

STAFF SUMMARY FOR FEBRUARY 8-9, 2017

32. PACIFIC HALIBUT**Today's Item****Information** ☒**Action** ☐

Discuss proposed changes to recreational Pacific halibut fishing regulations.

Summary of Previous/Future Actions

- Notice hearing Dec 7-8, 2016; San Diego
- **Today's discussion hearing Feb 8-9, 2017; Rohnert Park**
- Adoption hearing Apr 13, 2017; Teleconference

Background

In Dec 2016, FGC authorized publication of a notice of its intent to amend the recreational Pacific halibut fishing regulations. The proposed changes to Section 28.20 modify the season to include a range from May 1 to Oct 31 which may include periodic closures, and update the reference to the Federal Register specifying the 2017 federal quota amount.

The International Pacific Halibut Commission (IPHC) meeting was held Jan 23-27; Commissioner Hostler-Carmesin will provide an update on her participation under agenda item 36. The final Pacific halibut regulation will conform to the season established by federal regulations. DFW may provide a verbal update at today's meeting.

See Exhibit 1 for additional background information.

Note that on Jan 20, 2017, the Trump Administration placed a freeze on the adoption of new federal regulations until an agency head appointed or designated by the President reviews and approves the regulation. A mechanism was created for exemptions, but it is unclear whether such an exception will be granted for Pacific halibut. As of Jan 30, 2017, the secretary for commerce, NOAA administrator, and assistant administrator for fisheries (NMFS) have not yet been appointed.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [Staff summary from Dec 2016 meeting, item 5](#)
2. [DFW memo, received Oct 6, 2016](#)
3. [Initial Statement of Reasons](#)
4. [Draft Notice of Exemption](#)
5. [DFW report to IPHC, dated Jan 2017](#)

Motion/Direction (N/A)

STAFF SUMMARY FOR DECEMBER 7-8, 2016

5. PACIFIC HALIBUT (CONSENT)**Today's Item****Information** ☐**Action** ☒

Authorize publication of notice of intent to change Pacific halibut regulations.

Summary of Previous/Future Actions

- | | |
|---------------------------------|---------------------------------|
| • Today's Notice hearing | Dec 7-8, 2016; San Diego |
| • Discussion hearing | Feb 8-9, 2017, Santa Rosa |
| • Adoption hearing | Apr 13, 2017, teleconference |

Background

Proposed changes to Section 28.20 modify the season to include a range from May 1 to Oct 31 which may include periodic closures, and update the reference to the Federal Register specifying the 2017 federal quota amount.

The final regulation will conform to the season established by federal regulations in May 2017.

Pacific halibut is internationally managed under the authority of the Northern Pacific Halibut Act of 1982 between the USA and Canada. Pacific halibut along the US west coast is jointly managed through authorities of the International Pacific Halibut Commission, Pacific Fishery Management Council, and National Marine Fisheries Service, in conjunction with the west coast state agencies. For consistency, FGC routinely adopts regulations to bring State law into conformance with federal and international law for Pacific halibut.

Significant Public Comments (N/A)**Recommendation**

FGC staff: Authorize publication of the notice with proposed regulations as reflected in Exhibit 2 under a motion adopting the consent calendar.

Exhibits

1. DFW memo, received Oct 6, 2016
2. Initial Statement of Reasons
3. Draft Notice of Exemption

Motion/Direction

Moved by _____ and seconded by _____ that the Commission adopts the consent calendar, items 4-6.

Memorandum

2016 OCT -6 AM 10:40

Date: October 3, 2016

To: Valerie Termini, Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Agenda Item for the December 7-8, 2016, Fish and Game Commission Meeting, Request to Publish Notice of the Commission's Intent to Amend Section 28.20, Title 14, California Code of Regulations, Re: Pacific Halibut**

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 regulations for the recreational Pacific halibut (*Hippoglossus stenolepis*) fishery (Section 28.20, Title 14, CCR).

An Initial Statement of Reasons (ISOR) is attached, which proposes regulatory changes needed to align State regulations to federal regulations. This will allow for discussion and adoption at the February and April 2017 Commission meetings, respectively.

A Notice of Exemption (NOE) is also attached. Since the NOE is not anticipated to change, this early submission gives the Commission notice of the Department's recommendation to rely on a California Environmental Quality Act (CEQA) categorical exemption for the Pacific halibut rulemaking. The following paragraphs describe staff's analysis of use of a categorical exemption under the CEQA.

Categorical Exemptions to Protect Natural Resources and the Environment

The Commission's adoption of these regulations is an action subject to CEQA. The review effort by Department staff pursuant to CEQA Guidelines section 15061 lead staff to conclude that adoption of the regulations would properly fall within the Class 7 and Class 8 categorical exemptions (CEQA Guidelines sections 15307, 15308). These two exemptions are related to agency actions to protect natural resources and the environment. The proposed regulations define annual fishing seasons, federal quota allocations, daily bag and sizes limits, and specify methods of take for alignment with enacted federal regulations. State conformance with federal regulations is also necessary to maintain continued State authority over its recreational Pacific halibut fishery and avoid federal preemption under the Magnuson-Stevens Fishery Conservation Act (16 USC §1856 (b)(1)). In staff's view, because these regulations are intended to protect the sustainability of the fishery as a natural resource, the Commission's adoption of regulations is an activity that is the proper subject of CEQA's Class 7 and 8 categorical exemptions.

No Exceptions to Categorical Exemptions Apply

As to the exceptions to categorical exemptions set forth in CEQA Guidelines section 15300.2, including the prospect of unusual circumstances and related effects, the Department's review was guided by the California Supreme Court's recent decision in *Berkeley Hillside Preservation v. City of Berkeley*. Staff has reviewed all of the available information possessed by the Department relevant to the issue and does not believe adoption of the regulations poses any unusual circumstances that would constitute an exception to the categorical exemptions set forth above. Compared to the activities that fall within Class 7 and Class 8 generally, which include the given example of wildlife preservation activities such as the current effort, there is nothing unusual about the proposed regulations.

In addition, even if there were unusual circumstances, no potentially significant effects on either a project-specific or cumulative basis are expected. The intent of the proposed regulations is conformance of State regulations with federal regulations to maintain continued State authority over its recreational Pacific halibut fishery and avoid federal preemption under the Magnuson-Stevens Fishery Conservation Act (16 USC §1856 (b)(1)). The regulations are anticipated to achieve optimum yield in the fishery, but also to prevent overfishing and thereby take into consideration the potential for negative impacts on the fishery.

