

STAFF SUMMARY FOR JUNE 16-17, 2021

22. DEPARTMENT INFORMATIONAL ITEM: MARINE REGION REPORT**Today's Item****Information** ☒**Action** ☐

DFW's Marine Region will highlight items of note since the last FGC meeting, including:

- (A) Update on detection of invasive marine algae species, *Caulerpa prolifera*, in Newport Harbor
- (B) Update on marine aquaculture state water bottom leases and projects under review
- (C) Update on annual recreational ocean salmon and Pacific halibut regulations established through automatic conformance to federal regulations

Summary of Previous/Future Actions (N/A)**Background**

- (A) Marine Region staff will provide a presentation on *Caulerpa prolifera* (Exhibit 1), an invasive species recently identified in Newport Harbor.
- (B) DFW has prepared a memo summarizing current marine aquaculture leases and projects under review by DFW staff (Exhibit 2), in response to a query at the Apr FGC meeting about the potential to prioritize a new aquaculture request submitted to FGC. DFW will provide a verbal report during today's meeting. The subject is scheduled for more detailed discussion at the Jul 2021 MRC meeting.
- (C) DFW has transmitted copies of the regulation text conforming to federal recreational Pacific halibut regulations (Exhibit 3) and recreational ocean salmon fishing regulations (Exhibit 4); these regulation changes were submitted by FGC staff to the Office of Administrative Law for publication in the California Code of Regulations and filed with the Secretary of State, bringing this year's auto-conformance process to completion.

Additionally, DFW will share an update related to petition #2020-012 to protect white sharks at Padaro Beach, which FGC considered and ultimately denied. FGC concurred with DFW that local education about white shark protections already afforded under the law would be a more effective strategy in increasing awareness and compliance. DFW has worked with the petitioner, Reef Guardians, to produce an educational flyer/sign that will be shared at today's meeting. DFW news releases of interest are provided as exhibits 5-9.

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

1. [DFW presentation on *Caulerpa prolifera*](#)
2. [DFW memo and table regarding marine aquaculture leases and projects, received Jun 11, 2021](#)
3. [DFW transmittal memo and ocean salmon regulations text, received May 7, 2021](#)

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4. [DFW transmittal memo and Pacific halibut regulations text, received Apr 30, 2021](#)
5. [CDFW News Release: *Fish and Wildlife Director Opens Razor Clam Fishery in Del Norte County; Fishery in Humboldt County Remains Closed Due to Public Health Hazard*, dated Apr 30, 2021](#)
6. [CDFW News Release: *Pacific Halibut Fishery Set to Open May 1*, dated Apr 27, 2021](#)
7. [CDFW News Release: *Commercial Dungeness Crab Update*, dated May 3, 2021](#)
8. [CDFW News Release: *CDFW Works With Diverse Stakeholder Group to Manage Entanglement Risk in the Commercial Dungeness Crab Fishery*, dated May 18, 2021](#)
9. [CDFW News Release: *Shorter 2021 Recreational Ocean Salmon Seasons Opening in Jun*, dated May 21, 2021](#)

Motion (N/A)



Caulerpa prolifera Identified in Newport Bay

California Fish and Game Commission Meeting
June 17, 2021

Presented by:

Eric Wilkins

Senior Environmental Scientist Supervisor
Marine Region



Caulerpa prolifera Identified

- Non-native species of algae identified as *Caulerpa prolifera*
 - Newport Bay
 - California Department of Food And Agriculture Genetics Lab
 - Source Unknown



Photo Credit: Amanda Van Diggelen



Previous Caulerpa Infestation

- Caulerpa taxifolia
- Southern California Caulerpa Action Team
- Removal
 - Monitoring
 - Final Eradication
- Eradication Costs

