8. GROUNDFISH

Today's Item **Information** ☒ **Action** ☐

Discuss proposed changes to recreational groundfish regulations.

Summary of Previous/Future Actions

- Notice hearing — Aug 24-25, 2016; Folsom
- **Today's Discussion hearing** — **Oct 19-20, 2016; Eureka**
- Adoption hearing — Dec 7-8, 2016; San Diego

Background

On Jun 27, 2016, the Pacific Fishery Management Council recommended changes to federal rules for recreational groundfish fishing off California for 2017 and 2018, which are expected to go into effect on or around Jan 1, 2017. DFW is proposing regulatory changes that would make regulations for State waters consistent with these new federal regulations.

The proposed regulatory changes will extend the season length in the Northern and Mendocino Management Areas by two and one-half months; increase the allowable depth in the Northern, San Francisco and Central Management Areas by 10 fathoms; allow for the take of all species with no depth restrictions Nov 1 through Dec 31 in the Northern and Mendocino Management Areas; increase the bag limit for canary rockfish from zero to one fish; eliminate the three fish sub-bag limit for bocaccio; and allow petrale sole and starry flounder to be retained year round at all depths; decrease in the bag limit for black rockfish from five to three fish; decrease in the bag limit for lingcod from three to two fish; and make other changes for clarity and consistency.

Significant Public Comments (N/A)

Recommendation (N/A)

Exhibits

1. DFW memo, received Jul 27, 2016
2. Initial Statement of Reasons
3. DFW presentation

Motion/Direction (N/A)

State of California
Department of Fish and Wildlife

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Memorandum

Date: July ~~18,~~ 26, 2016

To: Valerie Termini
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Agenda Item for the August 24-25, 2016 Fish and Game Commission Meeting re: Recreational Fishing Regulations for Federal Groundfish and Associated Species for 2017 and 2018.**

At its June 22-28, 2016 meeting, the Pacific Fishery Management Council took final action regarding recreational fishing regulations for federally managed groundfish species for the 2017-2018 management cycle. In order to have conforming State regulations in place before fishing begins in 2017, the Department of Fish and Wildlife (Department) requests the Commission authorize publication of notice of its intent to consider amendment of its recreational fishing regulations for federally managed groundfish species at its August 24-25, 2016 meeting.

The Department's Initial Statement of Reasons is attached, which proposes regulatory changes needed to align state regulations with the range of federal regulations expected to be in effect for 2017 and 2018. The changes may result in modifications to season lengths, depth restrictions, and bag limits for federally managed groundfish and state-managed species, which associate with federal groundfish.

If you have any questions or need additional information, please contact Dr. Craig Shuman, Regional Manager of the Marine Region, at (805) 568-1246. The public notice should identify Senior Environmental Scientist, Joanna Grebel as the Department's point of contact for this rulemaking. Joanna can be reached at (831) 601-2279 or at Joanna.Grebel@wildlife.ca.gov.

Attachments

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STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend Subsections (a) and (b) of Section 27.20, Sections 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 28.27, 28.49, and 28.55; and
Add Section 28.47
Title 14, California Code of Regulations
Re: Recreational Fishing Regulations for Federal Groundfish and Associated Species for Consistency with Federal Rules for 2017 and 2018

I. Date of Initial Statement of Reasons: June 28, 2016

II. Dates and Locations of Scheduled Hearings:

(a) Notice Hearing: Date: August 24, 2016
Location: Folsom, CA

(b) Discussion Hearing Date: October 19, 2016
Location: Eureka, CA

(c) Adoption Hearing: Date: December 7, 2016
Location: San Diego, CA

III. Description of Regulatory Action:

(a) Statement of Specific Purpose of Regulation Change and Factual Basis for Determining that Regulation Change is Reasonably Necessary:

Biennially, the Pacific Fishery Management Council (PFMC) reviews the status of west coast groundfish populations. As part of that process, it recommends groundfish fisheries regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Pacific Coast Groundfish Fishery Management Plan (FMP). These recommendations coordinate west coast management of recreational and commercial groundfish fisheries in the Exclusive Economic Zone (EEZ) (three to 200 miles offshore) off Washington, Oregon and California. These recommendations are subsequently implemented as federal fishing regulations by the National Marine Fisheries Service (NMFS).

Under California law (California Fish and Game Code sections 200 and 205), the California Fish and Game Commission (Commission) adopts regulations for the recreational groundfish fishery in State waters zero to three miles from shore.

It is critical to have consistent State and federal regulations establishing season dates, depth constraints and other management measures, and also critical that the State and federal regulations be effective

concurrently. Consistency of rules in adjacent waters allows for uniformity of enforcement, minimizes confusion, and allows for a comprehensive approach to resource management. Consistency with federal regulations is also necessary to maintain State authority over its recreational groundfish fishery and avoid federal preemption under the Magnuson-Stevens Fishery Conservation Act [16 USC §1856 (b)(1)].

On June 27, 2016, the PFMC recommended changes to federal rules for recreational groundfish fishing off California for 2017 and 2018 which are expected to go into effect on or around January 1, 2017. The proposed actions in this rulemaking would make regulations for State waters consistent with these new federal regulations.

Present Regulations

Existing law authorizes the recreational take of groundfish subject to regulations set forth by federal and State authorities. Current regulations establish season lengths, depth constraints, methods of take, closed areas, and size, bag and possession limits within the five groundfish management areas for all federal groundfish and associated species [sections 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.54, 28.55, 28.56 and 28.58, Title 14, CCR].

<u>Species or Species Groups Which May be Taken or Possessed</u>

Present regulations allow anglers to take and possess federally-managed groundfish species as defined in Section 1.91 when the fishing season is open. Regulations also establish that California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*, which are State-managed species known to associate with federal groundfish, can be taken and possessed only when the season is open to recreational groundfish fishing.

<u>Season Length and Depth Constraints</u>

Current regulations specify seasons and depth constraints for the five groundfish management areas in ocean waters off California. These regulations serve as management tools that are adjusted biennially to ensure that mortality of both overfished and non-overfished stocks remain within allowable limits. The current seasons and depth constraints were designed to maximize harvest of healthy stocks while staying within allowable limits for all species.

The Northern and Mendocino Management Areas have a 20 fathom depth constraint, with a season of five and one-half months. The San Francisco Management Area has an eight and one-half month season, with a depth constraint of 30 fathoms. The Central Management Area has a nine month season, with a depth constraint of 40 fathoms. The Southern Management Area has the least restrictive regulations, with a ten month season and a depth constraint of 60 fathoms. The Cowcod Conservation Areas provide discrete depth limits within the Southern Management Area.