Therefore, staff does not believe that the Commission's reliance on the Class 7 and Class 8 categorical exemptions is precluded by the exceptions set forth in CEQA Guidelines section 15300.2.

If you have any questions regarding this item, please contact Dr. Craig Shuman, Regional Manager, Marine Region, at (805) 568-1246. The public notice for this rulemaking should identify Environmental Scientist, Melanie Parker as the Department's point of contact. Ms. Parker can be reached at (831) 649-2814 or Melanie.Parker@wildlife.ca.gov.

Attachment

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Valerie Termini, Executive Director
Fish and Game Commission
October 3, 2016
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STATE OF CALIFORNIA
FISH AND GAME COMMISSION
INITIAL STATEMENT OF REASONS FOR REGULATORY ACTION
(Pre-publication of Notice Statement)

Amend Section 28.20
Title 14, California Code of Regulations
Re: Pacific Halibut

I. Date of Initial Statement of Reasons: October 3, 2016

II. Dates and Locations of Scheduled Hearings:

- (a) Notice Hearing: Date: December 7, 2016
Location: San Diego, CA
- (b) Discussion Hearing: Date: February 9, 2017
Location: Rohnert Park, CA
- (c) Adoption Hearing: Date: April 13, 2017
Location: Teleconference

III. Description of Regulatory Action:

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

Pacific halibut is internationally managed under the authority of the Northern Pacific Halibut Act of 1982 (the "Act"; Title 16, Chapter 10, Subchapter IV, Sections 773 to 773k, U.S. Code) pursuant to the 1923 treaty between the United States of America and Canada for the Preservation of the [Pacific] Halibut Fishery of the Northern Pacific Ocean and Bering Sea (Convention). Provisions of the Convention establish the International Pacific Halibut Commission (IPHC) and outline general administrative and enforcement requirements by the respective parties.

Convention waters as defined include "... the waters off the west coasts of the United States and Canada ... within the respective maritime areas in which either Party exercises exclusive fisheries jurisdiction. For the purposes of this Convention, the "maritime area" in which a Party exercises exclusive fisheries jurisdiction includes without distinction areas within and seaward of the territorial sea or internal waters of the Party." (Article I).

The IPHC was established to conduct research and coordinate management activities in waters of the parties to the Act. Pacific halibut along the United States west coast is jointly managed through the IPHC, Pacific Fishery Management Council (PFMC), and the National Marine Fisheries Service (NMFS), in conjunction with west coast state agencies. The IPHC sets the annual Total Allowable Catch (TAC) for each of the Pacific halibut management areas (including the west coast – Area 2A) using stock assessment and research survey results, which are then effectuated through regulations by NMFS.

The PFMC coordinates west coast management of all recreational and commercial Pacific halibut fisheries in United States waters through the Area 2A Pacific Halibut Catch Sharing Plan (CSP), which constitutes a framework for recommending annual management measures to NMFS. The CSP framework also establishes the sharing formula used for allocating the Area 2A TAC among west coast fisheries, including the California recreational fishery. NMFS is responsible for specifying the final CSP language and management measures in federal regulations (50 CFR Part 300, Subpart E and Federal Register) and reporting season specifications on its halibut telephone hotline.

For species managed under federal fishery management plans and their regulations, the Fish and Game Commission (Commission) has usually taken concurrent action to conform State recreational regulations to federal regulations. This is done in recognition of federal jurisdiction and to ensure consistency and ease of use for constituents who are subject to both State and federal laws while fishing for or in possession of sport fish. Pacific halibut federal regulations are applicable in federal waters (three to 200 miles offshore) off Washington, Oregon and California. Each state adjacent to federal waters adopts corresponding fishery regulations for their own waters (zero to three miles offshore).

PFMC Action Re: Pacific Halibut Fishing Off California

At its November 2016 meeting, the PFMC will recommend changes to the 2017 CSP and recreational Pacific halibut fishery in California. Federal regulations are expected to become effective prior to May 1, 2017.

Pacific Halibut Quota Management

The established quota management system for the Pacific halibut recreational fishery ensures catches stay within the allowable quota.

Following the determination of the 2017 Area 2A TAC by the IPHC (in late January 2017), the Department of Fish and Wildlife (Department) may conduct additional public outreach to gather input to inform the NMFS decision on a preferred 2017 fishing season expected to keep catches

within the allowable quota. After consideration of the input received, the Department will recommend a preferred 2017 California recreational season structure to NMFS for approval. The approved season will be included in the final federal regulations and on the NMFS halibut hotline prior to the start of the season.

During the 2017 fishing season, the Department will actively monitor the fishery and coordinate with NMFS, the IPHC and PFMC weekly on the status of catches relative to the Pacific halibut quota. If catches are projected to meet or exceed the California quota, NMFS and the IPHC could take action to close or modify the fishery following consultation with the Department. The NMFS will provide notice of any inseason action to close the season in California via its halibut hotline; this is similar to the process used for recreational fisheries in Oregon and Washington.

The Department shall also inform the Commission and the public via a press release of any inseason changes in regulations triggered by achieving or expecting to exceed the quota. The latest fishing rules will be posted on the Department's website, the Recreational Groundfish Fishing Regulations Hotline, the NMFS Area 2A halibut hotline, and made available by contacting a Department office.

Present Regulations

Current regulations for Pacific halibut authorize recreational fishing in waters off California from May 1 through 15, June 1 through 15, July 1 through 15, August 1 through 15, and September 1 through October 31 or until the quota has been projected to have been met, whichever comes first. The State and federal daily bag limit is one fish per angler and there is no minimum size limit.

Present regulations also establish methods of take and include the use of hook and line, harpoons, spears, and bow and arrow gear.

Proposed Amendments

The Department is proposing the following regulatory changes to be consistent with PFMC recommendations and the CSP for Pacific halibut regulations in 2017. This approach will allow the Commission to adopt State recreational Pacific halibut regulations to conform in a timely manner to those taking effect in federal ocean waters on or before May 1, 2017.

The proposed regulatory changes to Section 28.20 would modify the seasons to include a range from May 1 to October 31 which may include periodic closures, and update the reference to the Federal Register specifying the 2017 federal quota amount. The final regulation will conform to the season, established by federal regulations, which begins in May 2017.

Goals and Benefits of the Regulation

It is the policy of the 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. In addition, it is the policy of the State to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the ocean and other waters under the jurisdiction and influence of the State. 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 seasons and other regulations provides for the maintenance of sufficient populations of Pacific halibut to ensure their continued existence.