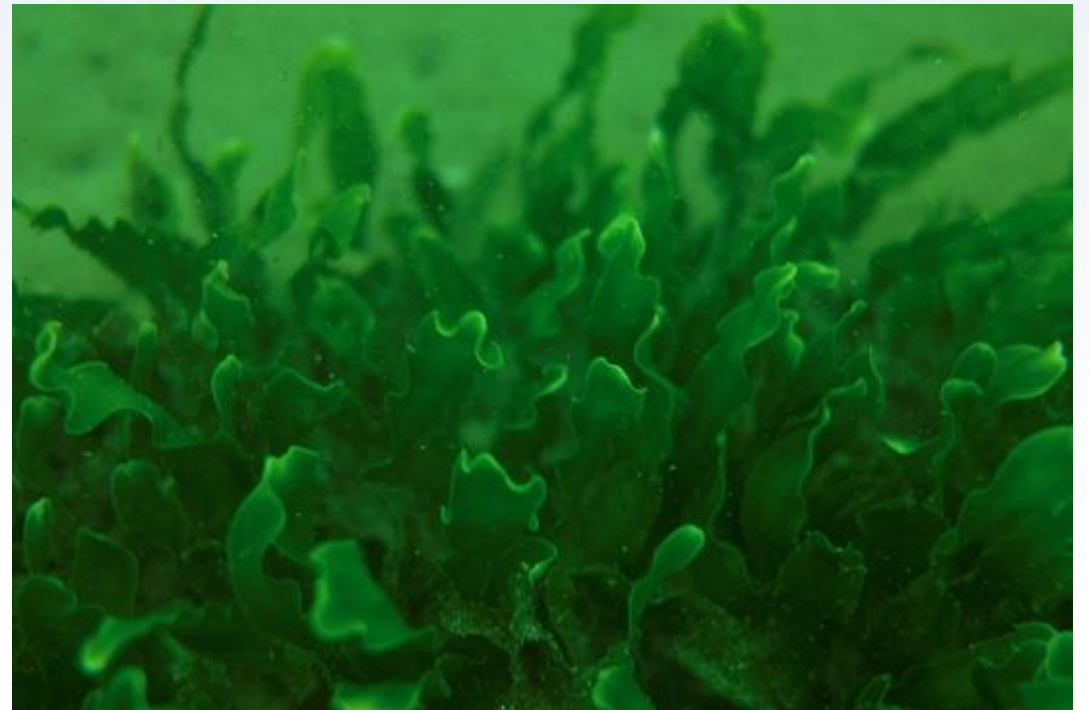


Photo Credit: Amanda Van Diggelen



Caulerpa prolifera Concerns

- Outcompete with native species
- Spreads by fragmentation
- Unknown extent of spread
- No danger to human health



Photo Credit: Amanda Van Diggelen



Current Caulerpa Eradication Efforts

- Southern California Caulerpa Action Team Reformed
- Department Dive Surveys
- Eradication Plan Development
 - Initial Removal
 - Monitoring
 - Final Eradication
- Funding
- Next Steps

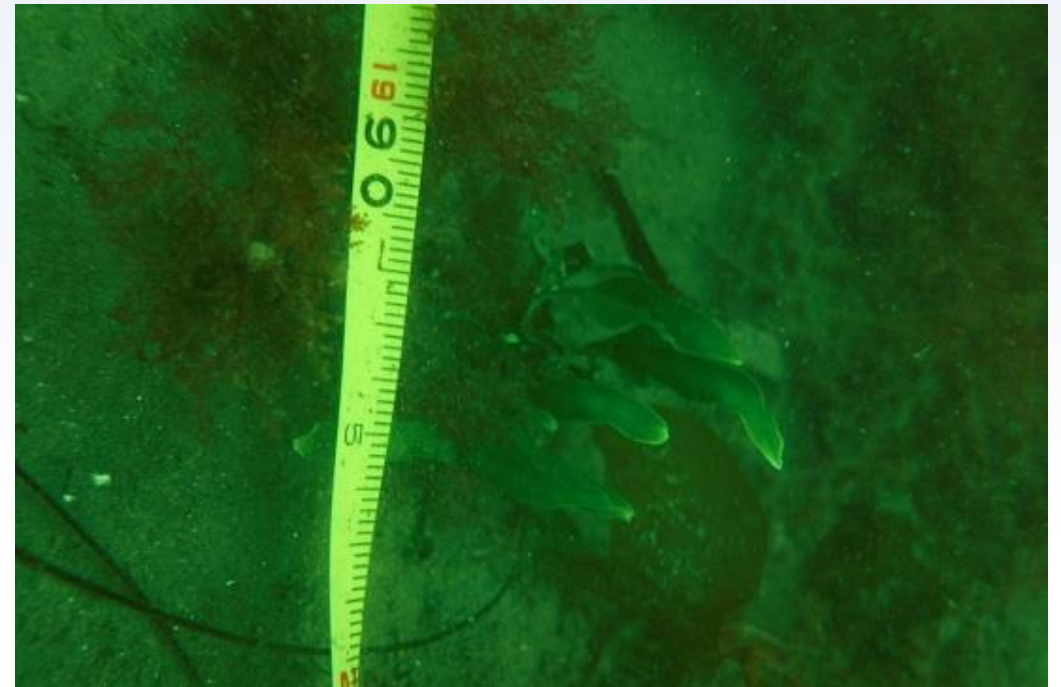


Photo Credit: Amanda Van Diggelen



Department Dive Surveys Video



Video Credit: Amanda Van Diggelen

Thank You

- Eric Wilkins
- Eric.Wilkins@Wildlife.ca.gov
- <https://wildlife.ca.gov/Conservation/Invasives/Species/Caulerpa>
- <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=192703&inline>

Memorandum

Date: May 19, 2021

Received 6/11/21; signed copy on file

To: Melissa Miller-Henson
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Marine Aquaculture Leases and Projects Under Review**

The Department of Fish and Wildlife (Department) provides administrative management, oversight, field support, and coordination for the leasing and permitting of commercial marine aquaculture throughout the state while ensuring that marine resources and essential habitats are protected. Marine aquaculture activities occur through state water bottom leases issued by the Fish and Game Commission (Commission), leases that are issued and managed by city or local government or operate on private tidelands and may potentially occur through proposed federal projects outside of state waters.

There are currently 17 active state water bottom leases issued by the Commission consisting of approximately 900 acres of state-owned aquatic lands that are leased by 11 unique commercial businesses. The Department is also working with three applicants on three new lease requests that have been received by the Commission. These coordination efforts include reviewing draft project proposals; providing guidance to applicants on the regulatory and permitting processes; preparing public interest and California Environmental Quality Act (CEQA) recommendations to the Commission; reviewing and commenting on draft CEQA documents and other agencies' permits as a trustee agency; and final staff recommendations to the Commission on each new lease request.

In addition to the new lease requests, staff are currently evaluating several requests received by the Commission from existing state-managed aquaculture lease holders. These requests include expanding or reconciling lease area boundaries (5 leases); adding new aquaculture species (6 leases); adding new culture methods (2 leases); evaluating compliance with lease conditions (2 leases); and a lease reassignment (1 lease). Similarly, to new lease requests, any lease amendment includes reviewing draft project proposals, providing guidance to applicants on the permitting process, coordinating with other relevant local, state, and federal agencies, preparing CEQA recommendations to the Commission, reviewing and commenting on draft CEQA documents, and providing final staff recommendations to the Commission on each lease amendment request. The list of pending requests is attached in Table 1.

