

Appendix F. Chronology of State and Federal Regulations Affecting the Nearshore Fishery

F.1 Regulatory History of Nearshore Finfish, 1980 to 2001

Between 1980 and 2001, federal and state agencies managed the nearshore fishery. Recreational management of nearshore species has primarily been conducted by the California Legislature and the Fish and Game Commission (Commission) through sport license requirements, closed seasons and areas, bag limits, and size limits. Management of the nearshore commercial fishery, generally, has been by the California Legislature, the Commission, and the Pacific Fishery Management Council (Council) of which the state is a member. Commercial harvest is managed through commercial license requirements, permit requirements for certain gear, gear restrictions, closed seasons and areas, quotas, and size limits.

The Nearshore Fisheries Management Act (NFMA), which was part of the Marine Life Management Act (MLMA) of 1998, granted the Commission additional authority to enact regulations for management of both the recreational and commercial nearshore fisheries to assure the sustainable populations of nearshore fish stocks. The NFMA defined the nearshore fishery and nearshore finfish stocks. It also declared the need for a management program. Recreational and commercial fisheries regulations are published in the Fish and Game Code (FGC) and Title 14 of the California Code of Regulations (CCR).

In this appendix, all regulations were cited with the date of implementation and the dates of any additions or amendments. If regulations were adopted previous to 1980 and the year could be determined, the year was provided. If the year could not be determined, the phrase "pre-1980" was used. The information provided in this appendix is not intended to be used as a legal reference, however the language contained in the source documents was used almost verbatim to prevent misinterpretation. Although an effort was made to compile all regulations that pertained to the nearshore fishery, for a complete and accurate record of the regulatory code sections, refer to the original sources.

F.1.1 Recreational Regulatory History

General take regulations have applied to all of the species in the Nearshore Fishery Management Plan (NFMP) with very few major changes during the time frame examined. Most of the changes in general take regulations are cited in this appendix. In recent years, species management measures have been enacted in the form of seasonal closures, special bag limits, size limits, and fillet rules.

F.1.1.1 Recreational License and Permit Regulations

Recreational license provisions

1947 Anyone 16 years and older must have a fishing license to take any kind of fish,... except for persons angling from a public pier in ocean or bay waters (FGC §420, CCR, Title 14 §700 effective 1966, and FGC §7145).

- 1947 Fish taken under authority of a sport fishing license may not be bartered or sold (FGC §421).
- 1927 All fish... and any device or apparatus used to take them, and all licenses, must be exhibited upon demand of any authorized officer (FGC §403 and CCR, Title 14 §700 effective 1966).
- 1983 An ocean fishing enhancement stamp is required for ocean fishing south of Point Arguello, Santa Barbara County, except when fishing under authority of a 2-day sport fishing license, which is valid for two consecutive designated calendar days (FGC §6596).
- 1987 A fine will apply for fishing without a license (FGC §12002.2).
- 1990 Every person, while engaged in taking any fish...shall display their valid sport fishing license by attaching it to their outer clothing at or above the waistline so that it is plainly visible, except when diving. Persons diving from a boat or shore may have their license on the boat or within 500 yds (457 m) of shore, respectively (FGC §7145).

Multi-day fishing trip permit provisions

- pre-1980 A Declaration for Multi-Day Fishing Trip form must be submitted to the California Department of Fish and Game at least 48 hours prior to the date of the boat’s departure. Each person is only allowed to take one daily bag limit of fish during one calendar day, and up to three daily bag and possession limits of saltwater finfish for the entire trip. Multi-day fishing trips are to be conducted offshore, defined as 10 mi. (16.1 km) or more seaward (CCR, Title 14 §27.15).
- 1982 Fishing during a multi-day trip could occur within 10 mi. (16.1 km) of the mainland shore of California; however, a passenger manifest has to have been submitted with the application form [CCR, Title 14 §27.15 (a)(4)].
- 1992 The trip must be continuous and extend for a period of 12 hours or more on the first and last days of the trip to qualify for a multi-day permit, and no berthing or docking is permitted within 5 mi. (8 km) of the mainland shore [CCR, Title 14 §27.15(b)(3)].