Bag Limits
Present regulations establish bag limits which vary by species or species groups and are designed to keep harvest within allowable limits.

Proposed Regulations
The Department of Fish and Wildlife (Department) is proposing the regulatory changes described below to be consistent with PFMC recommendations for federal groundfish regulations in 2017 and 2018. This approach will allow the Commission to adopt State recreational groundfish regulations to timely conform to those taking effect in federal ocean waters in January 2017.

The proposed regulatory changes will implement the following changes:

1. Seasons and Depths
    1. Extend the season length in the Northern and Mendocino Management Areas;
    2. Increase the allowable depth in the Northern, San Francisco and Central Management Areas;
    3. Allow for the take of all species with no depth restrictions November 1 through December 31 in the Northern and Mendocino Management Areas;
2. Bag Limits
    1. Increase the bag limit for canary rockfish from zero to one fish;
    2. Decrease the bag limit for black rockfish from five to three fish;
    3. Eliminate the three fish sub-bag limit for bocaccio;
    4. Decrease the bag limit for lingcod from three to two fish;
3. Allow petrale sole and starry flounder to be retained year round at all depths;
4. Clarifications
    1. Clarify language pertaining to Rockfish Conservation Areas;
    2. Clarify regulations for petrale sole and starry flounder; and
    3. Clarify and make consistent other provisions of the regulations.

Item 1: Proposed Changes to Seasons and Depths
The proposed regulatory changes would modify season and/or depth constraints in four of the five management areas (Northern, Mendocino, San Francisco, and Central) (Figure 1) as follows:

A. The season length is proposed to be increased by two and one-half months in the Northern and Mendocino Management Areas;
B. The depth restriction is proposed to be increased by 10 fathoms in the Northern, San Francisco, and Central Management Areas; and
C. Fishing for all species would be allowed with no depth restrictions from November 1 through December 31 in the Northern and

Mendocino Management Areas.

A new stock assessment was conducted for black rockfish in California in 2015. This new assessment indicated that while black rockfish are considered healthy, they are not as plentiful as previously thought. Therefore allowable harvest limits were reduced by the PFMC in response to this new scientific information. Because black rockfish are found in shallower waters, increasing the depth in some management areas will allow anglers to move to into deeper waters to target other species, which should reduce fishing pressure on black rockfish in shallower depths.

Yelloweye rockfish is overfished and managed under a rebuilding plan to facilitate rebuilding the stock to healthy levels. The harvest guideline for yelloweye rockfish was increased slightly by the PFMC this year, compared to previous years consistent with the results of the rebuilding plan. There is now adequate room within this harvest guideline to extend fishing both into deeper depths and for longer seasons in many areas.

The general season and depth limit changes listed above require changes in sections 27.25, 27.35 and 27.40 concerning exceptions for leopard shark, and in sections 27.30, 27.35 27.40, 27.45 and 27.50 concerning exceptions for California scorpionfish.

<table>
<tr><th>Management Area</th><th>Jan</th><th>Feb</th><th>Mar</th><th>Apr</th><th>May</th><th>Jun</th><th>Jul</th><th>Aug</th><th>Sep</th><th>Oct</th><th>Nov</th><th>Dec</th></tr>
<tr><td>Northern</td><td colspan="4">Closed</td><td colspan="6">May 1 – Oct 31 <30fm</td><td colspan="2">All Depth</td></tr>
<tr><td>Mendocino</td><td colspan="4">Closed</td><td colspan="6">May 1 – Oct 31 <20fm</td><td colspan="2">All Depth</td></tr>
<tr><td>San Francisco</td><td colspan="5">Closed</td><td colspan="7">April 15 – Dec 31 <40fm</td></tr>
<tr><td>Central</td><td colspan="4">Closed</td><td colspan="8">April 1 – Dec 31 <50fm</td></tr>
<tr><td>Southern</td><td colspan="2">Closed</td><td colspan="10">Mar 1 – Dec 31 <60 fm</td></tr>
</table>

Figure 1. Season structure and depth constraints proposed for the California recreational groundfish fishery for 2017 and 2018 as recommended by the PFMC in June 2016.

<u>Item 2: Proposed Changes to Bag Limits</u>
The proposed regulatory changes would modify bag limits for canary rockfish, black rockfish, bocaccio, and lingcod as follows:

A. *Canary Rockfish* - The proposed regulations would increase the bag limit for canary rockfish from zero to one fish. Canary rockfish, a previously overfished stock, has rebuilt to healthy levels and allowing retention of one fish can be accommodated within the State's new recreational harvest guideline.
B. *Black Rockfish* - The proposed regulations decrease the bag limit for black rockfish from five to three fish statewide. A lower bag limit is needed to keep catches within reduced allowable harvest limits for this species, as described above.
C. *Bocaccio* - The proposed regulations eliminate the sub-bag limit for bocaccio within the overall 10 fish Rockfish, Cabezon, Greenling (RCG). Bocaccio is rebuilding quickly and eliminating the sub-bag limit and allowing retention of up to 10 fish can be easily

accommodated within the harvest guideline without jeopardizing the rebuilding progress of this stock.

D. *Lingcod* - The proposed regulations decrease the bag limit for lingcod from three to two fish. A lower bag limit is needed to keep catches within allowable limits. In 2015, recreational catches came very close to exceeding the limit, and with the proposed extensions to season lengths, a lower bag limit was needed to ensure the additional catches that will come with the increases to time on the water can be accommodated within the limit.

Item 3: Proposed Changes to Retention of Petrale Sole and Starry Flounder

The proposed regulations would allow petrale sole and starry flounder to be retained year-round in all depths. Both of these species are encountered while fishing for other species and allowing retention year-round will reduce discarding while keeping catches within allowable limits. Both species are taken in very low quantities in California sport fisheries compared with the State's commercial fisheries, and sport catches are expected to continue near status-quo levels with the proposed change.

Item 4: Clarifications

The proposed regulations clarify that when depth limits are in effect, fishing is prohibited seaward of the specified depth limit along the mainland coast and along islands and offshore seamounts. The proposed changes would reduce public confusion and clarify those areas which are closed to fishing, particularly around offshore islands and seamounts. To improve clarity, regulations governing petrale sole and starry flounder were removed from Section 28.49 and relocated in a new stand-alone Section 28.47 because they are no longer subject to any depth constraints. Other changes are proposed for clarity and consistency.

It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the State for the benefit of all the citizens of the State and to promote the development of local fisheries and distant-water fisheries based in California.

The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence and the maintenance of a sufficient resource to support a reasonable sport use, taking into consideration the necessity of regulating individual sport fishery bag limits to the quantity that is sufficient to provide a satisfying sport.