Department staff are also engaged in providing environmental review and recommendations, as the state's Trustee Agency for fish and wildlife resources, on multiple proposed federal and local agency aquaculture projects. These projects range from developing commercial finfish and kelp farms in southern California federal waters; to expanding intertidal shellfish aquaculture in Humboldt Bay; to developing an Atlantic

Melissa Miller-Henson
Executive Director
Fish and Game Commission
May 19, 2021
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Salmon land-based fish farm in Samoa, Humboldt County (Table 2). Staff are evaluating risks to native fish and wildlife from these proposed operations and providing comments to relevant permitting agencies.

Department staff are also coordinating with NOAA on its development of the first Aquaculture Opportunity Area off the southern California coast¹ and partnering with the Ocean Protection Council to develop the Marine Aquaculture Action Plan² (Action Plan) whose goal will be to support the development and piloting of innovative tools and approaches to inform sustainable current and potential future aquaculture management in the State. The Action Plan will improve the state's effectiveness in researching, planning for, facilitating, permitting, managing, and promoting sustainable aquaculture in the state. The first step in informing the Action Plan was the development of aquaculture principles to increase alignment and coordination among state agencies, improve clarity and transparency for industry, and provide near-term guidance to state agency staff to protect the environment, effectively manage public trust resources, enhance food supply, and promote sustainable aquaculture. The principles will provide consistent interim guidance until the Action Plan is finalized.

Regulatory ambiguities, lack of clarity on roles and responsibilities between the Commission and the Department and understaffing at the Department and the Commission are challenges that have existed with aquaculture lease management and oversight for many years. These long-standing challenges have been amplified by the unprecedented number of concurrent requests for amendments to existing leases and new leases. From June 2020 to April 2021, the Commission instituted a hiatus on accepting new lease applications to address some of the coordination challenges and prioritize pending new lease requests and amendments. Department and Commission staff coordination has improved, and efficiencies have been gained; however, staff resources and capacity are insufficient to meet the existing and growing needs of the aquaculture industry. The Department will continue to do our best to improve coordination and implement administrative improvements within existing resources to enable us to fulfill our trustee responsibilities and ensure efficient oversight and management of the industry.

If you have any questions regarding this item, please contact Craig Shuman, Marine Regional Manager, at (916) 217-2370 or by email at Craig.Shuman@wildlife.ca.gov or Randy Lovell, State Aquaculture Coordinator, at (916) 376-1650 or by email at Randy.Lovell@wildlife.ca.gov.

Attachment

¹ [NOAA Announces Regions for First Two Aquaculture Opportunity Areas under Executive Order on Seafood | NOAA Fisheries](#)

² [Item 5 Statewide Aquaculture Action Plan Sept 2020 \(ca.gov\)](#)

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Executive Director
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Marine Aquaculture Leases and Projects Under Review Memo - Attachment

Table 1 - State-Managed Marine Aquaculture Lease Requests and Projects Under Review

Date Received	Business Name	Type of Request	Lease No.	Location	Request
12/22/2016	San Andreas Shellfish	New Lease	N/A	Tomales Bay (proposed)	New lease in Tomales Bay
5/31/2018	Santa Barbara Sea Ranch	New Lease	N/A	Santa Barbara (proposed)	New lease in Santa Barbara channel
1/28/2019	Hog Island Oyster Company	Amendment	M-430-10	Tomales Bay	Lease boundary reconciliation and expansion
1/28/2019	Hog Island Oyster Company	Amendment	M-430-11	Tomales Bay	Lease boundary reconciliation
1/28/2019	Hog Island Oyster Company	Amendment	M-430-12	Tomales Bay	Lease boundary reconciliation and expansion
1/28/2019	Hog Island Oyster Company	Amendment	M-430-15	Tomales Bay	Lease boundary reconciliation
3/25/2019	Malibu Oyster Company	New Lease	N/A	Malibu (proposed)	New lease offshore Malibu
11/4/2019	Morro Bay Oyster Company	Authorize	M-614-01	Morro Bay	Clarify lease provisions for use of barge on lease area
11/14/2019	Tomales Bay Oyster Company	Amendment	M-430-05	Tomales Bay	Add additional species and culture methods
8/28/2020	Tomales Bay Oyster Company	Amendment	M-430-05	Tomales Bay	Lease boundary reconciliation
10/14/2020	Cove Mussel Company	Assignment	M-430-06	Tomales Bay	Reassignment
11/18/2020	Charles Friend Oyster Company	Amendment	M-430-04	Tomales Bay	Add additional culture methods
12/8/2020	Grassy Bar Oyster Company	Authorize	M-614-01, parcel 1	Morro Bay	Clarify lease provisions for use of barge on lease area
1/28/2021	Santa Barbara Mariculture	Amendment	M-653-02	Santa Barbara	Add additional species
1/28/2021	Santa Barbara Mariculture	Amendment	M-653-02	Santa Barbara	Expand lease size
2/12/2021	Hog Island Oyster Company	Amendment	M-430-10	Tomales Bay	Add additional species
2/12/2021	Hog Island Oyster Company	Amendment	M-430-11	Tomales Bay	Add additional species
2/12/2021	Hog Island Oyster Company	Amendment	M-430-12	Tomales Bay	Add additional species
2/12/2021	Hog Island Oyster Company	Amendment	M-430-15	Tomales Bay	Add additional species