F.1.1.2 Marine Protected Areas (MPAs) That Affect Recreational Fishing

Table F-1 contains a list of marine protected areas and restrictions on fishing for nearshore finfish. Sites are organized from north to south, and include the date of establishment. Generally, “prohibited” means that nearshore finfish cannot be taken and “allowed” means that fishing is permitted for nearshore finfish. The Marine Resources Protection Act (MRPA) required four ecological reserves to be created by January 1994. Uses within the MRPA Ecological Reserves are restricted to authorized scientific research (CCR, Title 14 §630.5 and FGC §8610.14). Information in Table F-1

was obtained from California Marine Protected Areas (McArdle 1997). Effort was made to make Table F-1 as complete as possible, however, this may not be an inclusive list of sites.

Table F-1. Marine protected areas with restrictions on fishing for nearshore finfish			
Site	Recreational fishing	Commercial fishing	Year established
King Range MRPA Ecological Reserve	Prohibited	Prohibited	1994
Point Cabrillo Reserve	Prohibited	Allowed	1975
Del Mar Landing Ecological Reserve	Allowed	Prohibited	1972
Gerstle Cove Reserve	Prohibited	Allowed	1971
Bodega Marine Life Refuge	Prohibited _a	Prohibited _a	1965
Point Reyes Headlands Reserve	Prohibited	Allowed	1972
Duxbury Reef Reserve	Allowed, but limited _b	Allowed	1971
James V. Fitzgerald Marine Life Refuge	Allowed, but limited _c	Allowed _d	1969
Hopkins Marine Life Refuge	Prohibited	Prohibited	1984
Pacific Grove Marine Gardens Fish Refuge	Allowed _e	Prohibited	1984
Carmel Bay Ecological Reserve	Allowed, but limited _f	Prohibited	1976
Point Lobos Ecological Reserve	Prohibited	Prohibited	1973
Big Creek MRPA Ecological Reserve	Prohibited	Prohibited	1994
Vandenberg MRPA Ecological Reserve	Prohibited	Prohibited	1994
San Miguel Island Ecological Reserve	Allowed, but limited _g	Prohibited	1977
Anacapa Island Ecological Reserve	Allowed, but limited _h	Allowed, but limited _h	1978
Santa Barbara Island Ecological Reserve	Allowed, but limited _i	Allowed, but limited _i	1978
Big Sycamore Canyon MRPA Ecological Reserve	Prohibited	Prohibited	1994
Abalone Cove Ecological Reserve	Allowed	Prohibited	1977
Point Fermin Marine Life Refuge	Allowed, but limited _j	Allowed _d	1969
Catalina Marine Science Center Marine Life Refuge	Prohibited	Prohibited	1988
Lover's Cove Reserve, Santa Catalina Island	Prohibited	Allowed	1974
Newport Beach Marine Life Refuge	Allowed, but limited _j	Allowed _d	1968

Irvine Coast Marine Life Refuge	Allowed, but limited _j	Allowed _d	1971
Laguna Beach Marine Life Refuge	Allowed, but limited _j	Allowed _d	1968
Heisler Park Ecological Reserve	Prohibited	Prohibited	1973
South Laguna Beach Marine Life Refuge	Allowed, but limited _j	Allowed _d	1968
Niguel Marine Life Refuge	Allowed, but limited _j	Allowed _d	1971
Dana Point Marine Life Refuge	Allowed, but limited _j	Allowed _d	1969
Doheny Beach Marine Life Refuge	Allowed, but limited _j	Allowed _d	1969
City of Encinitas Marine Life Refuge	Allowed, but limited _j	Allowed _d	1989
Scripps Coastal Reserve	Prohibited	Prohibited	1965
San Diego-La Jolla Ecological Reserve	Prohibited	Prohibited	1971
Cabrillo National Monument	Allowed, but limited _k	Allowed, but limited _k	1913 (expanded 1959 and 1974)

a/ Until the year 2000, recreational and commercial fishing for nearshore species was allowed.