Adoption of scientifically-based groundfish seasons, depth restrictions, size limits, and bag and possession limits provides for the maintenance of sufficient populations of groundfish species to ensure their continued existence.

The benefits of the proposed regulations are consistency with federal law, sustainable management of groundfish resources, and promotion of businesses that rely on recreational groundfish fishing.

(b) Authority and Reference Sections from Fish and Game Code for Regulation:

Authority: Sections 200, 202, 205, 220, 702, 7071 and 8587.1, Fish and Game Code.

Reference: Sections 200, 202, 205, 220, 1802, 7071 and 8585.5, Fish and Game Code; Title 50, Code of Federal Regulations, Part 660, Subpart G; and Section 27.20, Title 14, CCR.

(c) Specific Technology or Equipment Required by Regulatory Change:

None

(d) Identification of Reports or Documents Supporting Regulation Change:

2017-2018 Groundfish Harvest Specifications and Management Measures Including Changes to Groundfish Stock Designations (Amendment 27 to the Pacific Coast Groundfish Fishery Management Plan); Description and Analysis for Council Decision-Making http://www.pcouncil.org/wp-content/uploads/2016/03/F3_Att1_17-18_GF_SpexCouncilDoc_APR2016BB.pdf

Pacific Coast Groundfish Fishery Management Plan for the California, Oregon, and Washington Groundfish Fishery. March 2016. Pacific Fishery Management Council. http://www.pcouncil.org/wp-content/uploads/2016/03/GF_FMP_FINAL_Mar2016_Mar282016.pdf

Nearshore Fishery Management Plan. Adopted October 25, 2002. Department of Fish and Game. https://www.wildlife.ca.gov/Conservation/Marine/NFMP.aspx

Fisheries Economics of the United States, 2014. May 2016. NOAA Technical Memorandum, NMFS-F/SPO-163. http://www.st.nmfs.noaa.gov/Assets/economics/publications/FEUS/FEUS-2014/Report-and-chapters/FEUS-2014-FINAL-v5.pdf

(e) Public Discussions of Proposed Regulations Prior to Notice Publication:

Pacific Fishery Management Council meetings where the proposed regulations for the 2017 and 2018 recreational groundfish and associated species were discussed:

- September 9-16, 2015, Sacramento, CA
- November 14-19, 2015, Garden Grove, CA
- March 8-14, 2016, Sacramento, CA
- April 8-14, 2016, Vancouver, WA
- June 21-28, 2016, Tacoma, WA

State public meetings where the proposed regulations for the 2017 and 2018 recreational groundfish and associated species were discussed:

- December 2, 2015, Eureka, CA
- December 3, 2015, Fort Bragg, CA
- December 9, 2015, Sausalito, CA
- January 6, 2016, Monterey, CA
- January 7, 2016, Los Alamitos, CA

IV. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulation Change:

No alternatives were identified by or brought to the attention of Commission staff that would have the same desired regulatory effect.

(b) No Change Alternative:

Under the No Change Alternative, State law would be inconsistent with federal law. Inconsistency in regulations will create confusion among the public and may result in laws that are difficult to enforce. Additional fishing opportunity expected to come with the federal regulation changes effective in January 2017 would not be realized.

It is critical to have consistent State and federal regulations establishing season dates, depth constraints and other management measures, and also critical that the State and federal regulations be effective concurrently. Consistency with federal regulations is also necessary to maintain State authority over its recreational groundfish fishery and avoid federal preemption under the Magnuson-Stevens Fishery Conservation Act [16 USC §1856 (b)(1)].

(c) Consideration of Alternatives:

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the proposed regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

V. Mitigation Measures Required by Regulatory Action:

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

VI. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The Commission anticipates increased opportunities for the recreational groundfish fishery in 2017-2018 compared to 2016.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any significant impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California.

The Commission anticipates benefits to the health and welfare of California residents.

The Commission does not anticipate any benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's sport fishing resources.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None

(e) Nondiscretionary Costs/Savings to Local Agencies:

None

(f) Programs Mandated on Local Agencies or School Districts:

None

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None

(h) Effect on Housing Costs:

None

VII. Economic Impact Assessment

Recreational groundfish fisheries are broadly sub-divided between private anglers and commercial passenger fishing vessels. The economic impact of regulatory changes for recreational fisheries may be estimated by tracking the resulting changes in fishing effort, angler trips and length of stay in the fishery areas. Distance traveled affects gas and other travel expenditures. Day trips and overnight trips involve different levels of spending for gas, food, and accommodations at area businesses as well as different levels of sales tax impacts. Direct expenditures ripple through the economy, as receiving businesses buy intermediate goods from suppliers that then spend that revenue again. Business spending on wages is received by workers who then spend that income, some of which goes to local businesses. Recreational fisheries spending, thus multiplies throughout the economy with the indirect and induced effects of the initial direct expenditure.

The adoption of scientifically-based regulations provides for the maintenance of sufficient populations of groundfish to ensure their continued existence and future groundfish sport fishing opportunities that in turn support the fishery economy. In a recently released report, Fisheries Economics of the United States 2014 (May 2016) by the National Marine Fisheries Service, all marine recreational anglers trip-related and equipment expenditures sum to approximately $2.0 billion in California. Coupled with the indirect and induced effects of this $2.0 billion direct revenue contribution, the total realized economic benefit to California is estimated at $2.7 billion in total economic output annually. This corresponds with about $1.1 billion in total wages to Californians, and about 23,000 jobs in the State, annually. While the precise share of these expenditures attributed solely to groundfish anglers is not known, we do know that the groundfish fishery constitutes a large share of the State's recreational angler activity.

The proposed regulations will modify State recreational groundfish regulations to conform to federal rules. Currently, the conforming State regulations for groundfish include season lengths, depth restrictions, size limits, bag limits, and possession limits. In adopting these conforming regulations the State relies on information provided in PFMC documents which includes analysis of impacts to California (http://www.pcouncil.org/wp-content/uploads/2016/03/F3_Att1_17-18_GF_SpexCouncilDoc_APR2016BB.pdf).

For public notice purposes to facilitate Commission discussion, the Department is proposing regulatory changes to encompass the range of federal groundfish regulations that are expected to be in effect for 2017 and 2018. The proposed regulatory changes would modify the bag limit for some species and/or species groups and would modify the season and/or depth constraints in four of the management areas (Northern, Mendocino, San Francisco, and Central).

The range of estimated impact on angler trips by management area and the percent increase from the status quo is presented in Table 1. The economic impacts may be close to status quo; however, some increased revenues are expected. These additional revenues would provide economic benefit to the greater community, particularly to the coastal communities in the Northern and Mendocino Management Areas.

Table 1. Estimated Impact on Angler Trips by Management Area.