Table 2 - List of Other Marine Aquaculture Projects Under Review (Non Fish and Game Commission)

Project Name	Type of Project	Location	Lead/Permitting Agency(ies)
Nordic Aquafarms	Land-based Atlantic salmon facility	Samoa Peninsula	Humboldt County Planning Department
Hog Island Oyster Company	Intertidal shellfish lease	Humboldt Bay	HBHRCD
Humboldt Bay Harbor, Recreation, and Conservation District (HBHRCD) and Jerry Yeung	Intertidal shellfish leases	Humboldt Bay	HBHRCD
Pacific Ocean AquaFarms	Offshore finfish farm	San Diego or Long Beach	NMFS
Ocean Rainforest	Offshore kelp farm	Santa Barbara	US Army Corps of Engineers (ACOE)
Avalon Ocean Farm	Offshore shellfish and kelp farm	Huntington Beach	ACOE
Pacific Mariculture	Offshore mussel farm	San Pedro	ACOE and California Coastal Commission
Aquaculture Opportunity Area	Spatial planning effort	Southern California (federal waters)	NOAA
Marine Aquaculture Action Plan	Planning effort	Statewide	Ocean Protection Council and the Department

Memorandum

Date: April 30, 2021

Received May 7, 2021
Original signed copy on file

To: Melissa Miller-Henson
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Regulatory Text to Conform Recreational Ocean Salmon Fishing Regulations to Federal Regulations for the May 16 through November 2021 and April through May 15, 2022 Time Periods**

Attached please find the regulatory text for the May 16 through November 2021 and April through May 15, 2022 recreational ocean salmon fishing regulations. Automatic conformance regulations (subsection 1.95(b)(2)(A), Title 14, CCR) require the Fish and Game Commission to (1) Submit amended recreational ocean salmon fishing regulations to the Office of Administrative Law for publication in the California Code of Regulations, and (2) File the amended regulations with the Secretary of State. Both requirements must be completed no later than 10 days after publication of the Federal Register establishing the May 16 through November 2021 and April through May 15, 2022 recreational ocean salmon regulations.

Attachment

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Regulatory Language

Section 27.80, Title 14, CCR, is amended to read:

§ 27.80. Salmon.

(a) Methods of take:

(1) General Provisions. Only by angling as defined in Section 1.05. No sinkers or weights exceeding four pounds may be used, except that a fishing line may be attached to a sinker or weight of any size if such sinker or weight is suspended by a separate line and the fishing line is released automatically by a mechanical device from the sinker or weight when any fish is hooked. See sections 28.65 and 28.70.

(2) Barbless Hooks. No more than two (2) single point, single shank barbless hooks shall be used in the ocean north of Point Conception (34°27'00" N. lat.) when salmon fishing or fishing from any boat or floating device with salmon on board.

(3) Other Hook Restrictions. When fishing with bait in the ocean between ~~Horse Mountain (40°05'00" N. lat.)~~ 40°10'00" N. lat. (near Cape Mendocino) and Point Conception, if angling by any means other than trolling, then no more than two (2) single point, single shank, barbless circle hooks shall be used. The distance between the two hooks must not exceed five inches when measured from the top of the eye of the top hook to the inner base of the curve of the lower hook, and both hooks must be permanently tied in place (hard tied). A circle hook is defined as a hook with a generally circular shape, and a point which turns inwards, pointing directly to the shank at a 90 degree angle. Trolling is defined as angling from a boat or floating device that is making way by means of a source of power, other than drifting by means of the prevailing water current or weather conditions. See Section 28.65(g).

(4) One Rod Restriction north of Point Conception. Salmon may be taken by angling with no more than one rod in ocean waters north of Point Conception. See Section 28.65(e).

(b) Statewide Coho (silver) Salmon Restrictions: No coho (silver) salmon may be retained.

~~(c) Open Fishing Days, Daily Bag Limits, and Minimum Size in effect April 3 through April 30, 2021.~~

~~(1) North of Horse Mountain (40°05'00" N. lat.) and in Humboldt Bay.~~

~~(A) Closed to salmon fishing.~~

~~(2) Between Horse Mountain and Point Arena (38°57'30" N. lat.).~~

~~(A) Open to salmon fishing from April 3 through April 30, 2021. Fishing is authorized 7 days per week.~~

~~(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~

~~(C) Minimum Size: 20 inches total length.~~

~~(3) Between Point Arena and Pigeon Point (37°11'00" N. lat.).~~

~~(A) Open to salmon fishing from April 3 through April 30, 2021. Fishing is authorized 7 days per week.~~