The benefits of the proposed regulations are consistency with international treaty and federal regulations and the sustainable management of California's Pacific halibut resources.

- (b) Authority and Reference Sections from Fish and Game Code and Code of Federal Regulations for Regulation:

Authority: Sections 200, 202, 205, 219, 220, 240 and 316, Fish and Game Code.

Reference: Sections 200, 202, 203.1, 205, 207, 215, 219, 220 and 316, Fish and Game Code, 50 CFR Part 300, Subpart E; and 50 CFR 300.66.

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

None.

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

Convention between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea.

Northern Pacific Halibut Act of 1982:

<http://www.gpo.gov/fdsys/pkg/USCODE-2010-title16/html/USCODE-2010-title16-chap10-subchapIV.htm>

Environmental Assessment and Regulatory Impact Review for Continuing Implementation of the Catch Sharing Plan for Pacific Halibut in Area 2A, 2014-2016:

<http://www.westcoast.fisheries.noaa.gov/publications/nepa/halibut/ea-halibut-2014.pdf>

- (e) Public Discussions of Proposed Regulations Prior to Notice Publication:
- September 17, 2016, PFMC meeting in Boise, ID.
 - November 16-21, 2016, PFMC meeting in Garden Grove, 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, status quo management of the Pacific halibut resource would continue for 2017. This could result in misalignment between federal and State regulations when NMFS establishes new regulations for the California fishery for 2017 or if NMFS takes inseason action to modify or close the fishery. Inconsistency in regulations will create confusion among the public and may result in laws that are difficult to enforce.

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 Pacific halibut fisheries and avoid federal or international preemption

- (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 because the regulatory action does not substantially alter existing conditions.

- (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 impacts on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities to participate in sport fisheries fosters conservation through education and appreciation of fish and wildlife.

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

The Commission does not anticipate any benefits to worker safety.

Additional benefits of the proposed regulations are consistency with federal regulations and promotion of businesses that rely on recreational Pacific halibut fishing.

- (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 fisheries are broadly sub-divided between private anglers and commercial passenger fishing vessels. The economic impact of regulatory changes for recreational fisheries is 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. Daytrips 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 who 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. Spending related to recreational fisheries thus multiplies throughout the economy with the indirect and induced effects of the initial direct expenditure.

In the aftermath of a 2014 Pacific halibut one month fishing closure, surveys^a of anglers and businesses were conducted to gauge the

^a Hesselgrave, T., N. Enelow, and K. Sheeran, 2014. The Estimated Economic Impact of the Northern California Pacific Halibut Closure of August 2014 (recreational and charter boats), conducted by Ecotrust, funded by Humboldt Area Saltwater Anglers.

Takada, M., 2014. Analysis of the Economic Effects of the August Pacific Halibut Closure on California's North Coast Businesses, conducted by Humboldt State University, funded by California Department of Fish and Wildlife.

importance of the Pacific halibut fishery to anglers and local communities. Of 265 angler respondents, about 20 percent of Pacific halibut anglers traveled from outside of coastal northern California, while the majority of survey respondents were from California's north coast. The Department's 2014 surveys similarly found that 70 percent of anglers reported residing within California's three north coast counties (Mendocino, Humboldt, and Del Norte). Of the total reported trips (6,589), the respondent anglers each took on average more than 30 trips in the 2013/2014 seasons, and 34 percent included Pacific halibut as a primary target. Results indicated an even higher number (89 percent) pursued Pacific halibut as one of their primary target species, and 70 percent also pursued other species on trips for Pacific halibut. The average angler traveled 119 miles on land and 23 miles on water on their most recent Pacific halibut trip. Overall, angler expenditures averaged about \$250 per angler trip and both surveys concluded that recreational fishing for Pacific halibut is economically important to charter boat businesses, tackle and marine supply businesses, lodging establishments near fishing access points, and some businesses that provide traveler services such as: gas stations, markets, convenience stores, and restaurants.

The adoption of scientifically-based regulations provides for the maintenance of sufficient populations of sport fish to ensure their continued existence and future sport fishing opportunities that in turn support local and regional economies. In a 2012 Fisheries Economics Report by the NMFS, all marine recreational anglers trip-related and equipment expenditures sum to approximately \$1.7 billion in California. Coupled with the indirect and induced effects of this \$1.7 billion direct revenue contribution, the total realized economic benefit to California is estimated at \$2.7 billion in annual total economic output. This corresponds with about \$630 million in total wages to Californians, which affects about 13,000 jobs in the State, annually. The portion of this benefit specifically derived from or related to the Pacific halibut fishery is unknown.

The proposed regulations will modify State recreational Pacific halibut regulations to conform to federal rules. Currently, State regulations for Pacific halibut provide for an annual quota, season length, authorized methods of take, and bag limit.

In adopting these conforming regulations, the State relies on information provided in the federal Draft Environmental Assessment which includes analysis of impacts to California. (Environmental Assessment And Regulatory Impact Review For Continuing Implementation Of The Catch Sharing Plan For Pacific Halibut In Area 2A, 2014-2016)

<http://www.westcoast.fisheries.noaa.gov/publications/nepa/halibut/ea-halibut-2014.pdf>.

For public notice purposes to facilitate Commission discussion, the Department is proposing regulatory changes to encompass the range of federal Pacific halibut regulations that are expected to be in effect for 2017. The proposed regulatory changes may modify season length and update the reference to the Federal Register specifying the 2017 federal quota amount.

Economic impacts are not expected to change compared to 2016 because the fishery season when set, is expected to provide similar fishing opportunities as the previous year. Throughout 2017, the number of angler trips is expected to continue with little change from 2016. Thus, the estimated impact from angler spending is anticipated to be close to status quo.

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State:

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.

(b) 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 have potentially positive impacts 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.

(c) 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.

- (d) Benefits of the Regulation to the Health and Welfare of California Residents:

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities to participate in sport fisheries fosters conservation through education and appreciation of California's wildlife.

- (e) Benefits of the Regulation to Worker Safety:

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

- (f) Benefits of the Regulation to the State's Environment:

It is the policy of this State to encourage the conservation, maintenance, and utilization of living marine resources under the jurisdiction and influence of the State for the benefit of all citizens (Section 1700, Fish and Game Code). Benefits of the proposed regulations include continuation of fishing opportunity, along with the continuation of the reasonable and sustainable management of recreational finfish resources. Adoption of scientifically-based seasons provide for the maintenance of sufficient populations of Pacific halibut to ensure their continued existence.