Management Area	Impact on Angler Trips	Percent Increase over Status Quo
Northern	Status Quo + 2,800 Trips	Increase of 7%
Mendocino	Status Quo + 1,500 Trips	Increase of 9%
San Francisco	Status Quo	Status Quo*
Central	Status Quo	Status Quo*
Southern	Status Quo	Status Quo

*A 10 fathom increase in depth is proposed, however economic effects of such an increase cannot be quantified.

Sport fishing business owners, boat owners, tackle store owners, boat manufacturers, vendors of food, bait, fuel and lodging, and others that provide goods or services to those that recreationally pursue groundfish off California may be positively affected to some degree from increases to business that may result under the range of proposed regulations. However, anticipated impacts may vary by geographic location. Additionally, economic impacts to these same businesses may result from a number of factors unrelated to the proposed changes to groundfish fishing regulations, including weather, fuel prices, and success rates in other marine recreational fisheries such as salmon and albacore.

<u>Effects of the Regulation on the Creation or Elimination of Jobs Within the State</u>

The cumulative effects of the changes statewide are estimated to be neutral to job elimination and potentially positive to job creation in California. No significant changes in fishing effort and recreational fishing expenditures to businesses are expected as a direct result of the proposed regulation changes.

Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses within the State

The cumulative effects of the changes statewide are expected to be neutral to business elimination and potentially positive to the creation of businesses in California. No significant changes in fishing effort and recreational fishing expenditures to businesses are expected as a direct result of the proposed regulation changes.

Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The cumulative effects of the changes statewide are expected to be neutral to positive to the expansion of businesses currently doing business in California. No significant changes in fishing effort and recreational fishing expenditures to businesses are expected as a direct result of the proposed regulation changes.

Benefits of the Regulation to the Health and Welfare of California Residents

Providing increased fishing opportunities for groundfish encourages recreation, which can have a positive impact on the health and welfare of California residents. Groundfish taken in the sport fishery and later consumed may have positive human health benefits.

Benefits of the Regulation to Worker Safety

The proposed regulations are not anticipated to impact worker safety conditions.

Benefits of the Regulation to the State's Environment

It is the policy of this State to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction of the State for the benefit of all citizens of the State. Benefits of the proposed management actions include increased fishing opportunity, along with the continuation of the reasonable and sustainable management of recreational groundfish resources and the protection of listed and special status species. Adoption of scientifically-based seasons, depth restrictions, and recreational bag limits provide for the maintenance of sufficient populations of groundfish to ensure their continued existence.

Other Benefits of the Regulation

Concurrence with Federal Law

The PFMC reviews the status of groundfish regulations biennially. As part of that

process, it recommends regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Pacific Coast Groundfish Fishery Management Plan. These recommendations coordinate management of recreational and commercial groundfish in the EEZ (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. These recommendations are subsequently implemented as ocean fishing regulations by the National Marine Fisheries Service.

California's sport fishing regulations need to conform to, or be more restrictive than, federal regulations to ensure that biological and fishery allocation goals are not exceeded.

Informative Digest/Policy Statement Overview

Biennially, the Pacific Fishery Management Council (PFMC) reviews the status of west coast groundfish populations. As part of that process, it recommends groundfish fisheries regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Pacific Coast Groundfish Fishery Management Plan (FMP).

These recommendations coordinate west coast management of recreational and commercial groundfish fisheries in the Exclusive Economic Zone (EEZ) (three to 200 miles offshore) off Washington, Oregon and California. These recommendations are subsequently implemented as federal fishing regulations by the National Marine Fisheries Service (NMFS).

For consistency, the California Fish and Game Commission (Commission) routinely adopts sportfishing regulations to bring State law into conformance with federal law for groundfish and other federally-managed species.

Current regulations establish season lengths, depth constraints, methods of take, and size, bag and possession limits within the five groundfish management areas for all federal groundfish and associated species.

Summary of Proposed Amendments

The Department of Fish and Wildlife (Department) is proposing the following regulatory changes to be consistent with PFMC recommendations for federal groundfish regulations in 2017 and 2018. This approach will allow the Commission to adopt State recreational groundfish regulations to timely conform to those taking effect in federal ocean waters in January 2017.

The proposed regulatory changes will implement the following changes:

1. Seasons and Depths
    A. Extend the season length in the Northern and Mendocino Management Areas;
    B. Increase the allowable depth in the Northern, San Francisco and Central Management Areas;
    C. Allow for the take of all species with no depth restrictions November 1 through December 31 in the Northern and Mendocino Management Areas;
2. Bag Limits
    A. Increase the bag limit for canary rockfish from zero to one fish;
    B. Decrease the bag limit for black rockfish from five to three fish;
    C. Eliminate the three fish sub-bag limit for bocaccio;
    D. Decrease the bag limit for lingcod from three to two fish;
3. Allow petrale sole and starry flounder to be retained year round at all depths;
4. Clarifications
    A. Clarify language pertaining to Rockfish Conservation Areas; and
    B. Clarify and make consistent other provisions of the regulations.

The benefits of the proposed regulation changes are consistency with federal law, sustainable management of groundfish resources and promotion of businesses that rely on recreational groundfish fishing.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. The Legislature has delegated authority to the Commission to adopt sport fishing regulations (Fish and Game Code, sections 200, 202 and 205). The proposed regulations are consistent with regulations for sport fishing in marine protected areas (Section 632, Title 14, CCR), with Nearshore Fishery Management Plan regulations (sections 52.00 through 52.10, Title 14, CCR) and with sport fishing regulations in Chapters 1 and 4 of Subdivision 1 of Division 1, and Section 195, Title 14, CCR. Commission staff has searched the California Code of Regulations and has found no other State regulations related to the recreational take of groundfish.

Regulatory Language

Amend subsections (a) and (b) of Section 27.20, Title 14, CCR, as follows:

§ 27.20. Groundfish Management Areas, Seasons, Depths, Exceptions, and Fishery Closure/Rule Change Process Described.

Regulations that follow in sections 27.25 through 27.50 define fishing seasons and depth constraints that are effective within each Groundfish Management Area. These sections apply to take and possession of federally-managed groundfish species as defined in Section 1.91 and California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*, which are state-managed species known to associate with federal groundfish.

(a) Depth Constraints: A depth constraint means that during the open season, the aforementioned species may ~~only~~not be taken or possessed in water depths ~~shallower~~deeper than the specified depth. Two specific definitions of "depth" apply off California. In waters shallower than 30 fathoms, "depth" is defined by general depth contour lines. In waters equal to or deeper than 30 fathoms, "depth" is defined by approximating a particular depth contour by connecting the appropriate set of waypoints adopted in Federal regulations (50 CFR Part 660, Subpart C).