~~(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~

~~(C) Minimum Size: 24 inches total length.~~

~~(4) Between Pigeon Point and Point Sur (36°18'00" N. lat.).~~
~~(A) Open to salmon fishing from April 3 through April 30, 2021. Fishing is authorized 7 days per week.~~
~~(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~
~~(C) Minimum Size: 24 inches total length.~~
~~(5) South of Point Sur.~~
~~(A) Open to salmon fishing from April 3 through April 30, 2021. Fishing is authorized 7 days per week.~~
~~(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.~~
~~(C) Minimum Size: 24 inches total length.~~
~~(d) Open Fishing Days, Daily Bag Limits, and Minimum Size in effect on or after May 1, 2020~~May 16, 2021.
(1) ~~North of Horse Mountain (40°05'00" N. lat.)~~40°10'00" N. lat. (near Cape Mendocino) and in Humboldt Bay.
(A) ~~Open to salmon fishing June 6 through August 9, 2020~~June 29 through August 1, 2021. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 20 inches total length.
(2) ~~Between Horse Mountain~~40°10'00" N. lat. and Point Arena (38°57'30" N. lat.).
(A) ~~Open to salmon fishing May 1 through November 8, 2020~~June 29 through October 31, 2021. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 20 inches total length.
(3) ~~Between Point Arena and Pigeon Point (37°11'00" N. lat.).~~
(A) ~~Open to salmon fishing May 1 through November 8, 2020~~June 26 through October 31, 2021. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 20 inches total length.
(4) ~~Between Pigeon Point and Point Sur (36°18'00" N. lat.).~~
(A) ~~Open to salmon fishing May 1 through October 4, 2020~~May 16 through September 30, 2021. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 20 inches total length.
(5) ~~South of Point Sur.~~
(A) ~~Open to salmon fishing May 1 through October 4, 2020~~May 16 through September 30, 2021. Fishing is authorized 7 days per week.
(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.
(C) Minimum Size: 20 inches total length.

(d) Open Fishing Days, Daily Bag Limits, and Minimum Size in effect on or after April 2, 2022.

(1) North of 40°10'00" N. lat. (near Cape Mendocino) and in Humboldt Bay.

(A) Open to salmon fishing beginning May 1, 2022. Fishing is authorized 7 days per week.

(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.

(C) Minimum Size: 20 inches total length.

(2) Between 40°10'00" N. lat. and Point Arena (38°57'30" N. lat.).

(A) Open to salmon fishing beginning April 2, 2022. Fishing is authorized 7 days per week.

(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.

(C) Minimum Size: 20 inches total length.

(3) Between Point Arena and Pigeon Point (37°11'00" N. lat.).

(A) Open to salmon fishing beginning April 2, 2022. Fishing is authorized 7 days per week.

(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.

(C) Minimum Size: 24 inches total length.

(4) Between Pigeon Point and Point Sur (36°18'00" N. lat.).

(A) Open to salmon fishing beginning April 2, 2022. Fishing is authorized 7 days per week.

(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.

(C) Minimum Size: 24 inches total length.

(5) South of Point Sur.

(A) Open to salmon fishing beginning April 2, 2022. Fishing is authorized 7 days per week.

(B) Daily Bag Limit: 2 salmon per day. See subsection (b) above and subsection (e) below.

(C) Minimum Size: 24 inches total length.

(e) Ocean salmon possession limit: No more than two daily bag limits may be possessed when on land. On a vessel in ocean waters, no person shall possess or bring ashore more than one daily bag limit. See Section 1.17 and 27.60(c) of these regulations.

Note: Authority cited: Sections 200, 205, 265, 316.5, 399, 2084 and 7110, Fish and Game Code. Reference: Sections 200, 205, 265, 316.5, 2084 and 7110, Fish and Game Code.

Regulatory Language

Section 28.65, Title 14, CCR, is amended to read:

§ 28.65. General.

Except as provided in this article, fin fish may be taken only on hook and line or by hand. Any number of hooks and lines may be used in all ocean waters and bays except:

(a) San Francisco Bay, as described in Section 27.00, where only one line with not more than three hooks may be used.

(b) On public piers, no person shall use more than two rods and lines, two hand lines, or two nets, traps or other appliances used to take crabs.

(c) When rockfish (genus *Sebastes*), California scorpionfish (*Scorpaena guttata*), lingcod (*Ophiodon elongatus*), cabezon (*Scorpaenichthys marmoratus*), or kelp or rock greenlings (*Hexagrammos decagrammus* and *Hexagrammos lagocephalus*) are aboard or in possession, where only one line with not more than two hooks may be used pursuant to sections 28.55, 28.54, 28.27, 28.28 or 28.29, respectively.

(d) No gaff hook shall be used to take or assist in landing any fin fish shorter than the minimum size limit. For the purpose of this section a gaff hook is any hook with or without a handle used to assist in landing fish or to take fish in such a manner that the fish does not take the hook voluntarily in its mouth. No person shall take fin fish from any boat or other floating device in ocean waters without having a landing net in possession or available for immediate use to assist in landing undersize fish of species having minimum size limits; the opening of any such landing net shall be not less than eighteen inches in diameter.

(e) North of Point Conception (34°27' 00" N. lat.), where only one rod and line may be used by each angler fishing for salmon, or fishing from any boat or floating device with salmon on board.

(f) Mousetrap gear prohibited: It is unlawful to use, assist in using, or to possess aboard any vessel, hook-and-line gear commonly termed "mouse traps" constructed of a hook(s) or lure(s), attached to one end of a line that is attached to a float, or floats at the other end, and that when fished, is not attached directly to a person or vessel. Possession of such gear aboard a vessel shall be prima facie evidence that the gear is being used in violation of this regulation.

(g) North of Point Conception to ~~Horse Mountain~~ 40°10'00" N. lat. (near Cape Mendocino), Section 27.80(a)(3) applies to each angler fishing for salmon or fishing from any boat or floating device with salmon on board.

Note: Authority cited: Sections 200, 205, 265, 270, ~~275 and 7071~~ 275, 7071 and 7110, Fish and Game Code. Reference: Sections 200, 205, 265, 270, 275, 7110 and 8585.5, Fish and Game Code.

Memorandum

Date: April 29, 2021

Received April 30, 2021
Original signed copy on file.

