

Memorandum

Date: October 3²², 2014

To: Sonke Mastrup
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Agenda Item for the December 3, 2014 Fish and Game Commission Meeting Re: Request to Authorize Publication of Notice Regarding Proposed Amendments to Section 27.65, Title 14 CCR: Filleting of Fish on Vessels, and Section 28.38(b), Title 14 CCR: Bluefin Tuna**

The Department of Fish and Wildlife (Department) requests that the Fish and Game Commission (Commission) authorize publication of notice of its intent to consider amending existing recreational fishing regulations for the bluefin tuna (*Thunnus orientalis*). An Initial Statement of Reasons (ISOR) and its associated files will be provided to the Commission by January 2015. This approach will allow for discussion and possible adoption at the February and April, 2015 Commission meetings, respectively. The proposed amendments need to be effective with the corresponding federal regulations which are expected to be effective on or before May 1, 2015.

The federal rulemaking process involves action by the Pacific Fishery Management Council (Council) and the National Marine Fisheries Service (NMFS). At the Council's September 2014 meeting, a range of regulatory alternatives were approved for public review. The Council is scheduled to hear public and scientific comments on the range of alternatives and make a final recommendation at their November 2014 meeting. The NMFS then enters a rulemaking process to adopt the final federal regulations.

The Commission usually has taken concurrent action to conform state recreational fishing regulations to federal regulations that have been adopted through an open and deliberative federal rulemaking process. This is done in recognition of federal jurisdiction and to ensure consistency between state and federal laws while fishing, taking fish, or possessing sport fish. Since the specific Council management measures and NMFS regulatory actions will not be known until after the submission deadline for the December Commission meeting, this memo requests authorization to publish notice of the intent to amend bluefin tuna recreational regulations after the December meeting.

Current recreational fishing regulations (Section 27.65, Title 14, CCR) specify the species of recreationally caught fish that may be filleted while a vessel is still at sea, and requirements related to that filleting. The amendments proposed in this

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rulemaking would make state regulations for filleting sport caught tuna at sea consistent with the federal sport fishing laws for the 2015 fishing season for tunas off California.

Current recreational regulations (Section 28.38(b), Title 14, CCR) specify the bag and possession limits for bluefin tuna. The amendments proposed in this rulemaking would make state regulations for bag and possession limits consistent with the federal sport fishing rules for the 2015 fishing season for bluefin tuna taken or possessed off California.

The Department will make a presentation at the December Commission meeting providing details of the Council's 2015 management measures that serve as the basis for the ISOR.

If you have any questions or need additional information, please contact Mandy Lewis, Environmental Scientist, Marine Region, at (562) 342-7169, or by email at Mandy.Lewis@wildlife.ca.gov.

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