(b) General Provisions.

(1) Take and Possession: During any open season in any Groundfish Management Area, in waters deeper than where fishing is authorized or within special closure areas established within a Groundfish Management Area, it is unlawful to take or possess the aforementioned species except as provided in subsections (b)(1)(A) through (b)(1)(D) below and sections 27.25 through 27.50 of these regulations.

(A) Transit: The aforementioned species may be possessed aboard a vessel in transit through a closed area with no fishing gear deployed in the water.

(B) "Other Flatfish" as defined in subsection 1.91(a)(10), petrale sole, and starry flounder may be taken or possessed in all depths year-round.

(C) Shore Based Angling: When angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), all species may be taken or possessed year-round (See 27.50(b)(1) for exceptions in the Cowcod Conservation Areas). No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(D) Diving or Spearfishing: When diving or spearfishing, as authorized in Section 28.90, all species may be taken or possessed year-round (See 27.50(b)(2) for exceptions in the Cowcod Conservation Areas). When boat-based groundfish fishing is closed, all types of fishing gear, except spearfishing gear, are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.

….[No changes proposed for subsections (c)-(f)]

Note: Authority cited: Sections 200, 202, 205, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G.

Amend Section 27.25, Title 14, CCR, as follows:

§ 27.25. Northern Groundfish Management Area.
This Section applies to take and possession of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.
(a) The Northern Groundfish Management Area means ocean waters between 42° 00' N. lat. (the Oregon/California border) and 40° 10' N. lat. (near Cape Mendocino, Humboldt County).
(b) Seasons and depth constraints (except as provided in subsection (c) below):
(1) January 1 through ~~May 14~~April 30: Closed.
~~(2) May 15 through October 31: Open for all species only in waters shallower than 20 fathoms in depth as described by general depth contour lines.~~
(2) May 1 through October 31: Take of all species is prohibited seaward of a line approximating the 30-fathom depth contour along the mainland coast and along islands and offshore seamounts. The 30-fathom depth contour is defined by straight lines connecting the set of 30-fathom waypoints as adopted in Federal regulations (50 CFR Part 660, Subpart G).
(3) November 1 through December 31: ~~Closed~~ Open for all species with no depth restrictions.
~~(c) Special exceptions to subsection (b) above:~~
~~(1)~~(c) Leopard shark may be taken or possessed in Humboldt Bay year-round ~~only in waters shallower than 20 fathoms in depth as described by general depth contour lines~~.
Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code. Reference: Sections 200, 202, 205, 1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Amend Section 27.30, Title 14, CCR, as follows:

§ 27.30. Mendocino Groundfish Management Area.
This Section applies to take and possession of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.
(a) The Mendocino Groundfish Management Area means ocean waters between 40° 10' N. lat. (near Cape Mendocino, Humboldt County) and 38° 57.50' N. lat. (at Point Arena, Mendocino County).
(b) ~~Seasons, depth constraints, and special closure areas~~Seasons and depth constraints (except as provided in subsection (c) below):
(1) January 1 through ~~May 14~~April 30: Closed.
~~(2) May 15 through October 31: Open for all species only in waters shallower than 20 fathoms in depth as described by general depth contour lines.~~
(2) May 1 through October 31: Take of all species is prohibited seaward of 20 fathoms in depth as described by general depth contour lines along the mainland coast and along islands and offshore seamounts.

(3) November 1 through December 31: ~~Closed~~ Open for all species with no depth restrictions.
~~(c) California scorpionfish may be taken or possessed from May 15 through August 31 only in waters shallower than 20 fathoms in depth as described by general depth contour lines.~~
(c) California scorpionfish.
(1) May 1 through August 31: Take is prohibited seaward of 20 fathoms in depth as described by general depth contour lines along the mainland coast and along islands and offshore seamounts.
(2) September 1 through December 31: Closed.
Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code. Reference: Sections 200, 202, 205, 1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Amend Section 27.35, Title 14, CCR, as follows:

§ 27.35. San Francisco Groundfish Management Area.
This Section applies to take and possession of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos.* For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.
(a) The San Francisco Groundfish Management Area means ocean waters between 38° 57.50' N. lat. (at Point Arena, Mendocino County) and 37° 11' N. lat. (at Pigeon Point, San Mateo County).
(b) ~~Seasons, depth constraints, and special closure areas~~Seasons and depth constraints (except as provided in subsection (c) below):
(1) January 1 through April 14: Closed.
~~(2) April 15 through December 31: Open for all species only in waters shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).~~
(2) April 15 through December 31: Take of all species is prohibited seaward of a line approximating the 40-fathom depth contour along the mainland coast and along islands and offshore seamounts. The 40-fathom depth contour is defined by straight lines connecting the set of 40-fathom waypoints as adopted in Federal regulations (50 CFR Part 660, Subpart G).
(c) Special exceptions to subsection (b) above:
(1) Leopard shark may be taken or possessed in Drake's Bay, Bolinas Bay, Tomales Bay, Bodega Harbor, and San Francisco Bay year-round ~~only in waters shoreward of lines approximating the 30-fathom contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G)~~.
(2) California scorpionfish ~~may be taken or possessed from April 15 through August 31 only in waters shoreward of lines approximating the 30-fathom depth contour, defined by connecting the set of 30-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G)~~.
(A) April 15 through August 31: Take is prohibited seaward of a line approximating the 40-fathom depth contour along the mainland coast and along islands and offshore seamounts. The 40-fathom depth contour is defined by straight lines connecting the set

of 40-fathom waypoints as adopted in Federal regulations (50 CFR Part 660, Subpart G).
(B) September 1 through December 31: Closed.
Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code. Reference: Sections 200, 202, 205, 1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Amend Section 27.40, Title 14, CCR, as follows:

§ 27.40. Central Groundfish Management Area.
This Section applies to take and possession of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.
(a) The Central Groundfish Management Area means ocean waters between 37° 11' N. lat. (at Pigeon Point, San Mateo County) and 34° 27' N. ~~lat~~lat. (at Point Conception, Santa Barbara County).
(b) Seasons and depth constraints (except as provided in subsection (c) below):
(1) January 1 through March 31: Closed.
~~(2) April 1 through December 31: Open for all species only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).~~
(2) April 1 through December 31: Take of all species is prohibited seaward of a line approximating the 50-fathom depth contour along the mainland coast and along islands and offshore seamounts. The 50-fathom depth contour is defined by straight lines connecting the set of 50-fathom waypoints as adopted in Federal regulations (50 CFR Part 660, Subpart G).
(c) Special exceptions to subsection (b) above:
(1) Leopard shark may be taken or possessed in Elkhorn Slough year-round~~ only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G)~~.
(2) California scorpionfish~~ may be taken or possessed from April 1 through August 31 only in waters shoreward of lines approximating the 40-fathom depth contour, defined by connecting the set of 40-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G)~~.
(A) April 1 through August 31: Take is prohibited seaward of a line approximating the 50-fathom depth contour along the mainland coast and along islands and offshore seamounts. The 50-fathom depth contour is defined by straight lines connecting the set of 50-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).
(B) September 1 through December 31: Closed.
Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, 205, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G.