To: Melissa Miller-Henson
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: **Regulatory Text to Conform Recreational Pacific Halibut Regulations to Federal Regulations**

Attached please find the regulatory text for the 2021 Pacific halibut regulations. Automatic conformance regulations (subsection 1.95(b)(2)(A), Title 14, CCR) require the Fish and Game Commission to (1) submit amended recreational fishing regulations to the Office of Administrative Law for publication in the California Code of Regulations, and (2) file the amended regulations with the Secretary of State. Both requirements must be completed no later than 10 days after April 21, 2021 (publication of the Federal Register announcing the recreational Pacific halibut regulations), which would be Friday, April 30, 2021 (as May 1 is over the weekend).

Attachment

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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 May 1 through ~~October 31~~November 15, 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 ~~85 FR 25317, May 1, 2020~~86 FR 20638, April 21, 2021. 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, 205, 219, 265, 316, 399 and 7110, Fish and Game Code. Reference: Sections 200, 203.1, 205, 219, 255, 265, 270, 316 and 7110, Fish and Game Code; 50 CFR Part 300, Subpart E; and 50 CFR 300.66.

Fish and Wildlife Director Opens Razor Clam Fishery in Del Norte County; Fishery in Humboldt County Remains Closed Due to Public Health Hazard

April 30, 2021

After a five-year closure, the California Department of Fish and Wildlife (CDFW) [Director has re-opened the recreational razor clam fishery in Del Norte County](#) following a recommendation from state health agencies that the consumption of razor clams in the area no longer poses a significant threat for domoic acid exposure.

The razor clam fishery was one of several fisheries impacted by a massive *Pseudo-nitzschia* bloom that occurred off the California coast in late 2015. *Pseudo-nitzschia*, a naturally occurring single-celled, marine alga, produces the potent neurotoxin domoic acid under certain ocean conditions.



During the closure, state health agencies have continued to assess domoic acid levels in razor clams. Razor clams have consistently exceeded the federal action level for domoic acid of 20 parts per million. However, clams recently collected from Crescent City in March and April 2021 all had domoic acid concentrations lower than this action level.

Domoic acid poisoning in humans may occur within minutes to hours after consumption of affected seafood and can result in signs and symptoms ranging from vomiting and diarrhea to permanent loss of short-term memory (Amnesic Shellfish Poisoning), coma or death. There is no way to prepare clams that will remove the toxin – cooking and freezing have no effect.

CDFW, the California Department of Public Health (CDPH) and the Office of Environmental Health Hazard Assessment continue to monitor domoic acid in razor clams to determine when the recreational razor clam fishery in Humboldt County can be opened safely.

CDFW reminds clammers that the daily bag limit for razor clams is 20 and the first 20 clams dug must be retained regardless of size or condition. The fishery in odd-numbered years is open north of Battery Point, Crescent City in Del Norte County. Effective March 8, 2021, each person is required to keep a separate container for their clams and is not allowed to commingle their take with another person when digging and transporting clams to shore.

For more information, please refer to Section 29.20 Clams General and Section 29.45 for specific razor clam regulations that can be accessed at the following web page: <https://wildlife.ca.gov/Fishing/Ocean/Regulations/Sport-Fishing/Invertebrate-Fishing-Regs#mollusks>

For more information on any fishery closure information or health advisories, please visit: <https://wildlife.ca.gov/Fishing/Ocean/Health-Advisories>

To get the latest information on current fishing season closures related to domoic acid, please call CDFW's **Domoic Acid Fishery Closure Information Line at (831) 649-2883**.

For the latest consumption warnings, please call CDPH's Biotxin information Line at (510) 412-4643 or toll-free at (800) 553-4133.

Pacific Halibut Fishery Set to Open May 1

April 27, 2021

The California Department of Fish and Wildlife (CDFW) is pleased to announce the 2021 recreational Pacific halibut fishery will open Saturday, May 1 and remain open until Nov. 15, or until the quota is reached, whichever is earlier. The 2021 Pacific halibut quota for the California sport fishery is 39,260 pounds – approximately the same as the 2020 quota.

While the closing date of Nov. 15 is a new extension to the end of the season, the open dates are not guaranteed and the season could close early if it is determined that the quota has been taken. In 2020, the season closed Aug. 11, when a very successful fishery resulted in the early attainment of the state's limit.

Anglers participating in the Pacific halibut fishery and other recreational fisheries are reminded they may be met at fishing sites by CDFW staff collecting catch and fishing effort information. CDFW appreciates anglers' cooperation and participation in these survey efforts. In the case of Pacific halibut, staff will also be taking length measurements in a safe and physically distanced manner. CDFW highly encourages all recreational anglers to assist with this length data collection effort, as the information will aid with quota tracking and in-season management.

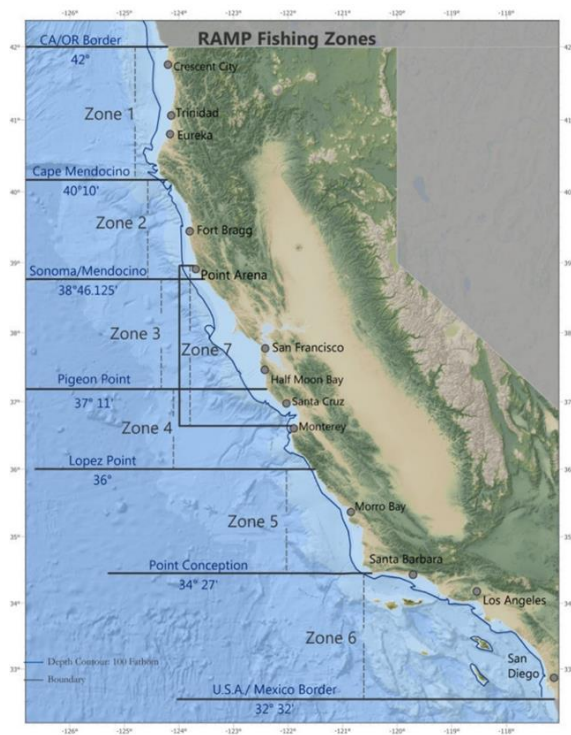
State regulations for Pacific halibut automatically conform to federal regulations set by the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) using the process described in the California Code of Regulations Title 14, Section 1.95. Federal regulations for Pacific halibut were published in the Federal Register (86 FR 20638) on April 21, 2021 and took effect immediately.

