

Attachment 1 - Summary and Response to Public Comment
 27.20 Recreational Groundfish and Associated Species Rulemaking

Comment Number	Name, Organization, Type, and Date	Comment(s)	Response(s)
1a	Tim Gillespie, angler, Oral testimony on 10/13/22	Expressed concern the proposed greater than 50 fathom depth restriction would jeopardize the lives of kayak anglers and those who are disabled.	These regulations should not affect the safety of kayakers and disabled persons. There are no groundfish fishing restrictions or authorizations tied to kayaks or vessel size, or to disabled persons. In response to industry input, seasons were structured to provide as close to year-round opportunity as possible. Boat-based fishing time in nearshore waters needed to be reduced, to reduce encounters with copper and quillback rockfishes. However, there are still time periods during the year in all regions where areas closer to shore and easily accessible by kayak are open to recreational fishing. Additionally, fishing opportunities from shore will continue to be offered year-round as these opportunities occur with de minimis impacts on these species. Regulations defining shore fishing prohibit use of any type of vessel or watercraft, including kayaks. Regarding deeper water, more fishing time can be offered there than in nearshore waters, also because of de minimis impacts to copper or quillback rockfish.

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1b	Tim Gillespie, angler, Oral testimony on 10/13/22	Does not support shorter seasons.	The amendments to California’s recreational groundfish regulations are intended to ensure consistency with federal regulations for 2023 that will be enacted by the National Marine Fisheries Service (NMFS). The reductions to groundfish season lengths and fewer nearshore fishing opportunities during some parts of the year must occur in order to reduce unsustainable harvest of several sensitive rockfish species. The federal regulations are expected to become effective on or about January 1, 2023 when the NMFS final rule publishes. The California Fish and Game Commission (Commission) has the authority to adopt recreational ocean fishing regulations in California, and routinely adopts consistent recreational groundfish regulations for state waters as those in federal waters; however, the Commission’s regulations must be at least as restrictive as federal regulations for federal groundfish species. The Commission took conforming action to the expected NMFS regulations at its November 15, 2022 teleconference hearing and state regulations are expected to be effective on or about January 1, 2023.
1c	Tim Gillespie, angler, Oral testimony on 10/13/22	Does support allowing take of blackcod, and continued sub-bag limits for quillback, copper, and vermilion rockfish.	Support noted. The Commission adopted the regulations allowing the take of blackcod (sablefish) and continued sub-bag limits for quillback, copper and vermilion rockfishes.
2a	Devin O’Dea, angler, oral testimony on 10/13/22	Would like to know if the Department considered shore-based and kayak anglers when developing these regulations, including the shorter seasons.	See responses 1a and 1b.

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2b	Devin O'Dea, angler, oral testimony on 10/13/22	Supports the sub-bag limits for quillback, copper, and vermilion rockfish.	Support noted. See Response 1c.
3a	Frank Ricigliano, angler, email dated 11/1/22	Opposed to the shutdown of inshore fishing.	The reductions to groundfish season lengths and fewer nearshore fishing opportunities during some parts of the year must occur in order to reduce unsustainable harvest of several sensitive rockfish species. Nearshore habitat fishing opportunities will continue for other recreational targets such as California halibut, sea basses, ocean whitefish, salmon, California sheephead, and highly migratory species. Additionally, the sport fishing seasons for some federally managed groundfish species, like sablefish and California scorpionfish, will be open year-round without depth constraints. Also see Response 1b.

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3b	Frank Ricigliano, angler, email dated 11/1/22	Feels recreational anglers cannot adversely impact fish populations	<p>Recreational anglers account for most of the catch of nearshore species in California. For many groundfish species, a population assessment is conducted to inform fishery managers how much fish can be sustainably taken of a single species, or in some cases a combination of species. Assessments may also indicate catch of a particular species needs to be reduced to avoid overharvesting the population. Using the best scientific information available from recent population assessments, the consensus among the California Department of Fish and Wildlife (Department), the Pacific Fishery Management Council (PFMC) and NMFS is that the population statuses of copper and quillback rockfishes throughout California are in severe decline. The pessimistic results from these population assessments were the pivotal decision point for reductions in harvest opportunities for the 2023 and 2024 recreational nearshore groundfish fishery.</p>

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3c	Frank Ricigliano, angler, email dated 11/1/22	Stated that [the inshore closure] will have devastating effects on the fishing industry and many other businesses.	<p>Over the past year, the Department worked cooperatively with fishing representatives to develop regulations that maximize groundfish fishing season lengths and opportunities in all areas of the state while reducing take of copper and quillback rockfishes and ensuring that California fisheries stay within federal limits for overfished yelloweye rockfish. The 2023-24 groundfish regulations were developed with input from fishery representatives on the Groundfish Advisory Panel (GAP) of the PFMC along with feedback on proposed fishing season alternatives provided to the public during PFMC meetings. Department staff worked diligently with GAP members to provide new offshore groundfish opportunities that would minimize economic impacts in each management area to the extent possible. While the season lengths in 2023 will be shorter compared to those in 2022, all Management Areas in California are scheduled for five to five and a half months of "all-depth" fishing, which will allow access to nearshore rockfish species. Additionally, in some areas of the state during certain times, a new offshore only fishery will be offered to provide access to healthy deeper water rockfish species and lingcod while prohibiting take of nearshore rockfish species. During the development of the federal regulations, consideration was given to all relevant information to balance competing needs to ensure the long-term health of the resource while also considering socio-economic impacts on communities, with the goal of providing as much total recreational fishing opportunity through as much of the year as possible.</p>