Amend Section 27.45, Title 14, CCR, as follows:

§ 27.45. Southern Groundfish Management Area.
This Section applies to take and possession of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.
(a) The Southern Groundfish Management Area means ocean waters between 34º 27' N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border. The Cowcod Conservation Areas are special closure areas within the Southern Groundfish Management Area.
(b) Seasons and depth constraints (except as provided in subsection (c) below):
(1) January 1 through the last day in February: Closed.
~~(2) March 1 through December 31: Open for all species only in waters shoreward of lines approximating the 60-fathom depth contour , defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G).~~
(2) March 1 through December 31: Take of all species is prohibited seaward of a line approximating the 60-fathom depth contour along the mainland coast and along islands and offshore seamounts. The 60-fathom depth contour is defined by straight lines connecting the set of 60-fathom waypoints as adopted in Federal regulations (50 CFR Part 660, Subpart G).
(c) Special exceptions to subsection (b) above:
(1) Regulations that apply to the Cowcod Conservation Areas are specified in Section 27.50.
(2) Leopard shark may be taken or possessed in Newport Bay, Alamitos Bay, Mission Bay, and San Diego Bay year-round~~ only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G)~~.
(3) California scorpionfish~~ may be taken or possessed January 1 through August 31 only in waters shoreward of lines approximating the 60-fathom depth contour, defined by connecting the set of 60-fathom waypoints adopted in Federal regulations (50 CFR Part 660, Subpart G)~~.
(A) January 1 through August 31: Take is prohibited seaward of a line approximating the 60-fathom depth contour along the mainland coast and along islands and offshore seamounts. The 60-fathom depth contour is defined by straight lines connecting the set of 60-fathom waypoints as adopted in Federal regulations (50 CFR Part 660, Subpart G).
(B) September 1 through December 31: Closed.
Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, 205, 1802 and 7071, Fish and Game Code; and 50 CFR Part 660, Subpart G.

Amend Section 27.50, Title 14, CCR, as follows:

§ 27.50. Cowcod Conservation Areas.
This Section applies to take and possession of federally-managed groundfish species as defined in Section 1.91, California sheephead, ocean whitefish, and all greenlings of the genus *Hexagrammos*. For specific definitions, applicability, and procedures, see sections 1.91 and 27.20. For size limits, possession limits, and other regulations that apply to individual species, see specific sections beginning with Section 27.60.

(a) The Cowcod Conservation Areas are defined as ocean waters off southern California within each of the following two areas:
Area 1 is an area south of Point Conception that is bound by straight lines connecting the following points in the order listed:
33° 50' N. lat., 119° 30' W. long.;
33° 50' N. lat., 118° 50' W. long.;
32° 20' N. lat., 118° 50' W. long.;
32° 20' N. lat., 119° 37' W. long.;
33° 00' N. lat., 119° 37' W. long.;
33° 00' N. lat., 119° 53' W. long.;
33° 33' N. lat., 119° 53' W. long.;
33° 33' N. lat., 119° 30' W. long.; and
~~and connecting back to~~ 33° 50' N. lat., ~~119° 3 0' W. long~~119° 30' W. long.
Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:
32° 42' N. lat., 118° 02' W. long.;
32° 42' N. lat., 117° 50' W. long.;
32° 36' 42" N. lat., 117° 50' W. long.;
32° 30' N. lat., 117° 53' 30" W. long.;
32° 30' N. lat., 118° 02' W. long.; and
~~and connecting back to~~ 32° 42' N. lat., 118° 02' W. long.
(b) Seasons and depth constraints (except as provided in subsection (c) below):
(1) January 1 through the last day in February: Closed.
(2) March 1 through December 31: Open for only the species or species groups listed in (A) through (G) below, and only in waters shallower than 20 fathoms in depth as described by general depth contour lines.
(A) Nearshore rockfish, as defined in subsection 1.91(a)(1)
(B) Cabezon
(C) Greenlings of the genus *Hexagrammos*
(D) California sheephead
(E) Ocean whitefish
(F) Lingcod
(G) Shelf rockfish, as defined in subsection 1.91(a)(3), except bronzespotted rockfish, ~~canary rockfish,~~ cowcod, and yelloweye rockfish which may not be taken or possessed within the Cowcod Conservation ~~Area~~Areas.
(c) Special exceptions to subsection (b) above:
(1) California scorpionfish ~~may be taken or possessed from January 1 through August 31 only in waters shallower than 20 fathoms in depth, as described by general depth contour lines~~.
(A) January 1 through August 31: Take is prohibited seaward of 20 fathoms in depth, as described by general depth contour lines along the mainland coast and along islands and offshore seamounts.
(B) September 1 through December 31: Closed.
(2) Notwithstanding subsection 27.20(b)(1)(C), when angling from shore (includes beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore), only the species identified in (b)(2) above and California scorpionfish may be taken or possessed year-round. No vessel or watercraft (motorized or non-motorized) may be used to assist in taking or possessing these species while angling from shore under this provision.

(3) Notwithstanding subsection 27.20(b)(1)(D), when diving or spearfishing, as authorized in Section 28.90, only the species identified in (b)(2) above and California scorpionfish may be taken or possessed year-round. Except for spearfishing gear, all other types of fishing gear are prohibited to be aboard the vessel or watercraft (motorized or non-motorized) while spearfishing for the purpose of taking or possessing these species under this provision.
Note: Authority cited: Sections 200, 202 and 205, Fish and Game Code. Reference: Sections 200, 202, 205, 1802 and 7071, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Amend Section 28.27, Title 14, CCR, as follows:

§ 28.27. Lingcod.
(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:
(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.
(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.
(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.
(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.
(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.
(6) Cowcod Conservation Areas: Open and closed dates and depth constraints as defined by Section 27.50.
(b) Limit: ~~Three~~Two.
(c) Minimum size: 22 inches total length.
(d) Method of take: When angling, gear is restricted to not more than two hooks and one line. For purposes of this section, a hook is a single hook, or double or treble hook with multiple points connected to a common shank.
(e) Fishing rules for lingcod may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information.
Note: Authority cited: Sections 200, 202, 205, 220, 702 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205 and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Add Section 28.47, Title 14, CCR, as follows:

§ 28.47. Petrale Sole and Starry Flounder.
Petrale sole and starry flounder are federal groundfish, as defined in subsection 1.91(a), and are subject to special regulations as follows. Regulations of this Section do not apply to other species of flounders or sole.
(a) Open year-round.
(b) There is no limit on petrale sole or starry flounder.

