

## STAFF SUMMARY FOR AUGUST 17, 2022

**13B. DEPARTMENT MARINE REGION****Today's Item****Information** ☒**Action** ☐

DFW will highlight items of note since the last FGC meeting.

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

DFW's Marine Region will provide updates on:

- I. planning for the decadal management review of the state marine protected area (MPA) network (Exhibit 1);
- II. progress and timing for the pre-existing structures in MPAs rulemaking (Exhibit 2); and
- III. potential changes to recreational Dungeness crab hoop net regulations and request for inclusion in the spiny lobster rulemaking (Exhibit 3).

News releases of interest are included as exhibits 4 and 5.

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

1. [DFW presentation: Decadal management review \(DMR\) report timeline](#)
2. [DFW presentation: Existing structures in MPAs](#)
3. [DFW presentation: Recommended hoop net regulation changes](#)
4. [DFW news release: Razor Clam Fishery In Del Norte County Opens After Closure Since December, dated Jun 24, 2022](#)
5. [DFW news release: Big Changes to Sport Groundfish Regulations Coming In 2023, dated Jul 28, 2022](#)

**Motion (N/A)**



# Marine Protected Areas Network

## Decadal Management Review (DMR) Report

### Anticipated Timeline

#### Develop DMR:

- Partner reports
- Tribal content
- Technical reports
- Stakeholder input
- Fishing industry input

#### Continued DMR Development:

- Tribal review of draft

DMR Completed!

#### Public Meetings:

- Public Symposium- *March*
- Marine Resources Committee mtg - *March*
- FGC Tribal Committee mtg- *April*
- FGC meeting - *April*



- **Continued:**
- National Center for Ecological Analysis and Synthesis (NCEAS) submissions
- Internal review

#### Final Report Development

- **FINAL Report** publicly available in January
- **FINAL Report** to Fish and Game Commission (FGC) in February

#### Continued discussion and decision making:

- Implementation of recommendations



# Existing Structures in Marine Protected Areas

17 August 2022

*Presented to:*

**Fish and Game Commission  
Loleta, CA and Virtual Webinar**

*Presented by:*

**Amanda Van Diggelen  
Environmental Scientist  
Marine Region**



# Need for Proposed Amendments



Piers



Seawater intake  
pipes



Seawalls





## Need for Proposed Amendments (Cont.)

- Pre-existing artificial structures were not accounted for in central and north central coast MPA planning processes
- Proposal has been developed in consultation with the MPA Statewide Leadership Team
- No change in fishing regulations within MPAs



# Summary of Proposed Amendments

- Establish a definition of a pre-existing artificial structure
- Allow for maintenance, repair, replacement, and removal of pre-existing artificial structures
- Establish a definition of a buffer zone
  - Immediate area around pre-existing artificial structures
- Establish regional implementation dates



# Proposed Timeline

- Re-notify Tribes and tribal communities: January 2023
- Notice hearing: April 2023
- Discussion hearing: June 2023
- Adoption hearing: October 2023
  - Certification of CEQA document
- Potential implementation in late 2023 or early 2024

# Thank You

Amanda Van Diggelen, Environmental Scientist

[MPAManagementReview@wildlife.ca.gov](mailto:MPAManagementReview@wildlife.ca.gov)







# Hoop Net Regulation Recommended Changes

17 August 2022

*Presented to:*

**California Fish and Game Commission**

*Presented by:*

**Dr. Craig Shuman**  
**Regional Manager**  
**Marine Region**



# Lobster Rulemaking

- Proposed hoop net changes
  - Simplify hoop net buoy marking requirements
  - Prohibit use of hoop nets 24 hours prior to lobster opener
  - Clarify 2-hour service interval requirement is statewide



# Need For Additional Changes

- Dramatic increase in hoop net use due to crab trap restrictions during elevated whale/turtle entanglement risk periods north of Point Arguello
- Improve marking requirements to help identify gear in the event of an entanglement
- Provide clarity related to hoop net construction



# Proposed Additional Changes

- Extend surface buoy marker requirement (including GO ID) statewide (currently only required South of Point Arguello)
- Clarify Hoop Net Definition
  - Soft mesh must be made of non-metallic material
  - Support arms on Type B nets are rigid and form a straight line when connected to the top and bottom ring



# Changes NOT Currently Being Considered

- Hoop net limits North of Point Arguello
- Unique surface buoy requirement with buoy dimension specifications



# Why Include Changes in Lobster Rulemaking?

- Time sensitive changes needed to address whale entanglement concerns north of Point Arguello
- Waiting until lobster rulemaking is complete will delay implementation of changes





# Outreach

- Email Notification
- Virtual Webinar
- Social Media Updates
- Marine Resources Committee Meetings
- Fish and Game Commission Meetings
- Whale Working Group and Dungeness Crab Task Force
- Statewide Sport Fishing Groups

# Thank You

The logo of the California Department of Fish & Wildlife is a shield-shaped emblem. It features a yellow outline of the state of California on a blue background. The word "CALIFORNIA" is written in large, bold, yellow capital letters at the top. Below it, in smaller yellow capital letters, are the words "DEPARTMENT OF FISH & WILDLIFE".