b/ Recreational fishing for rockfish, cabezon, kelp greenling, and monkeyface prickleback is allowed. Fishing for rock greenling, California scorpionfish and California sheephead is prohibited.

c/ Recreational fishing for rockfish, cabezon, kelp greenling, and monkeyface prickleback is allowed, but only by hook-and-line or by spearfishing.

d/ It is illegal to take or possess any invertebrate or specimen of marine plant life in a marine life refuge [FGC §10500(f)], however commercial take of nearshore finfish is permitted.

e/ The boundary for Hopkins Marine Life Refuge is adjacent to this site. Fishing for nearshore finfish is prohibited within the Hopkins refuge for both recreational and commercial fisherman, however recreational take of nearshore finfish is permitted in the Pacific Grove Marine Gardens Fish Refuge.

f/ Recreational fishing is permitted for nearshore finfish, but only by hook-and-line, by spearfishing, or by hand-held implements.

g/ Recreational fishing is permitted for nearshore finfish, but only if conducted from a boat in permitted areas, and only by hook-and-line, by spearfishing, or by hand-held implements.

h/ Recreational and commercial fishing for nearshore finfish is permitted with the following three exceptions: (1) the north side of East Anacapa Island is closed to fishing, (2) no net or trap may be used in waters less than 20 ft (6 m) deep off the Anacapa Islands, and (3) no person shall enter the closure on the north side of West Anacapa Island from January 1 to October 31.

i/ Recreational and commercial fishing for nearshore finfish is permitted except that nets or traps cannot be used in the special closure area on the eastern side of Santa Barbara Island.

j/ Recreational fishing for rockfish, greenling, cabezon, and California sheephead is allowed, but only by hook-and-line or by spearfishing.

k/ Recreational and commercial fishing for nearshore finfish is allowed, but only by hook-and-line.

F.1.1.3 Recreational Management Areas and Seasonal/Time Closures

Rockfish and lingcod management areas

2000 Two-month closures established for all rockfish, which includes nearshore rockfish, and for California scorpionfish:

January through February south of Lopez Point in Monterey County (36°00' N latitude), and March through April north of Lopez Point. The closure included spearfishing [CCR, Title 14 §28.55(a)].

- 2001 The management area boundaries, species affected, and closed months were changed:
 The northern management area is bound in the north by Cape Mendocino (at 40°10' N latitude) in Humboldt County, and in the south at Point Conception, Santa Barbara County (at 34°27' N latitude). Recreational fishing for all rockfish, including nearshore rockfish and California scorpionfish, was prohibited for March and April. In addition, recreational fishing for nearshore rockfish and California scorpionfish was allowed only in waters less than 20 fm (37m) in depth for May and June.
- The southern management area is bound in the north by a line running west at Point Conception, Santa Barbara County (at 34°27' N latitude), and in the south, by the U.S.-Mexico border. During January and February, recreational fishing for nearshore rockfish and California scorpionfish was allowed only in waters less than 20 fm (37m) in depth. [CCR, Title 14 §27.82 (b)].

Cowcod conservation areas

- 2001 There are two cowcod conservation areas south of Point Conception, Santa Barbara County. Nearshore species cannot be taken or possessed year round in waters 20 fm (37 m) or greater within the cowcod conservation areas [CCR, Title 14 §27.82(a)].

Emergency closures

- 2001 An emergency sport fishing closure was issued by the Department of Fish and Game for November and December 2001 with the goal of protecting offshore rockfish. Recreational fishing opportunities continued for nearshore rockfish, California scorpionfish, cabezon, and greenlings, but only in nearshore waters less than 20 fm (37 m) in depth and waters around offshore rocks and islands extending out to 20 fm (37 m). Recreational fishing for California sheephead was still allowed in all waters.

F.1.1.4 Recreational Gear Regulations

Hook-and-line, general regulations [CCR, Title 14 §28.65 (a-d, f)]

- pre-1980 Except as provided, nearshore fishes may be taken only by hook-and-line gear or by hand. Any number of hooks and lines may be used in all ocean waters and bays with the provided exceptions:
 (a) In San Francisco and San Pablo bays between the Golden Gate Bridge and the west Carquinez Bridge, only one line with up to three hooks may be used.
 (b) On public piers, no person shall use more than two rods and lines.
- 2000 (c) When rockfish are aboard or in possession, only one line with up to three hooks may be used.