(c) Petrale sole and starry flounder may be taken in all depths.
(d) Fishing rules for petrale sole and starry flounder may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information.
Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code.
Reference: Sections 200, 202, 205 and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Amend Section 28.49, Title 14, CCR, as follows:

§ 28.49. ~~Petrale Sole, Starry Flounder,~~ Soupfin Shark, Dover Sole, English Sole, Arrowtooth Flounder, Spiny Dogfish, Skates, Ratfish, Grenadiers, Finescale Codling, Pacific Cod, Pacific Whiting, Sablefish and Thornyheads.
~~Petrale sole, starry flounder, soupfin~~Soupfin shark, Dover sole, English sole, arrowtooth flounder, spiny dogfish, all skates, ratfish, all grenadiers, finescale codling, Pacific cod, Pacific whiting, sablefish, longspine thornyhead, and shortspine thornyhead are federal groundfish, as defined in subsection 1.91(a), and are subject to special regulations as follows. Regulations of this Section do not apply to other species of flounders, sole, sharks, or codlings unless otherwise specified.
(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:
(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.
(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.
(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.
(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.
(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.
(6) Cowcod Conservation Areas: Closed.
(b) Limit:
~~(1) There is no limit on Petrale sole or starry flounder.~~
~~(2)~~(1) The limit on soupfin shark is one fish.
~~(3)~~(2) The general bag limit of not more than 20 finfish in combination of all species with not more than 10 of any one species applies to Dover sole, English sole, arrowtooth flounder, spiny dogfish, all skates, ratfish, all grenadiers, finescale codling, Pacific cod, Pacific whiting, sablefish, longspine thornyhead and shortspine thornyhead.
(c) Fishing rules for ~~Petrale sole, starry flounder,~~ soupfin shark, Dover sole, English sole, arrowtooth flounder, spiny dogfish, all skates, ratfish, all grenadiers, finescale codling, Pacific cod, Pacific whiting, sablefish, longspine thornyhead and shortspine thornyhead may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information.
Note: Authority cited: Sections 200, 202, 205 and 702, Fish and Game Code.
Reference: Sections 200, 202, 205 and 1802, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Amend Section 28.55, Title 14, CCR, as follows:

§ 28.55. Rockfish (*Sebastes*).

(a) Open areas, seasons, and depth constraints: See Section 27.20 through Section 27.50 for definitions, special closure areas, and exceptions. Take and possession is authorized as follows:

(1) Northern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.25.

(2) Mendocino Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.30.

(3) San Francisco Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.35.

(4) Central Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.40.

(5) Southern Groundfish Management Area: Open and closed dates and depth constraints as defined by Section 27.45.

(6) Cowcod Conservation Areas: Open and closed dates and depths constraints as defined by Section 27.50. Only Nearshore Rockfish, and Shelf Rockfish, as defined in subsections 1.91(a)(1) and 1.91(a)(3), may be taken and possessed, except as provided below in subsection (b)(1).

(b) Limit: Ten, within the Rockfish, Cabezon, and Greenling complex (RCG complex, as defined in Section 1.91) limit of 10 fish, in any combination of species, except as provided below.

(1) The limit on bronzespotted rockfish, ~~canary rockfish,~~ cowcod, and yelloweye rockfish is zero. These species shall not be taken or possessed as part of the RCG limit.

~~(2) The limit on bocaccio rockfish is three fish, within the RCG limit.~~

(2) The limit on canary rockfish is one fish, within the RCG bag limit.

(3) The limit on black rockfish is ~~five~~three fish, within the RCG limit.

(4) In the Cowcod Conservation Areas (see Section 27.50), the limit on slope rockfish, as defined in subsection 1.91(a)(4), is zero. These species shall not be taken or possessed as part of the RCG limit in the Cowcod Conservation Areas.

(c) Size limit: None.

(d) Method of take: When angling, gear is restricted to not more than two hooks and one line. For purposes of this section, a hook is a single hook, or a double or treble hook with multiple points connected to a common shank.

(e) Fishing rules for rockfish may be changed during the year or in-season by the department under the authority of subsection 27.20(e). See subsection 27.20(f) for additional information.

Note: Authority cited: Sections 200, 202, 205, ~~215,~~ 220, 702, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 205, ~~215,~~ 220, 1802, 7071 and 8585.5, Fish and Game Code; 50 CFR Part 660, Subpart G; and 14 CCR 27.20.

Recreational Groundfish Fishery: Proposed Changes for 2017-2018

Photo Credit: M. Parker

Fish and Game Commission Meeting
October 19, 2016
Marine Region

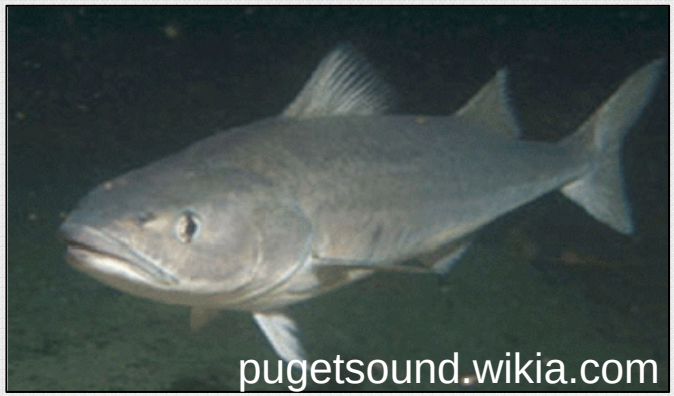
Overview

- Groundfish management and regulation development
- Pacific Fishery Management Council (PFMC) recommended changes to the recreational fishery
- Proposed changes to Title 14, §27.20 et al

What are Groundfish?

