estimated weight per cowcod (1.36 kilograms or kg).

Yelloweye rockfish

A maximum of 1,500 yelloweye rockfish per year would be collected under this EFP. CDFW estimates 2.0 mt of yelloweye rockfish fishery mortality may accrue from the proposed EFP activities. Rather than being released, the yelloweye rockfish will be calculated as retained fish and included in CRFS catch estimates. This estimated amount of mortality was determined using the average estimated weight of yelloweye rockfish (1.33 kg) multiplied by the yearly maximum number of yelloweye rockfish proposed to be taken in this EFP.

Tracking and monitoring of EFP take
CDFW will be tabulating retained cowcod and yelloweye rockfish during the EFP and will establish communication protocols with participants to cease collection activities for the year if limits are attained.

Submission Requirements
Applicant:
CDFW Groundfish Project
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Date: May 13, 2026
Signature: Caroline McKnight