- 2001 (c) When rockfish are aboard or in possession, only one line with up to two hooks may be used.
- pre-1980 (d) No gaff hooks shall be used to take or assist in landing any finfish 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 finfish 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 undersized fish of species having minimum size limits; the opening of any such landing net cannot be less than 18 in. (45.7 cm) in diameter.
- 1998 (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.

Diving or spearfishing

- 1976 Spearfishing gear and skin or scuba diving equipment may be used to take nearshore finfish, except a spear cannot be possessed or used within 100 yds (91 m) of the mouth of any stream in any ocean waters north of Ventura County (CCR, Title 14 §28.90).

Bow and arrow fishing tackle

- pre-1980 Bow and arrow fishing tackle may be used to take nearshore finfish. Such tackle must have the arrow shaft or the point, or both, attached by a line to the bow or to a fishing reel (includes crossbow) (CCR, Title 14 §28.95 and §1.23).

F.1.1.5 Recreational Gears That May Affect Nearshore Finfish

The following gear regulations apply to the take of finfish which may share similar habitat with the species in the NFMP.

Baited traps

- pre-1980 Traps not over 3 ft (0.9 m) in greatest diameter can be used to take shiner surfperch, Pacific staghorn sculpin, and longjaw mudsuckers in San Francisco and San Pablo bays and in the ocean waters of Mendocino, Sonoma, and Marin Counties. All other species must be returned to the water (CCR, Title 14 §28.75).

Dip nets and Hawaiian type throw nets

- pre-1980 Dip nets of any size and baited hoopnets not greater than 36 in. (91.4 cm) in diameter can be used to take herring, Pacific staghorn sculpin, shiner surfperch, surf smelt, topsmelt, anchovies, shrimp, and squid. Hawaiian

throw nets may be used to take the above species north of Point Conception (CCR, Title 14 §28.80).

F.1.1.6 General Take and Possession Regulations for the Recreational Nearshore Fishery

The following general regulations apply to nearshore fish species that are not specifically mentioned in CCR, Title 14.

Take regulations

pre-1980 Unless otherwise specified, there are no closed seasons, closed hours, or minimum size limits on finfish in the Pacific Ocean including all saltwater bays except that in San Francisco Bay, finfish may not be taken between 1 hour after sunset to 1 hour before sunrise except from shore or piers (CCR, Title 14 §27.56).

Transport through closed waters

2001 The Department may authorize recreational vessels that have finfish in possession that were taken in waters open to sport fishing, to transport those finfish through waters closed at that time to sport fishing. Permission shall be granted on an annual permit signed by the Regional Manager of the Department's Marine Region. To apply for a permit, an owner or operator of a vessel required to obtain a commercial passenger fishing boat license, or a recreational angler shall submit an application for Permit for Transit of Recreational Finfish Through Restricted Fishing Areas (form FG 672) and an annual fee of \$30.00 per year, or \$7.50 for a period of 30 days or less. The permit shall be onboard the vessel when transiting waters closed to sport fishing (CCR, Title 14 §27.67).

Chumming

pre-1980 Chumming, including chumming with live bait, is permitted (CCR, Title 14 §27.05).

Live bait restrictions

1985 Tilapia is restricted from being used as live bait in ocean waters (CCR, Title 14 §27.10).

Bag limit

pre-1980 Unless otherwise specified, all sport fish species, including nearshore finfish, are governed by a 10-fish species bag limit and a 20-fish overall bag limit for each person [CCR, Title 14 §27.60(a)].

Filleting of fish on vessels

1990 Unless otherwise specified, all sport fish species may be filleted at sea, but must have a 1-in. (2.5 cm) patch of skin attached. The fillets may be of any size (CCR, Title 14 §27.65).