Anglers are always advised to check for updated information when planning a Pacific halibut fishing trip, as a season closure announcement could come at any time. Other regulatory information, including bag/possession limits and gear restrictions, can be found on CDFW's [Pacific halibut page](#). Public notification of any in-season change to regulations is made through the NMFS Pacific halibut hotline at (800) 662-9825 or CDFW's Groundfish and Pacific halibut Regulations Hotline at (831) 649-2801.

Commercial Dungeness Crab Update

May 3, 2021

The California Department of Fish and Wildlife (CDFW) completed the most recent marine life entanglement risk assessment under the Risk Assessment Mitigation Program (RAMP). Recent survey data indicate Humpback whales have begun to return from their winter breeding grounds to northern California fishing grounds. Humpback and Blue whales have also been sighted further offshore in central California but primarily outside the fishing grounds. As a result, CDFW Director Charlton H. Bonham has issued a depth constraint of 30 fathoms for Fishing Zones 1 and 2 (Oregon state line to the Sonoma/Mendocino county line). Constraining the fishery to fishing grounds shoreward of 30 fathoms will help minimize entanglement risk in Fishing Zones 1 and 2.



Beginning at noon on May 10, 2021, from the Oregon state line to the Sonoma/Mendocino county line, commercial Dungeness crab fishing will only be allowed in ocean waters 30 fathoms and shallower. All vessels must also carry onboard an electronic monitoring system capable of recording the vessel's location while engaged in fishing activity using GPS coordinates at a frequency of no less than once per minute during fishing operations. Electronic monitoring data

must be made available to CDFW upon request for the duration of the fishing period and 60 days thereafter. This management action would remain in place until lifted by the CDFW Director or the season closes. If operators have questions about the electronic monitoring requirement, please contact CDFW at whalesafefisheries@wildlife.ca.gov.

The CDFW Director will also maintain a statewide Fleet Advisory for the commercial Dungeness crab fishery for all Fishing Zones. Under the advisory, CDFW encourages the fleet to implement fishing best practices (e.g. minimizing knots, line scope) and to immediately remove all gear from ocean waters when an operator no longer intends to fish. Vessels fishing in Zones 1-4 should pay particular attention to the location of set gear and foraging whales and minimize entanglement risk by adhering to the [Best Practices Guide](#). The fleet should be vigilant and move or avoid setting gear in areas where whales are transiting or foraging, particularly in areas around Reading Rock north of Trinidad.

CDFW will continue to monitor all available data until the next risk assessment (expected to occur on or around May 14, 2021). The fleet should be prepared to implement a change in management action which may include a Zone closure(s) in the coming weeks for all California waters.

For more information related to the risk assessment process, please visit [CDFW's Whale Safe Fisheries page](#) or for more information on the Dungeness crab fishery, please visit wildlife.ca.gov/crab.

CDFW Works With Diverse Stakeholder Group to Manage Entanglement Risk in the Commercial Dungeness Crab Fishery

May 18, 2021

Beginning in 2015, the California Department of Fish and Wildlife (CDFW) has been working with a diverse coalition of commercial fishing representatives, environmental organizations, scientists and agency partners to reduce the risk of whale and sea turtle entanglements in commercial fishing gear used by the Dungeness crab fleet. CDFW's recent management efforts under the Risk Assessment and Mitigation Program (RAMP), supported by the work of the Dungeness Crab Fishing Gear Working Group, correlates with a drop in marine life entanglements from a high of 22 confirmed entanglements involving Humpback whales, Blue whales or Leatherback sea turtles in 2016 to zero confirmed entanglements this season.

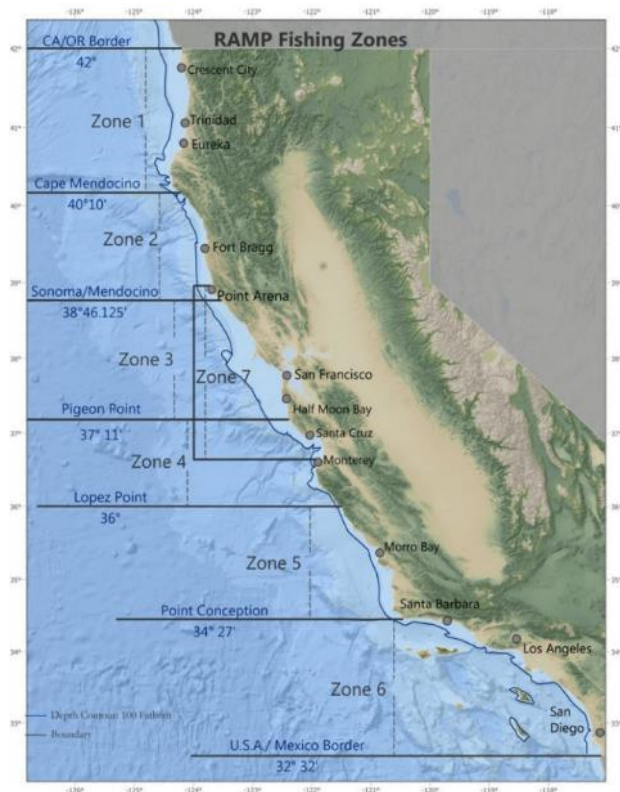
Recent survey data indicate an increase in Humpback whales returning from their winter breeding grounds to California fishing grounds. In consideration of this and all available data and recommendations from staff, the Working Group and other stakeholders, CDFW Director Charlton H. Bonham has assessed entanglement risk under the RAMP and announced the closure of the commercial Dungeness crab fishery statewide beginning at noon on June 1, 2021.