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4a	Sean Doyle, angler, email dated 11/1/22	Asks that the 2023 rockfish regulations be reassessed.	See Response 1b.
4b	Sean Doyle, angler, email dated 11/1/22	States that sport anglers cannot deplete the ocean without [sic] hand-held rods and reels.	See Response 3b.
4c	Sean Doyle, angler, email dated 11/1/22	States that the sportfishing industry, sport boat fleet, bait docs [sic], tackle shops, etc., cannot survive with the proposed regulations.	See Response 3c.
4d	Sean Doyle, angler, email dated 11/1/22	States that the proposed regulations will take away the opportunity for future generations to enjoy the outdoors and the incredible sport of fishing.	The new regulations were developed taking into account the long-term health of the resource and the socio-economic impacts on communities to balance competing interests.
5a	Dan Fournier, angler, email dated 11/1/22	Asks for reconsideration of the rockfish restrictions.	See Response 1b.
5b	Dan Fournier, angler, email dated 11/1/22	States he cannot affect the rockfish population with his fishing pole.	See Response 3b.
5c	Dan Fournier, angler, email dated 11/1/22	States that sport boats and bait companies will not be able to stay in business and that tackle shops and coastal cities will be affected.	See Response 3c.
5d	Dan Fournier, angler, email dated 11/1/22	States that the [rock fish] populations are huge.	Using the best scientific information available from recent population assessments, the consensus among the Department, PFMC and NMFS is that the population statuses of copper and quillback rockfishes throughout California are in severe decline.

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6a	Franklin Douglas Murphy, angler, email dated 11/2/22	Strongly opposed to proposed closure of rockfish.	See Response 1b.
6b	Franklin Douglas Murphy, angler, email dated 11/2/22	Disagrees with data indicating reductions to fish populations.	See Response 5d.
6c	Franklin Douglas Murphy, angler, email dated 11/2/22	States that the proposed regulations will put thousands of people out of business (sportfishing, tackle shops, local businesses, hotels, stores, local port districts) and will affect teaching youth how to be men and how to be women.	See Response 3c.
7a	Eddie Mendoza, angler, email dated 11/2/22	Opposed to rockfish season closures.	See Response 1b.
7b	Eddie Mendoza, angler, email dated 11/2/22	States that the fishery is resilient as evidenced by all the fish they catch.	See responses 3b, 4d, and 5d.
7c	Eddie Mendoza, angler, email dated 11/2/22	States he understands that closing the fishery will allow fish to replenish their numbers, but that fishing with two hooks at 30+ fathoms can hurt the local fishery.	See Response 3c.
8a	C.P. Khalil, angler, email dated 11/3/22	Requests no change to the rockfish season and regulations.	See Response 1b.
8b	C.P. Khalil, angler, email dated 11/3/22	States that the [rockfish] population is stronger than ever.	See responses 3b and 5d.

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8c	C.P. Khalil, angler, email dated 11/3/22	The proposed regulations will harm the party boat industry.	See Response 3c.
9a	Tina Stanley, angler, email dated 11/3/22	States that [recreational anglers] using fishing poles cannot adversary [sic] affect the population of fish in the ocean.	See Response 3b.
9b	Tina Stanley, angler, email dated 11/3/22	States that the restrictions do more harm than help.	See responses 1b, 3a, 3b, 3c, and 4d.
10a	John S., angler, email dated 11/3/22	States that [recreational anglers] using fishing poles cannot adversary [sic] affect the population of fish in the ocean.	See Response 3b.
10b	John S., angler, email dated 11/3/22	States that the restrictions do more harm than help.	See responses 1b, 3a, 3b, 3c, and 4d.
11a	Greg Ja, angler, email dated 11/4/22	Requests no change to the rockfish regulations and season dates.	See Response 1b.
11b	Greg Ja, angler, email dated 11/4/22	States that the proposed regulations will hurt the party boat industry.	See Response 3c.
12a	Thomas Nelson, angler, email dated 11/4/22	Asks for reconsideration of the proposed rockfish closure.	See Response 1b.
12b	Thomas Nelson, angler, email dated 11/4/22	Questions the science and data.	See responses 3b and 5d.
13a	Dalton, angler, email dated 11/5/22	Opposed to new rockfish regulations.	See Response 1b.
13b	Dalton, angler, email dated 11/5/22	States that a private fisherman cannot hurt the fish population.	See Response 3b.

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13c	Dalton, angler, email dated 11/5/22	Is concerned the public does not have a voice or opportunity to participate in process to develop regulations.	Fish are a public resource whose management has been delegated to NMFS and to the Commission, both of which provide opportunity for public input. For information on groundfish management or how to get involved, please visit the following website: Pacific Fishery Management Council (pccouncil.org) . In addition, the Commission provides many opportunities for the public to provide both written and oral comments on proposed regulations and other items it is considering at its meetings. The Commission has also created a process where a member of the public can submit a petition for regulatory changes. Information on public participation can be found here: https://fgc.ca.gov/Meetings/Public-Participation .
13d	Dalton, angler, email dated 11/5/22	Questions the science and data indicating reductions to fish populations.	See responses 3b and 5d.
14a	John McVicars, angler, email dated 11/7/22	Opposed to a rockfish closure.	See Response 1b.
14b	John McVicars, angler, email dated 11/7/22	[A rockfish closure] will kill sportfishing businesses in California which are vital to fishermen and families.	See Response 3c.