- (g) Other Benefits of the Regulation:

Concurrence with Federal Law:

Pacific halibut along the United States west coast is jointly managed through the IPHC, PFMC, and the NMFS, in conjunction with west coast state agencies. The PFMC annually reviews the status of Pacific halibut regulations. As part of that process, it recommends regulations aimed at meeting biological and fishery allocation goals specified in law or established in the Pacific Halibut CSP. These recommendations coordinate management of recreational Pacific halibut in State (zero to three miles) and federal waters (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. These recommendations are subsequently implemented as ocean fishing regulations by the NMFS.

California's sport fishing regulations need to conform to federal regulations to ensure that biological and fishery allocation goals are not exceeded and to provide uniformity in management and enforcement activities across jurisdictions.

Informative Digest/Policy Statement Overview

Pacific halibut is internationally managed under the authority of the Northern Pacific Halibut Act of 1982 between the United States of America and Canada. Pacific halibut along the United States west coast is jointly managed through the International Pacific Halibut Commission (IPHC), Pacific Fishery Management Council (PFMC), and the National Marine Fisheries Service (NMFS), in conjunction with the west coast state agencies. The PFMC coordinates west coast management of all recreational and commercial Pacific halibut fisheries in United States waters through the Pacific Halibut Catch Sharing Plan (CSP), which constitutes a framework for recommending annual management measures. NMFS is responsible for specifying the final CSP language and management measures in federal regulations (50 CFR Part 300, Subpart E and the Federal Register) and noticing them on its halibut telephone hotline. Federal regulations for Pacific halibut are applicable in federal waters (three to 200 miles offshore) off Washington, Oregon, and California. Each state adjacent to federal waters adopts corresponding fishery regulations for their own waters (zero to three miles offshore).

For consistency, the California Fish and Game Commission (Commission) routinely adopts regulations to bring State law into conformance with federal and international law for Pacific halibut.

At its November 2016 meeting, the PFMC will recommend changes to the 2017 CSP and recreational Pacific halibut fishery in California. The November PFMC regulatory recommendation and NMFS final rule will be considered by the Commission when it takes its own regulatory action to establish the State's recreational Pacific halibut fishery regulations for 2017.

Summary of Proposed Amendments

The Department of Fish and Wildlife (Department) is proposing the following regulatory changes to be consistent with PFMC recommendations and the CSP for Pacific halibut regulations in 2017. This approach will allow the Commission to adopt State recreational Pacific halibut regulations to conform in a timely manner to those taking effect in federal ocean waters on or before May 1, 2017.

The proposed regulatory changes modify Pacific halibut regulations to allow for timely conformance to federal fisheries regulations and inseason changes. The proposed regulatory changes would modify the seasons to include a range from May 1 to October 31 which may include periodic closures, and update the reference to the Federal Register specifying the 2017 federal quota amount. The final regulation will conform to the season established by federal regulations in May 2017.

The benefits of the proposed regulations are: consistency with federal regulations, the sustainable management of California's Pacific halibut resources, and health and welfare of anglers.

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) and Pacific halibut fishing regulations specifically (Fish and Game Code, Section 316). The proposed regulations are consistent with regulations for sport fishing in marine protected areas (Section 632, Title 14, CCR) and with general sport fishing regulations in Chapters 1 and 4 of Subdivision 1 of Division 1, Title 14, CCR. Commission staff has searched the CCR and has found no other State regulations related to the recreational take of Pacific halibut.

Regulatory Language

Section 28.20, Title 14, CCR, is amended to read:

§28.20. Halibut, Pacific.

(a) Season:

(1) Pacific halibut may be taken only from [varied dates within the range from May 1 to October 31, and may include periodic closures]~~May 1 through 15, June 1 through 15, July 1 through 15, August 1 through 15, and September 1 through October 31~~, or until the quota is reached, whichever is earlier. Pacific halibut take is regulated by a quota that is closely monitored each year in alignment with federal regulations.

(2) The Pacific halibut quota is published in the Federal Register ~~81 FR 18789, April 1, 2016~~ [Volume and Date to be inserted by OAL]. The department shall inform the commission, and the public via a press release, prior to any implementation of restrictions triggered by achieving or expecting to exceed the quota. Anglers and divers are advised to check the current rules before fishing. The latest fishing rules may be found on the department's website at: wildlife.ca.gov/Fishing/Ocean, or by calling the Recreational Groundfish Fishing Regulations Hotline (831) 649-2801 or the National Marine Fisheries Service Area 2A Halibut Hotline (800) 662-9825 for recorded information, or by contacting a department office.

(b) Limit: One.

(c) Minimum size: None.

(d) Methods of Take:

(1) When angling, no more than one line with two hooks attached may be used.

(2) A harpoon, gaff, or net may be used to assist in taking a Pacific halibut that has been legally caught by angling. See Section 28.95 of these regulations for additional restrictions on the use of harpoons.

(3) Take by spearfishing is allowed pursuant to Section 28.90 of these regulations.

Note: Authority cited: Sections 200, 202, 205, 219, 220, 240 and 316, Fish and Game Code. Reference: Sections 200, 202, 203.1, 205, 207, 215, 219, 220 and 316, Fish and Game Code, 50 CFR Part 300, Subpart E; and 50 CFR Part 300.66.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: N/A

From: (Public Agency): CA Fish and Game Commission
1416 Ninth Street, Room 1320
Sacramento, CA 95814

(Address)

Project Title: Amend Section 28.20, Title 14, California Code of Regulations, Re: Pacific Halibut

Project Applicant: N/A

Project Location - Specific:

Statewide

Project Location - City: N/A

Project Location - County: N/A

Description of Nature, Purpose and Beneficiaries of Project:

Pacific halibut is jointly managed by the International Pacific Halibut Commission, Pacific Fishery Management Council, National Marine Fisheries Service, and the west coast states. The Fish and Game Commission has taken concurrent action to conform State recreational regulations to federal regulations.

Name of Public Agency Approving Project: California Fish and Game Commission

Name of Person or Agency Carrying Out Project: California Department of Fish and Wildlife

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Cal. Code Regs., tit. 14, §§ 15307, 15308
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

See attached.