"It has been a very difficult year for many in our fishing communities and I recognize that every day of lost fishing further impacts families and small businesses," said Director Bonham. "I acknowledge the sacrifices and resilience of California's fishermen and women and look forward to continuing to work with the fleet and the Dungeness Crab Fishing Gear Working Group to minimize entanglement risk while maximizing opportunities."

All commercial crab traps must be removed from the fishing grounds by the June 1 closure date. While this closure shortens the season by four weeks in the central management zone and six weeks in the northern management zone, the RAMP regulations are designed to minimize risk and provide for a long-term viable commercial fishery. In addition, Director Bonham has authorized the Lost and

Abandoned Gear Program to begin removing commercial Dungeness crab traps left in the water after the close of the season on June 7, 2021 at 6 a.m.

The RAMP regulations anticipate continued fishing during any closure after April 1 with the use of authorized Alternative Gear types (for example, pop-up gear), which are approved based on criteria outlined in the RAMP regulation. At this time, there are no authorized Alternative Gears, but CDFW looks forward to working with gear developers and authorizing gear for use in future situations where risk is elevated.



Since late October 2020, CDFW has conducted 10 risk assessments to evaluate entanglement risk during the 2020-21 fishing season. While entanglements in any given year are likely due to a combination of human and environmental factors, CDFW is confident the programs it has developed with its partners will help continue the trend of decreasing entanglements. Improved ocean conditions, a high level of engagement by the commercial fishing fleet and regulatory changes have likely attributed to the reduction in entanglements. CDFW, the commercial Dungeness crab fleet and partners have been working through the [California Dungeness Crab Fishing Gear Working Group](#) to develop and implement measures to assess, manage and reduce risk of entanglement of whales and sea turtles protected under the federal Endangered Species Act. In addition to a [draft Conservation Plan](#) (currently in development) and [RAMP regulations](#), these

measures include development of a [**Best Practices Guide**](#), implementation of a [**Standardized Gear Marking Program**](#) for trap gear fisheries, supporting alternative gear testing, implementation of a regulation limiting surface gear and a [**Lost or Abandoned Commercial Dungeness Crab Trap Retrieval Program**](#).

For more information related to the risk assessment process, please visit [**CDFW's Whale Safe Fisheries page**](#) or for more information on the Dungeness crab fishery, please visit [**wildlife.ca.gov/crab**](http://wildlife.ca.gov/crab).

Shorter 2021 Recreational Ocean Salmon Seasons Opening in June

May 21, 2021

The California Department of Fish and Wildlife (CDFW) announces ocean salmon season openers for additional management areas along the California coast. Although the Monterey management area opened in early April, the rest of the coast remained closed. Beginning in late June, recreational anglers will be able to drop their lines for salmon in the San Francisco, Fort Bragg and Klamath Management zones. Dates for all California management areas are as follows:

- In the Klamath Management Zone, which is the area between the Oregon/California state line and 40°10'00" N. latitude (near Cape Mendocino), the season opens June 29 and continues through August 1. Size limit: 20 inches total length.
- The Fort Bragg Management Area, which extends from 40°10'00" N. latitude to Point Arena (38°57'30" N. latitude), opens June 29 and continues through October 31. Size limit: 20 inches total length.
- The San Francisco Management Area, from Point Arena to Pigeon Point (37°11'00" N. latitude), opens June 26 and continues through October 31. Size limit: 20 inches total length.
- The Monterey Management Area, from Pigeon Point to the U.S./Mexico border, opened on April 3 and will continue through September 30. Size limit: 24 inches total length through May 15, 20 inches total length thereafter.

The daily bag limit is two Chinook salmon per day. On a vessel in ocean waters, no person shall possess or bring ashore more than one daily bag limit. Once brought ashore, no person shall possess more than two daily bag limits. Retention of coho salmon (also known as silver salmon) is prohibited in all ocean fisheries off California.

Please note the prior boundary line between the Fort Bragg and Klamath Management Zones has been moved five nautical miles north from Horse Mountain

(40° 05' 00" N. latitude) to 40° 10' 00" N. latitude (near Cape Mendocino). This change was made to simplify fishing regulations by aligning the salmon management boundary line with the existing groundfish management boundary line.

Pursuant to California Code of Regulations Title 14, section 1.95, ocean salmon sport fishing regulations in state waters automatically conform to federal regulations. Federal regulations for ocean salmon fisheries were published in 86 Federal Register 26425 on May 14, 2021 and were effective as of May 16, 2021.

Public notification of any in-season change is made through the National Marine Fisheries Service (NMFS) Ocean Salmon Hotline. Before engaging in any fishing activity for these species, please check one of the following ocean salmon resources for the most up-to-date information:

- [**CDFW Ocean Salmon page**](#)
- NMFS Ocean Salmon Hotline, (800) 662-9825
- CDFW Ocean Salmon Hotline, (707) 576-3429