Rockfish

Roundfish



Flatfish

Sharks/Skates

Other

Recreational Importance

Top 10 Sport Caught Fish in 2015

Rank	Fish Type	Estimated pounds
1	**Rockfish**	**2,899,079**
2	Tunas	2,373,497
3	Yellowtail	1,640,239
4	**Lingcod**	**1,428,596**
5	Pacific mackerel	649,261
6	Surfperches	568,793
7	Salmon	378,251
8	Basses	292,154
9	Flatfish	245,154
10	**California scorpionfish**	**213,848**

Brief History

- Groundfish Disaster of 2000
- Many species declared overfished
- Long term restrictions on fishing
  - Shortened fishing seasons
  - Depth constraints
  - Bag limit decreases
  - Prohibited retention of some species

Overfished Species

Photo Credit: WDFW

Yelloweye Rockfish

Declared overfished: 2000

Estimated year to rebuild: 2074

Photo Credit: J. Grebel

Cowcod

Declared overfished: 2000

Estimated year to rebuild: 2020

Photo Credit: ODFW

Bocaccio

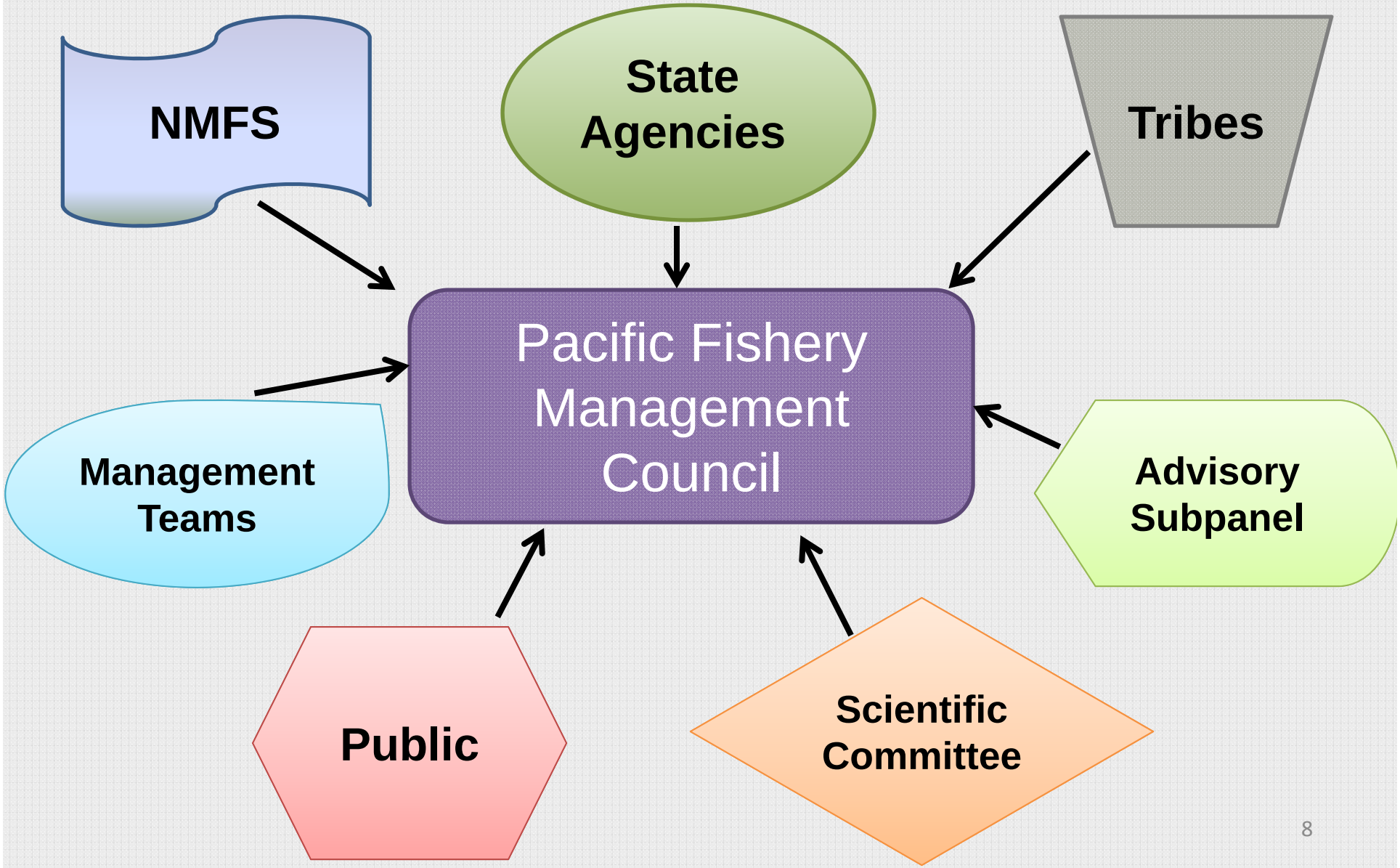
Declared overfished: 1999

Estimated year to rebuild: 2017

Groundfish Regulation Development

- Biennial process
- PFMC develops and recommends harvest specifications and management measures
- Incorporates input from states, tribes, non-governmental organizations, industry, and the public.

PFMC Organization



Department Role in Groundfish Regulation Development

- Participation in PFMC process
- Department held five public workshops to discuss proposed regulations
- Department website and other outreach materials

Great News

- Canary rockfish rebuilt!

Photo Credit: PSMFC

- Increases to harvest guidelines for some overfished species
  - Yelloweye rockfish
  - Cowcod
  - Bocaccio

Photo Credit: WDFW

Photo Credit: J. Grebel

Photo Credit: ODFW

Some Caution Needed

- New black rockfish stock assessment for California waters
  - Population still considered healthy
  - Annual catch limit in 2017-2018 reduced by nearly half compared to 2016

Photo Credit: E. Roberts

Summary of Changes

- Changes to seasons and/or depths for management areas north of Point Conception
- Changes to bag limits for bocaccio, black rockfish, canary rockfish, and lingcod
- Allow petrale sole and starry flounder to be retained year round at all depths

Seasons and Depths

Management Area	**Jan**	**Feb**	**Mar**	**Apr**	**May**	**Jun**	**Jul**	**Aug**	**Sept**	**Oct**	**Nov**	**Dec**
Northern	Closed				**May 1** - Oct 31; **< 30 fm**						**All Depths**	
Mendocino	Closed				**May 1** - Oct 31; < 20 fm						**All Depths**	
San Francisco	Closed			Apr 15 – Dec 31; **< 40 fm**								
Central	Closed			Apr 1 – Dec 31; **< 50 fm**								
Southern	Closed		Mar 1 – Dec 31; < 60 fm									

Other Changes

- Bag Limits:
  - Bocaccio – eliminate sub-bag limit within the overall 10 fish rockfish, cabezon, and greenling (RCG) bag limit
  - Canary rockfish – allow retention of one fish within the RCG bag limit
  - Black rockfish – reduce to three fish within the overall 10 fish RCG bag limit
  - Lingcod – reduce bag limit to two fish
- Allow petrale sole and starry flounder to be retained year round at all depths

Department Recommendations for December

- Adopt proposed changes to Title 14, §27.20 et al including:
  - Changes to season lengths
  - Changes to depth constraints
  - Changes to bag limits
- Important for consistency with federal regulations

Questions?

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