Lead Agency

Contact Person: Valerie Termini

Area Code/Telephone/Extension: (916) 653-4899

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: _____ Date: 4/13/2017 Title: Executive Director

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

ATTACHMENT TO NOTICE OF EXEMPTION

April 13, 2017

Adoption of Pacific Halibut Regulations

The California Fish and Game Commission (Commission) took final action under the Fish and Game Code and the Administrative Procedure Act (APA) with respect to the proposed project on April 13, 2017. In taking its final action for the purposes of the California Environmental Quality Act (CEQA, Pub. Resources Code, § 21000 *et seq.*), the Commission adopted the regulations relying on the categorical exemption for “Actions by Regulatory Agencies for Protection of Natural Resources” contained in CEQA Guidelines section 15307, and the categorical exemption for “Actions by Regulatory Agencies for Protection of the Environment” contained in CEQA Guidelines section 15308. (Cal. Code Regs., tit. 14, §§ 15307, 15308.)

Categorical Exemptions to Protect Natural Resources and the Environment

In adopting the Pacific halibut regulations to conform to federal regulations jointly adopted by the International Pacific Halibut Commission, Pacific Fishery Management Council, and National Marine Fisheries Service, the Commission relied for purposes of CEQA on the Class 7 and 8 categorical exemptions. In general, both exemptions apply to agency actions to protect natural resources and the environment. The regulations define annual fishing seasons, federal quota allocations, daily bag and size limits and specify methods of take for alignment with enacted federal regulations. The federal regulations are developed with the dual purpose of maintaining optimum yield while at the same time preventing overfishing and conserving the resource. State conformance with federal regulations is also necessary to maintain continued State authority over its recreational Pacific halibut fishery and avoid federal preemption under the Magnuson-Stevens Fishery Conservation Act (16 USC §1856 (b)(1)). Because these regulations are intended to protect the sustainability of the fishery as a natural resource, Commission adoption of these regulations is an activity that is the proper subject of CEQA’s Class 7 and 8 categorical exemptions.

**California Department of Fish and Wildlife
Report to the International Pacific Halibut Commission
on 2016 California Fisheries**



**California Department of Fish and Wildlife
Marine Region
January 2017**

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Executive Summary

The California Department of Fish and Wildlife (CDFW) is providing this informational report on the Pacific halibut fishery in California during 2016. The California coastline plays a unique part in Pacific halibut management as it is located at the southern extent of the population range and has historically been a minor, and irregular, contributor to harvest removals compared to other management areas. However, recently, a robust recreational fishery in northern California has developed and has prompted science, management and policy discussions about the portion of the stock off California. CDFW is optimistic that Pacific halibut can continue to be a viable and sustainable resource for the local and regional economies of the north coast.

Prior to 2014, California's recreational Pacific halibut fishery was managed within the Area 2A Catch Sharing Plan (CSP) as part of the South of Humboldt Management Subarea with southern Oregon. Beginning in 2014, modifications to the CSP provided for California to have a separate subarea and allocation¹. Beginning in 2015, California's recreational fishery received an increased allocation percentage within the Area 2A CSP and in turn, committed to inseason monitoring and tracking of catch against the corresponding California quota (four percent of the Area 2A non-tribal share). In 2016, the National Marine Fisheries Service (NMFS), CDFW and the International Pacific Halibut Commission (IPHC) continued its new management process in California for its recreational fishery, similar to other areas along the west coast, which allows for closure of the fishery inseason upon projected attainment of the quota.

This report provides a detailed summary of the performance of the 2016 Pacific halibut sport fishery off of California. The inseason tracking and projection methodology proved to be successful in monitoring the fishery progression on a weekly basis. The season was scheduled to begin on May 1 and end on October 31, with only the first half of each month open in May, June, July and August, and full months scheduled to be open in September and October as long as there was unharvested quota available. However, following discussions with the IPHC, Pacific Fishery Management Council (PFMC) and NMFS, an inseason fishery closure was implemented on September 24, based on projected early attainment of the 2016 California quota.

Final 2016 recreational catch estimates totaled 30,893 net pounds—or 104 percent of the quota. The average net weight per kept fish in 2016 was approximately 24 pounds, one pound less than the average weight of fish taken in California's 2015 fishery.

Notably, in 2016, a total of four vessels participated across two of the opening days in the directed fishery; the preliminary landings were 1,002 net pounds.

¹ For a detailed summary of the fishery and management measures prior to 2015, please see the CDFW report submitted for the 2015 IPHC Annual Meeting:
http://iphc.int/meetings/2015am/bb/1104_3_CASportReport.pdf

Recreational Fishery

California Recreational Allocation and Regulations

The IPHC set the Area 2A TAC at 1,140,000 net pounds at their annual meeting on January 29, 2016, which resulted in a 2016 California recreational Pacific halibut quota of 29,640 net pounds.

Regulations for California's 2016 fishery provided for a season that would be open May 1-15; June 1-15; July 1-15; August 1-15; and from September 1- October 31; or until the quota was projected to be attained, whichever was earlier. The season was designed to provide some opportunity earlier in the year (May and June) with the bulk of the catch expected in July and August, then some residual late opportunity in September and October when salmon fishing was over. However, partially due to significant effort and catch in the two weeks following the Labor Day holiday, the fishery closed early through an inseason action effective September 24 for the remainder of the year. During 2016, the fishery was actually open May 1-15, June 1-15, July 1-15, August 1-15, and September 1-23 (83 days). The daily bag and possession limit was one fish and there was no size limit.

Catch Estimates, Projections and Inseason Tracking and Monitoring

CDFW continued active quota management and weekly inseason catch monitoring during the 2016 season as part of its commitment to actively track and monitor the fishery to ensure that catches remained within the allowable quota. This tracking/monitoring process used 2016 field sample data from the CDFW California Recreational Fishery Survey (CRFS) sampling program to evaluate catch to date inseason. As in 2015, the method relied on the relationship between prior years' monthly catch estimates and field observations (sample data) collected in those same months². The relationship CDFW derived between sample data and estimates for use in 2016 was one sampled fish represented 108.4 pounds of projected catch.

The inseason monitoring approach described below was effective in ensuring catches were actively tracked during the 2016 season in order to allow for timely and responsive management when needed (i.e., closure of the fishery when attainment of the California quota was projected).

The CDFW CRFS sampling program is designed to provide 20 percent coverage for primary sample sites and modes [party-charter boaters (PC), or private-rental boaters (PR)] and 10 percent coverage for secondary sample sites. CRFS samplers are

² For a detailed description of the inseason catch tracking and projection methodology, see the CDFW report submitted to the PFM in November 2014: http://www.pcouncil.org/wp-content/uploads/G1b_Sup_CDFW_Rpt2_NOV2014BB.pdf

assigned a day, site, and mode to sample and collect catch and effort data for the full day for that site and mode for whichever species anglers are targeting.

