



Tracking Number: (2021-021)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Alastair Bland.

Address: [REDACTED]

Telephone number: [REDACTED]

Email address: [REDACTED]

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: Sections 110, 200, 205, 265 and 275, Fish and Game Code. Reference: Sections 110, 200, 205, 265, 270 and 275, Fish and Game Code.

3. Overview (Required) - Summarize the proposed changes to regulations: I would like to see the recreational daily bag limit for California halibut reduced from 3 to 1 in state waters between Point Reyes and Bodega Head. This would reduce fishing pressure on the Tomales Bay halibut population, which in my opinion, and that of others with whom I've spoken personally, has been depleted by recreational and commercial fishing pressure, mostly inside the bay. I am asking that you consider investigating this and/or modifying the current fishing regulations...

Rationale (Required) - Describe the problem and the reason for the proposed change: There is no doubt in my mind that the halibut of the Tomales Bay population are smaller and fewer than in the past -- even compared to just five years ago. I have fished and dived the waters of Tomales Bay since 2009. I have spent many hours on the seafloor of the bay. My personal observations of fewer and fewer halibut each season suggest a rapid decline in the halibut population of Tomales Bay, most markedly since 2018. The apparent decline corresponds to a huge surge in fishing activity inside Tomales Bay, driven (I believe) by social media combined with easy access.

Diving Tomales Bay involves drifting with the tide and repeatedly diving to the bottom, where one scans a roughly 2-meter-wide ribbon of seafloor. In this fashion, it is possible for a breath-hold diver, in one outing, to make a visual survey of a one-mile-long, 2-meter-wide transect of the seafloor. Under such methods and



parameters, I could as recently as 2015 expect to see between, approximately, 3 and 7 halibut per free-diving outing. The fish were abundant. Sightings, however, have plunged. In 2018 and 2019, I spotted an average of 2 halibut per outing. In 2020, I saw 0.4 halibut per outing (18 outings total). This season, I have spotted 8 halibut in 10 outings. The fish are now, in my view, rare. (I occasionally spear a halibut for home utilization, but I am ready to retire from this fishery.)

I believe such a rapid decline as I am describing is very feasible considering the size and orientation of Tomales Bay, and the explosion in fishing activity observed in the past several years. This body of water is small, and there is no corner of the bay inaccessible to anglers. Tomales Bay is also calm and navigable almost every day of the year. All summer (and to a lesser extent spring and fall), the halibut which have entered the bay to spawn are heavily fished. The favored fishing area around Hog Island is barely half a mile from the Miller Park boat launching site, making access very easy, both for kayakers and motorboaters.

I have observed that recreational fishing regulations for groundfish are modified and tweaked almost annually. I feel the time is long overdue to review the regulations on California halibut. I would be very sorry to see fishing closed reactively as a response to extreme depletion of the population. More favorable would be a proactive action of merely reducing the allowable take and, perhaps, requiring that anglers use barbless hooks. This would protect undersized "shakers" which are easily torn apart in the release process when caught on barbed hooks. |

SECTION II: Optional Information

4. **Date of Petition:** [September 9, 2021.]

5. **Category of Proposed Change**
X Sport Fishing

6. **The proposal is to:**
Amend Title 14 CCR 28.15. Halibut, California.

7.

CURRENT TEXT: (a) Limit: Five in waters south of a line extending due west magnetic from Point Sur, Monterey County, and three in waters north of a line extending due west magnetic from Point Sur, Monterey County.

AMENDED TEXT: (a) Limit: Five in waters south of a line extending due west magnetic from Point Sur, Monterey County and three in waters north of a line extending due west magnetic from Point Sur, Monterey County, with the exception of waters north of a line extending due west magnetic from Point Reyes and south of a line extending due west magnetic from Bodega Head, in which the daily bag limit for CA halibut is one.

8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** [Click here to enter text.]
Or X Not applicable.



- 9. **Effective date:** If applicable, identify the desired effective date of the regulation. If the proposed change requires immediate implementation, explain the nature of the emergency: April 1, 2022.
- 10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports, and other documents: Unavailable.
- 11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: I have not assessed this..
- 12. **Forms:** If applicable, list any forms to be created, amended or repealed:
Click here to enter text. |

SECTION 3: FGC Staff Only

Date received: Sept 9, 2021. |

FGC staff action:

- Accept - complete
- Reject - incomplete
- Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____ |

Meeting date for FGC consideration: Receive Oct 14, 2021. Consider Dec 15-16, 2021 |

FGC action:

- Denied by FGC
- Denied - same as petition _____ |
- Granted for consideration of regulation change

Tracking Number