F.1.1.7 Individual Species Regulations for the Recreational Nearshore Fishery

The following nearshore species have special bag or size limits, seasonal closures, or other forms of regulatory protection that are in addition to general take regulations. The only nearshore species that has not had any specific regulations to date is monkeyface prickleback.

Historical summary of regulations for cabezon

- 1982 Cabezon fillets, when filleted at sea, must be 12 in. (30.5 cm) long with a 1-in. (2.5 cm) square patch of skin attached [CCR, Title 14 §27.65(d)].
- 2000 Cabezon can no longer be filleted at sea [CCR, Title 14 §27.65(c)].
- 2000 A minimum size limit of 14 in. (35.6 cm) total length (TL) is established for cabezon [CCR, Title 14 §28.28(b)].
- 2001 The minimum size limit for cabezon is increased to 15 in. (38.1 cm) TL [CCR, Title 14 §28.28(c)].
- 2001 Season is open all year, except cabezon cannot be taken or possessed in waters 20 fm (37 m) or greater in depth within cowcod conservation areas [CCR, Title 14 §28.28(a)]. Due to an emergency sport fishing closure aimed at protecting offshore rockfish, cabezon could not be taken or possessed in waters deeper than 20 fm (37 m) during November and December coast wide.

Historical summary of regulations for California scorpionfish

- 2000 California scorpionfish fillets, when filleted at sea, are required to have a minimum length of 5 in. (12.7 cm) and a 1-in. (2.5 cm) square patch of skin must be attached [CCR, Title 14 §27.65(b)(9)].
- 2000 A minimum size limit of 10 in. (25.4 cm) TL is imposed for California scorpionfish [CCR, Title 14 §28.54(b)].
- 2000 Two-month closures established for southern and northern California; January through February south of Lopez Point (36°00' N latitude) and March through April north of Lopez Point. Closures include spearfishing [CCR, Title 14 §28.55(a)].
- 2001 Season open all year, except California scorpionfish cannot be taken or possessed:
- In waters 20 fm (37 m) or greater in depth during January and February in the southern rockfish and lingcod management area.
 - During March and April in the northern rockfish and lingcod management area.
 - In waters 20 fm (37 m) or greater in depth during May and June in the northern rockfish and lingcod management area.

- In waters 20 fm (37 m) or greater in depth coast wide during November and December due to an emergency closure aimed at protecting offshore rockfish.
- In waters 20 fm (37 m) or greater in depth within cowcod conservation areas [CCR, Title 14 §28.54(a)].

Historical summary of regulations for California sheephead

- 1982 California sheephead fillets, when filleted at sea, must have a 1-in. (2.5 cm) square patch of skin attached [CCR, Title 14 §27.65(b)].
- 2001 Daily bag limit of five fish is established for California sheephead [CCR, Title 14 §28.26(b)].
- 2001 A minimum size limit of 12 in. (30.5 cm) TL is established for California sheephead [CCR, Title 14 §28.26(c)].
- 2001 Season open all year, except California sheephead cannot be taken or possessed in waters 20 fm (37 m) or greater in depth within cowcod conservation areas [CCR, Title 14 §28.26(a)].

Historical summary of regulations for greenlings

- 2000 Kelp greenling and rock greenling can no longer be filleted at sea [CCR, Title 14 §27.65(c)].
- 2000 A minimum size limit of 12 in. (30.5 cm) TL is established for kelp greenling and rock greenling [CCR, Title 14 §28.29(b)].
- 2001 Season open all year, except that kelp greenling and rock greenling cannot be taken or possessed in waters 20 fm (37 m) or greater in depth within cowcod conservation areas [CCR, Title 14 §28.29(a)]. Due to an emergency sport fishing closure aimed at protecting offshore rockfish, greenlings could not be taken or possessed in waters deeper than 20 fm (37 m) during November and December coast wide.

Historical summary of regulations for rockfishes

Unless otherwise stated, the following regulations apply to all 60 rockfish species.