## **Point of Contact**

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# Hoop Net Types

Type A



Type B



# Razor Clam Fishery In Del Norte County Opens After Closure Since December

June 24, 2022



The California Department of Fish and Wildlife (CDFW) Director has [re-opened the recreational razor clam fishery in Del Norte County \(PDF\)](#) 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 in Del Norte County was re-opened in April 2021 after a five-year closure due to high domoic acid concentrations that persisted in the razor clam population, but was then closed again in December due to public health hazard. 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. Two separate clam collections from Crescent Beach, Crescent City this month taken more than a week apart all had domoic acid concentrations below the federal action level of greater than or equal to 20 parts per million.

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.

Health agencies continue to monitor domoic acid in razor clams in Del Norte and Humboldt counties, which are both now open to razor clam harvest.

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 razor clam fishery is open south of Battery Point, Crescent City (Del Norte County) during even-numbered years. 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](#).

For more information on any fishery closure or health advisories, please visit [www.wildlife.ca.gov/fishing/ocean/health-advisories](http://www.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 the California Department of Public Health's Biotoxin Information Line at (510) 412-4643 or toll-free at (800) 553-4133.



# Big Changes To Sport Groundfish Regulations Coming In 2023

July 28, 2022



Significant changes to California's groundfish sport fishing regulations are expected starting next year, in response to recent scientific information suggesting some nearshore groundfish species are in decline. To reduce pressure on these stocks, fishing seasons will be shorter in nearshore waters, but new opportunities in deeper water are anticipated.

The upcoming changes were developed by the Pacific Fishery Management Council (PFMC) over the past year and reflect outcomes of a public decision-making process where the California Department of Fish and Wildlife (CDFW) worked with fishing industry representatives, non-governmental organizations, and state, federal and tribal governments to balance the need for fishing season closures in nearshore waters with the needs of these communities and industries. The PFMC approved the recommendations for 2023 and 2024 at its June meeting.

Based on these recommendations, the National Marine Fisheries Service has begun the process of amending federal regulations, which are expected to take effect in January 2023. The California Fish and Game Commission is considering the same changes to ocean sport fishing regulations for state waters.



California's sport groundfish regulations divide the state into five "Groundfish Management Areas" – in which the fishing seasons, Rockfish Conservation Areas or depth constraints, and bag limits may differ. In 2022, nearshore groundfish fishing season lengths ranged from eight to 10 months, but in 2023, they are expected to shrink to not more than five and a half months in all areas.

Within the 10-fish daily combined rockfish, cabezon and greenling bag limit, the sub-bag limits of one fish each for quillback and copper rockfish, and four fish for vermilion rockfish will continue in 2023. These sub-bag limits have been in effect since January 2022 and were necessary because new information in 2021 indicated severe declines in the populations of quillback and copper rockfish off California, and recreational vermilion rockfish catch continued to be greater than sustainable harvest limits.

Both the sub-bag limits and shortened fishing seasons are expected to achieve necessary reductions in copper, vermilion and quillback rockfish catch.

While groundfish fishing seasons will be shorter for nearshore waters and some bag limits are reduced, new opportunities to fish in deeper water beginning in 2023 will allow anglers to target healthy populations of shelf and slope rockfish in deeper waters, like schooling mid-water widow and yellowtail rockfish, or bottom-dwelling blackgill rockfish. Additionally, the sport fishing seasons for some other federally managed groundfish species like sablefish (sometimes called "black cod" or "butterfish") will be open year-round without depth constraints. Access to these previously closed depths means new experiences for anglers as they explore new habitats, new fishing locations, new target species, and new gear configurations to assemble and deploy.

"Next year is expected to bring a momentous shift in the sport groundfish fishery as all but one of the overfished shelf species that drove management decisions for the better part of the past two decades are now healthy," said CDFW Environmental Program Manager Marci Yaremko. "While concerns for quillback and copper rockfish will impact the nearshore fishery in the coming years, there are also a number of new opportunities for anglers, and CDFW looks forward to supporting their development."

To stay informed of in-season regulatory changes, please call the Recreational Groundfish Hotline at (831) 649-2801 or visit CDFW's [summary of recreational groundfish fishing regulations](#).