

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

Comment Number	Name, Organization, Type, and Date	Comment (s)	Response(s)
1a	Tony Hicks, angler, email dated 02/08/24	Opposes seasons and depth limit restrictions, and sub-bag limits for Copper Rockfish, in Southern Groundfish Management area.	<p>Stock (or population) assessments are conducted by National Marine Fisheries Service (NMFS) scientific staff using data collected from state and federal surveys and fishery monitoring efforts. The assessments determine how healthy the population is for a given species in a specific geographic area. The Pacific Fishery Management Council (PFMC) reviews and approves these assessments and uses them to recommend harvest limits to NMFS. The approval process includes significant public input as well as review by both scientific and fishing industry advisory bodies. Using the best scientific information available from the copper rockfish stock assessments conducted in 2021 and 2023, the consensus among the California Department of Fish and Wildlife (CDFW), the PFMC and National Marine Fisheries Service (NMFS) is that the population status of copper rockfishes south of Point Conception is in severe decline. A copper rockfish sub-bag limit of 1-fish within the 10-fish daily Rockfish, Cabezon, Greenling (RCG) limit was necessary and successfully reduced catch of copper rockfish to stay within reduced federal harvest limits. This sub-bag limit was continued beyond 2022 and combined with changes to season dates and depth limits designed to shift fishing effort away from times and locations where copper rockfish are typically encountered; however, no changes to the copper rockfish limit are proposed in the current (2024) rulemaking. Proposed changes to the season dates and depth limits in the Southern GMA in 2024 are in response to high catches of vermilion rockfish, which has exceeded federally set harvest limits every year since 2015.</p>

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1b	Tony Hicks, angler, email dated 02/08/24	Observed no noticeable decline in Copper Rockfish population in Anacapa, Santa Cruz, Santa Rosa, and San Miguel Islands. CDFW needs to utilize more effective methods to monitor species-specific areas.	See Response 1a. Localized areas of abundance may occur, but the biomass for the entire area south of Point Conception was determined to be at 16 percent of the unfished biomass in the 2023 copper rockfish stock assessment.
1c	Tony Hicks, angler, email dated 02/08/24	Requests that CDFW reopen nearshore fisheries around Channel Islands.	The proposed 2024 recreational groundfish season structure for boat-based anglers in the Central Groundfish Management Area – South of 36° N lat., and the Southern Groundfish Management Area will be open in all depths from April 1 through June 30, shoreward of the 50-fathom boundary line (as defined in federal regulations) from July 1 through September 30, and seaward of the 50-fathom boundary line from October 1 through December 31. This season structure offers six months of nearshore water opportunity in these areas, including around the Channel Islands.
2	Alex Murdoch, angler, email dated 2/14/24	Requests that proposed language regarding "descending devices" remains broad enough to accommodate DIY-descending devices also promoted by other state departments.	The proposed requirement that boat-based anglers possess a descending device does not define what a descending device is other than it be available for immediate use to assist in releasing rockfish to the depth of capture. This provides flexibility to allow anglers to use any device (commercial or home-made) to meet the requirement.
3	Grant Downie, Commercial and Recreational Angler, oral testimony on 2/14/24	Supports the proposed 2024 recreational regulations requiring a descending device aboard all vessels targeting groundfish.	Support noted. The proposed state regulations require anglers to possess, and have available for immediate use, a descending device to assist in releasing rockfish to the depth of capture.

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4	Jaime Diamond, Owner of Stardust Sportfishing, oral testimony on 2/14/24	Supports the proposed 2024 recreational regulations requiring a descending device aboard all vessels targeting groundfish.	Support noted. See Response 3.
5a	Wayne Kotow, Coastal Conservation Association, oral testimony on 2/14/24	Supports the establishing the 20 fm boundary line.	Support noted. Establishment of the 20-fathom boundary line in state waters was accomplished through an emergency CDFW rulemaking (Office of Administrative Law File #2024-0202-02E) effective February 12, 2024, and is outside the scope of this rulemaking.
5b	Wayne Kotow, Coastal Conservation Association, oral testimony on 2/14/24	Supports implementation of fishery shoreward of the 20 fm boundary.	Support noted. In the proposed regulations, from May through September, and the month of November, boat-based anglers in the Northern Groundfish Management Area (GMA), Mendocino GMA, San Francisco GMA, and Central GMA – North of 36° N lat. are authorized to fish for rockfish, lingcod, cabezon and greenlings shoreward of the 20-fathom boundary line as defined in Title 14, Section 35.00.
5c	Wayne Kotow, Coastal Conservation Association, oral testimony on 2/14/24	Supports the repeal of Cowcod Conservation Areas (CCAs).	Support noted. The proposed repeal of CCAs and establishment of eight new Groundfish Exclusion Areas, to protect sensitive deep water coral habitat, will align state regulations with federal regulations, which became effective January 1, 2024 .
5d	Wayne Kotow, Coastal Conservation Association, oral testimony on 2/14/24	Supports descending device requirement.	Support noted. See Response 3.

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6a	<p>John Owens, angler, email dated 2/26/24</p> <p>(e-mail comment to Ask Marine)</p>	<p>Requests clarification for proposed recreational groundfish regulations discussed in Feb 14-15 F&G Commission Meeting.</p>	<p>The proposed amendments to California’s recreational groundfish regulations are intended to ensure consistency with federal regulations for 2024 that will be enacted by the National Marine Fisheries Service (NMFS). The changes to groundfish season lengths and fewer nearshore fishing opportunities during some parts of the year must occur to reduce unsustainable harvest of several sensitive rockfish species, including quillback rockfish which is an overfished species. The proposed 2024 season structure in the Northern Groundfish Management Area (GMA), Mendocino GMA, San Francisco GMA, and Central GMA – North of 36° N lat. authorizes boat-based anglers to take and possess rockfish, lingcod, cabezon and greenlings from May 1 through September 30, and November 1 through November 30 shoreward of the 20-fathom boundary line (as defined in Title 14, Section 35.00). Offshore only opportunity, which authorizes take of shelf and slope rockfishes and lingcod seaward of the 50-fathom boundary line as defined in federal regulations is proposed for April 1-30, October 1-31, and December 1-31. The proposed 2024 recreational groundfish season structure for boat-based anglers in the Central GMA – South of 36° N lat., and the Southern GMA, will be open in all depths from April 1 through June 30, shoreward of the 50-fathom boundary line (as defined in federal regulations) from July 1 through September 30, and seaward of the 50-fathom boundary line from October 1 through December 31.</p>

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6b	John Owens, angler, email dated 2/26/24 (e-mail comment to Ask Marine)	Requests clarification for when proposed 2024 recreational seasons and depth restrictions within Mendocino and Central Groundfish Managements will be decided.	The federal regulations are expected to become effective in early April 2024 when the National Marine Fisheries Service final rule is published. 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 is scheduled to take action at its March 26, 2024, teleconference hearing and state regulations are expected to be effective in April 2024.
7a	Justin Smith, angler, email dated 3/6/24 (e-mail comment to Ask Marine)	Supports implementation of fishery shoreward of the 20 fm boundary.	See response 5b.
7b	Justin Smith, angler, email dated 3/6/24 (e-mail comment to Ask Marine)	Requests longer 20 fm boundary season structure for the 2024 recreational fishing season.	See response 1c and 6a.