- 1970 The daily bag limit is reduced from 20 to 15 fish, all of which may be the same species. (CCR, Title 14 §74, renumbered to CCR, Title 14 §27.65)
- 1981 All brown-skinned rockfish fillets, when filleted at sea, must be a minimum of 7 in. (17.8 cm) in length. Each fillet must bear intact a 1-in. (2.5 cm) patch of skin [CCR, Title 14 §27.65(a)].

- 1981 Red, blue, and black-skinned rockfish fillets, when filleted at sea, must have a 1-in. (2.5 cm) square patch of skin attached, but the fillets may be of any size [CCR, Title 14 §27.65(b)].
- 1986 Brown-skinned rockfish fillet size, when filleted at sea, must be a minimum of 6 ½ in. (16.5 cm) in length [CCR, Title 14 §27.65(a)].
- 1990 All rockfish, when filleted at sea, must bear a 1-in. (2.5 cm) square patch of skin. Fillets may be of any size [CCR, Title 14 §27.65(f)].
- 2000 The daily bag limit for rockfish was reduced from 15 to 10 fish [CCR, Title 14 §27.60(b)].
- 2000 Two-month closures established for southern and northern California; January through February south of Lopez Point (36°00' N latitude) and March through April north of Lopez Point. Closures include spearfishing [CCR, Title 14 §28.55(a)].
- 2000 When rockfish are aboard or in possession, only one line and not more than three hooks may be used. The hooks can be a single, double, or treble hook with multiple hooks connected to a common shank [CCR, Title 14 §28.55(d)].
- 2000 Rockfish fillets, when filleted at sea, must have entire skin attached [CCR, Title 14 §27.65(b)(8)].
- 2001 When rockfish are aboard or in possession, no more than one line and two hooks may be used [CCR, Title 14 §28.55(d)].
- 2001 The northern management area is bound in the north by a line running west at Cape Mendocino in Humboldt County (40°10' N latitude) and in the south at Point Conception, Santa Barbara County (34°27' N latitude). The northern area closure is from March through June, however; during May and June, fishing is allowed only in waters less than 20 fm (37 m).
- The southern management area is bound in the north by a line at Point Conception, Santa Barbara County (at 34°27' N latitude), and in the south by the U.S.-Mexico border. During January and February, recreational fishing for nearshore rockfish was allowed only in waters less than 20 fm (37m) in depth [CCR, Title 14 §27.82(b)].
- 2001 Due to an emergency sport fishing closure aimed at protecting offshore rockfish, nearshore rockfish could not be taken or possessed in waters deeper than 20 fm (37 m) during November and December coast wide.

F.1.2 Commercial Regulatory History

Until the passage of the Marine Life Management Act (MLMA) in 1998, commercial fishery management was enacted primarily through statutes adopted by the California Legislature. The MLMA, and more specifically the NFMA, authorizes the Commission to enact regulations in the nearshore commercial fishery. The NFMA set minimum size limits for the commercial take of ten nearshore species. Some of California's commercial fisheries are also managed by the Pacific Fishery Management Council (Council), one of eight regional councils created by the Fisheries Conservation and Management Act of 1976. The State of California has representation on the Council. The Council has been actively managing groundfish (finfish associated with the bottom of the ocean, including many rockfish species) in the Exclusive Economic Zone (waters from 3 mi. (4.8 km) to 200 mi. (321.8 km) offshore) with the Groundfish Fishery Management Plan (GFMP) since 1982. The California Legislature and the Commission enact regulations to bring commercial fishery management in state waters (shore to 3 mi. (4.8 km) offshore) into conformity with management adopted by the Council.

Sixteen of the 19 nearshore species that are now being managed under the NFMP are defined as groundfish under the GFMP. These include the 13 species of nearshore rockfish, California scorpionfish, cabezon, and kelp greenling. Originally, the 13 species of rockfish were managed in the GFMP under a general rockfish group, the *Sebastes* complex, which included all rockfish.