The CRFS program generates monthly estimates of catch for all species, incorporating catch and effort information from all modes. However, these estimates are not available until approximately six weeks after a month ends. Therefore, each week, CDFW staff tallied CRFS observations of Pacific halibut including sampler examined fish (A) and angler reported kept fish (B1) received from the prior week. This total was multiplied by 108.4 pounds to generate a preliminary projected weekly estimate of total catch. Because production of final monthly catch estimates involves the six-week lag time, these weekly projections were used to estimate catch for any weeks for which monthly CRFS estimates were not yet available. This approach allowed for very timely estimation of cumulative catch during the season (i.e., with one week lag time rather than six weeks). The preliminary catch projection, in conjunction with the cumulative total, was used by CDFW staff to monitor the progress of the fishery throughout the season.

Once a Pacific halibut monthly catch estimate was available, this value replaced the combined weekly preliminary projections for that month (Table 1). Any significant differences between monthly catch estimates and weekly projections were investigated.

Table 1. Preliminary 2016 Pacific halibut catch estimates in California by month. CDFW projection values for May through September are provided in ~~strikeout~~ to illustrate the process of replacing the projections with CRFS estimates when those estimates became available.

Month	Net Pounds Accrued	
	CDFW Projection	CRFS Estimate
May	4,011	2,322
June	4,664	5,658
July	4,770	5,558
August	8,889	11,025
September	7,154	6,331
Total		30,893

Inseason action to close the fishery was considered based on the cumulative weekly projections combined with available monthly CRFS estimates. This method of catch tracking and estimation involved using the best available information as it became available during the season. This near real-time information allowed CDFW, NMFS, PFMC and IPHC to coordinate during the season on projecting and determining a closure date.

Final 2016 recreational catch estimates totaled 30,893 net pounds—or 104 percent of the quota. Consistent with previous years' estimate data, approximately 86 percent of the recreational catch is from PR modes and 14 percent of the recreational catch is from PC modes.

Location of Sampled Pacific Halibut

A total of 272 Pacific halibut were examined by CRFS samplers throughout the 2016 season. Similar to other years, the greatest number of Pacific halibut observed by samplers (132 fish), were encountered in Trinidad (Figure 1) followed by Eureka and Fields Landing (Figure 2). One Pacific halibut was sampled at the Santa Cruz harbor. The majority of sampled fish (and estimated catch) occurred in August and September.



Figure 1. Sport fishing boat using the launch facilities in Trinidad, CA. CDFW photo.

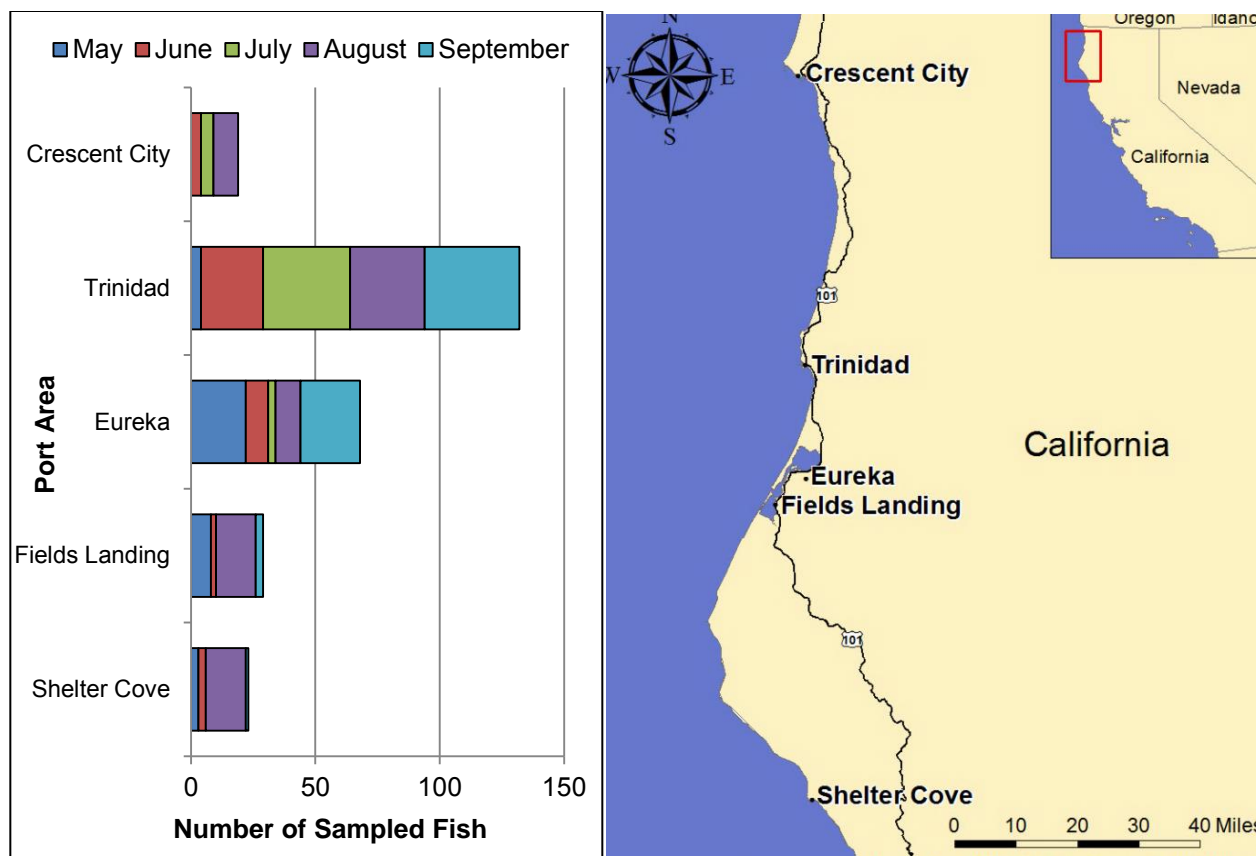


Figure 2. Northern California port areas where Pacific halibut are most often encountered and number of sampler examined Pacific halibut by month and port area during 2016. Sample data for the PR and PC modes are from CRFS. Not shown in the figure is one Pacific halibut that was sampled at the Santa Cruz harbor on July 3.

Reporting and Coordination with NMFS, IPHC and the PFMC

The weekly projection and cumulative total projected catch were provided by CDFW staff to NMFS, the IPHC, and PFMC for discussion to evaluate the catch status to date. CDFW also posted weekly updates to its Pacific halibut webpage (<https://www.wildlife.ca.gov/Conservation/Marine/Pacific-Halibut#28555772-2015-in-season-tracking>) and Pacific halibut inseason catch tracking “thermometer” to inform the public of projected catch to date throughout the season (Figure 3).

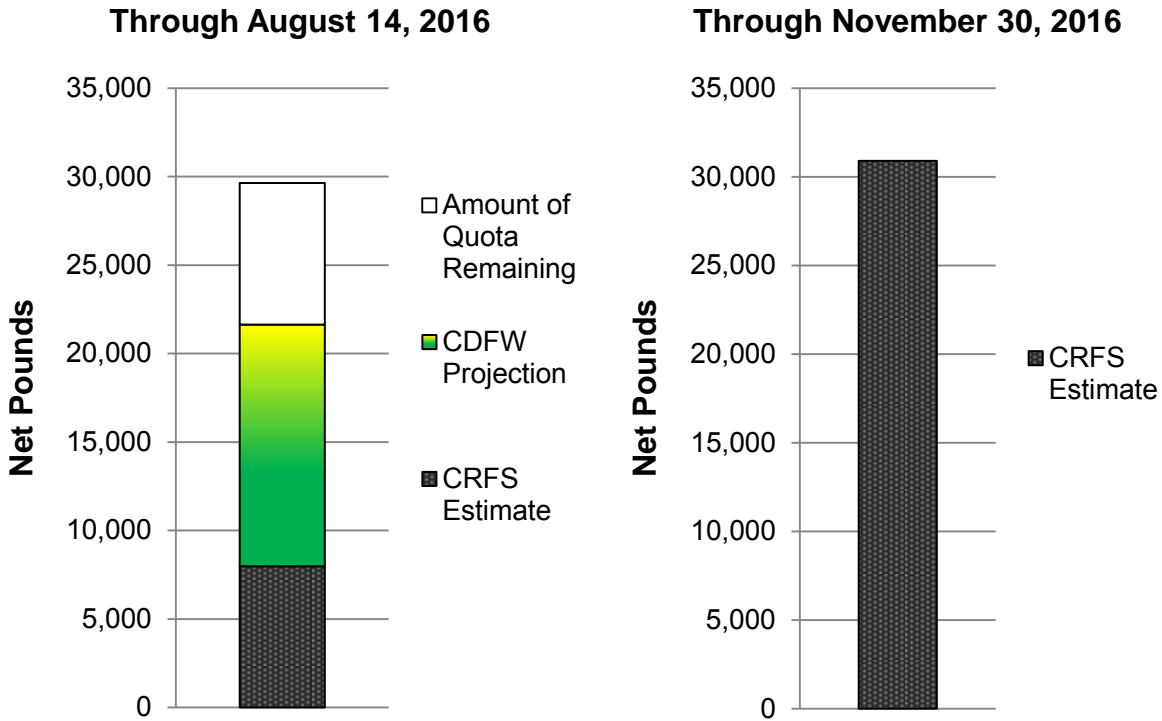


Figure 3. Examples of the CDFW online Pacific halibut inseason catch tracking "thermometer." The figure on the left shows catch projections (colored gradient) combined with monthly estimates (grey stippled). The figure on the right shows the full season with monthly estimates, which replaced all projections. The "thermometer" was updated weekly during the open season, with a final update when the preliminary 2016 season total became available.

Fishery Closure

Provisions in the CSP allow for flexible inseason management of the recreational Pacific halibut fisheries in Area 2A. These provisions include modifications to sport fishing periods, or the length of the season via inseason changes. Notice of any inseason action is provided to the public by NMFS on their halibut hotline.

Catch projections through September 18 showed more than 95 percent of the quota had already been taken. Good weather forecasts and the potential for high catch rates, similar to those seen during the August open period, prompted CDFW to hold conference calls with NMFS, the IPHC, and PFMC on September 20. Based on then-current fishery trends and predicted weather conditions, CDFW, NMFS, PFMC and IPHC determined that a fishery closure effective Saturday, September 24 was necessary to avoid exceeding the quota.

CDFW provided notice of the early closure to its constituents through a variety of methods: a news release (<https://cdfgnews.wordpress.com/2016/09/21/recreational-pacific-halibut-fishery-to-close-saturday-sept-24/>) the details of which were carried in

several local north coast news publications; information on its Pacific halibut webpage (<https://www.wildlife.ca.gov/Conservation/Marine/Pacific-Halibut>); CDFW Marine Region blog; CDFW groundfish regulations hotline; and a flyer posted at local harbors (Figure 4), launch ramps, and tackle shops which was also handed out to the public by CRFS samplers (Figure 5). NMFS updated its Pacific halibut hotline with the closure information, and the IPHC posted a news release about the closure to its website. CDFW staff is also aware that a number of local organizations posted the information online or in printed media, and provided notice by marine radio.



Figure 4. A CDFW CRFS sampler posts the fishery closure flyer in Eureka. CDFW photo.



Pacific Halibut Fishery in California CLOSED,



Effective Saturday, September 24

The California Department of Fish and Wildlife (CDFW) announces that the recreational **Pacific halibut fishery in California will close Saturday, September 24 at 12:01 a.m. for the remainder of 2016.**

Based on the latest catch projections, CDFW expects the 2016 quota of 29,640 pounds will be exceeded unless the fishery is closed. Authority to close the fishery resides with the International Pacific Halibut Commission (IPHC) and the National Marine Fisheries Service (NMFS), which took action to close the fishery following consultation with CDFW.

During this season, CDFW field staff sampled public launch ramps and charter boat landings to monitor catches of Pacific halibut along with other marine sportfish. Using this catch information, CDFW conferred with NMFS and the IPHC on a weekly basis to review projected catch amounts and determine when the quota would be attained.

For current information about the Pacific halibut fishery, science or management, please check one of the following resources:

- NMFS Halibut Hotline, (800) 662-9825
- CDFW Recreational Groundfish Regulations Hotline, (831) 649-2801
- CDFW website, www.wildlife.ca.gov/Conservation/Marine/Pacific-Halibut
- IPHC website, www.iphc.int



Version 09/20/16

Figure 5. CDFW flyer announcing the September 24, 2016 closure of the recreational Pacific halibut fishery in California. The flyer was posted at launch ramps and marinas, and provided to tackle shops and the public to notify them of the early season closure.

Angler Compliance with Closed Time Periods

The CRFS program continues its sampling coverage in north coast ports at the same rate when the Pacific halibut fishery is closed, due to the need to collect information on open fisheries (i.e., salmon, groundfish).

One element of the CRFS survey plan is to collect information from anglers at the end of their trip on fish they released. Anglers are asked for the species of fish, and whether the fish was released alive or dead. No Pacific halibut were examined by samplers, or reported by anglers as caught and kept, or caught and released during any of the closed periods of the 2016 fishing season, including the period from September 24 through October 31 when the fishery was originally scheduled to be open but was closed inseason.

In the weeks following the September 23 closure, sampler and angler reports from all five major port areas suggest that anglers were complying with the early 2016 season closure, and that agency, industry and community outreach to raise awareness of the inseason closure worked effectively. Additionally, CDFW enforcement officers along the north coast reported good compliance with the closure; no violations or warnings for Pacific halibut take out of season were issued in 2016.

Estimating Discard Mortality

In recent years, the IPHC requested that state fisheries agencies provide an annual estimate, if possible, of discard mortality in their recreational fisheries. The current sampling protocol of CDFW's CRFS program includes the observation, recording and estimation of the total number of both retained and discarded fish, and documentation of the weight of retained fish when possible. Discarded fish that are returned dead are also documented. However, unlike retained fish, no information on the size of discarded fish is collected.

Using CFRS data from 2004 to 2016, CDFW estimated the weight of fish discarded alive and those discarded dead, assuming that the average weight of a discarded fish is the same as a retained fish in each year. In 2016, no fish were estimated as discarded dead (Table 2). Meanwhile, 151 fish were estimated to have been released alive, and of those, seven percent were estimated to have died, **resulting in a preliminary 2016 discard mortality estimate of 192 net pounds**. Given that the daily bag limit is one fish per person, with no minimum size or slot limit, recreational anglers could be expected to discard smaller fish and retain the larger ones – therefore the estimated discard mortality is likely an overestimate.

In producing these estimates, a mortality rate of seven percent was applied to fish

reported as discarded either dead or alive. This mortality rate was established by the PFMC's Groundfish Management Team as a presumed rate of discard mortality for flatfish³. Application of this rate to discarded fish is also consistent with methods used to estimate discard mortality by the Oregon Department of Fish and Wildlife and Washington Department of Fish and Wildlife.

Table 2. Estimated number of fish and weight of recreationally caught Pacific halibut discards, and estimated total discard mortality (net pounds) in California from 2004-2016. Data from 2016 is preliminary and subject to change. Data are from CRFS.

Year	Discarded Alive			Discarded Dead		Total Discard Mortality (net pounds)
	Estimated Number of Fish	Estimated Net Pounds	Estimated Discard Mortality (7 percent of net pounds)	Estimated Number of Fish	Estimated Discard Mortality (7 percent of net pounds)	
2004	62	1,061	74	*	*	74
2005	37	905	63	5	31	94
2006	205	3,558	249	0	0	249
2007	27	319	22	0	0	22
2008	133	1,559	109	4	4	113
2009	226	3,040	213	0	0	213
2010	63	865	61	0	0	61
2011	24	293	21	0	0	21
2012	157	2,315	162	0	0	162
2013	120	2,095	147	0	0	147
2014	197	2,938	206	0	0	206
2015	117	2,470	173	0	0	173
2016	151	2,743	192	0	0	192
Average	117	1,859	126	1	8	131

* No estimates of discarded dead fish available.

2016 Noteables

While Pacific halibut are most commonly found north of Point Arena, they can occasionally be found south of that location. On July 3, 2016 a CDFW CRFS sampler examined a 31-inch Pacific halibut that was caught near Santa Cruz, California by a recreational angler (Figure 6).

³ PFMC (Pacific Fishery Management Council) and NMFS (National Marine Fisheries Service). 2009. Proposed Acceptable Biological Catch and Optimum Yield Specifications and Management Measures for the 2009-2010 Pacific Coast Groundfish Fishery Final Environmental Impact Statement Including Regulatory Impact Review and Initial Regulatory Flexibility Analysis. Pacific Fishery Management Council, Portland, OR. January 2009, Table 4-56.



Figure 6. Pacific halibut caught near Santa Cruz, CA on July 3, 2016. CDFW photo.

Each year there are several anecdotal reports of large (in excess of 70 pounds) Pacific halibut being caught and or landed in California. Anecdotal information suggests during 2016 anglers began using fishing gear designed to target these larger Pacific halibut, and several anglers had success. In August 2016, an 11 year old caught a 100-pound Pacific halibut out of Shelter Cove

(<https://fishingthenorthcoast.wordpress.com/2016/08/11/kings-still-parked-at-entrance-to-humboldt-bay/>). There was no CRFS assignment at Shelter Cove on this day so additional information about this fish is not available. California north coast CPFV businesses often provide catch reports, sometimes with photographs, of successful angling trips (http://www.norcalfishreports.com/wall-of-fame?fish_id=116).

California Commercial Fishery

Notably, in 2016, a total of four vessels participated across two of the opening days in the directed fishery; the preliminary landings were 1,002 net pounds. The landings were distributed from Crescent City to Eureka and generated an estimated \$9,000 in additional economic support for northern California coastal communities.

Although in previous years there has been very limited interest in the directed fishery, anecdotal information suggests there was renewed consideration of potential opportunity as a result of recent success in the recreational fishery and the IPHC survey results in California waters. Further reports suggest that vessels were augmenting their typical groundfish trips to explore whether Pacific halibut could be successfully caught while abiding by the groundfish fishery Rockfish Conservation Area depth prohibition between 30 and 100 fathoms. Upon further analysis of the landing receipt information, groundfish and Pacific halibut were both recorded on these trips suggesting that abiding by the depth restriction did not preclude successful take of Pacific halibut for the directed fishery.

For the first time, CDFW staff was present during the offloading for one vessel in Eureka (Figure 7), and conducted biological sampling per the IPHC's protocols. Ageing structures for Pacific halibut were collected and provided to IPCH for inclusion in the stock assessment. CDFW anticipates continuing with future sampling efforts into 2017 if there is sufficient participation in the directed fishery.



Figure 7. Commercially caught Pacific halibut in Eureka, CA. CDFW photo.

Summary

CDFW plans to continue participating in the Pacific halibut management process with co-managers at the IPHC, NMFS, PFMC and in Area 2A, and collecting CRFS sample data for use in inseason tracking and monitoring and the catch estimation process in 2017.

For more information about California's Pacific halibut fishery, contact:

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