Through time, individual species have come to be managed independent of the *Sebastes* complex. By 2000, the *Sebastes* complex was completely eliminated and the remaining rockfish that had been managed under the complex were split into three rockfish groups: (1) nearshore rockfish, generally found close to shore or in shallow water, (2) shelf rockfish, found in deeper waters, and (3) slope rockfish which are found in the deepest waters. In effect, the 13 species of rockfish currently listed in the NFMP were managed by the Council under the *Sebastes* complex from 1982 until the year 2000 when the nearshore rockfish group was created. California scorpionfish, or sculpin, had also been managed by the Council as part of the rockfish complex and was included in the nearshore rockfish group for the southern management area (south of 40° 10', near Cape Mendocino) in 2000.

Cabezon and kelp greenling are designated as groundfish species, however, they are not actively managed by the Council at this time. The other three species in the NFMP, California sheephead, monkeyface prickleback, and rock greenling, are not designated as groundfish and are not under the management authority of the Council. In recent years, the State has provided regulations for California sheephead, cabezon, and greenlings.

F.1.2.1 State Commercial License and Permit Regulations

All licenses and permits, when said to be "valid," are current for the permit year and are not suspended or revoked. Fees are associated with the purchase of all licenses and permits and although some fees are cited here, the fees have changed through time.

Commercial licenses

- Persons required to hold license and registration of presence on board (FGC §7850, renumbered from FGC §990).
- 1909
pre-1980 Required to hold commercial license when fishing for profit.
(a) Except persons expressly exempted under this code, no person shall use or operate, or assist in using or operating, any boat, aircraft, net, trap, line, or other appliance to take fish...for commercial purposes, and no person shall cause to be brought ashore, any fish...at any point in the state for the purpose of selling them in a fresh state, or shall contribute materially to the activities on board the commercial fishing vessel, unless the person holds a valid commercial fishing license issued by the Department.
(b) Any person not required under subdivision (a) to hold a commercial fishing license shall register his or her presence on board the commercial fishing vessel in a log maintained by the owner or operator of the vessel according to the requirements of the Department.
(c) As used in this section, "person" does not include persons who are less than 16 years of age, a partnership, corporation, or association. Any person, partnership, corporation, limited liability company, or association may pay the fees for a license issued to any person.
- pre-1980 Requirement of license on vessel (FGC §7852)
(a) Except as provided in subdivision FGC §7852.3 (a), the Department shall issue a commercial fishing license for each resident vessel crewmember.
(b) The Department shall issue a commercial fishing license for each resident vessel operator. Any person who has a valid license issued pursuant to this subdivision may also serve as a vessel crewmember. Unless all persons are licensed as nonresident operators or crewmembers pursuant to subdivision (c), at least one person aboard each commercial fishing vessel during any fishing operation shall have a valid commercial fishing license.
(c) The Department shall issue a commercial fishing license for a nonresident vessel crewmember or nonresident vessel operator.
- 1984 License to minors (FGC §7852.3)
(a) The Department shall issue a commercial fishing license to a person who is from 16 to 18 years of age, and who is actively assisting in fishing activities.
(c) Nothing in this section affects other provisions of law relating to employment of minors.
- 1985 Suspension or revocation of privileges or license (FGC §8025)
(a) The Commission, upon recommendation of the Department, may suspend or revoke the commercial fishing privileges of any fisherman or the license of any person required to be licensed who is convicted of a violation.

(b) This section shall become operative on January 1, 1992.

Commercial permits

- pre-1980 Encouraging development of new commercial fishing gear and methods of use; Permits (FGC §8606)
(a) The Commission shall encourage the development of new types of commercial fishing gear and new methods of using existing commercial fishing gear by approving permits to be issued by the Department, for that development or use, subject to those conditions that the Commission deems necessary to ensure the proper utilization and protection of the marine resources, and to minimize user-group and resource allocation conflicts. The permit is valid for a period of not more than 1 year and shall be revoked if the continued use would have an adverse impact on any resource, allocation of a resource, or other adverse impact to established fisheries. The permit is subject to other restrictions.
- 1980 Required permit for gill and trammel nets (FGC §8681)
(a) Gill nets or trammel nets shall not be used for commercial purposes except under a revocable, non-transferable permit issued by the Department. A permit may be revoked and canceled by the Commission when so recommended by the Department upon a conviction for a violation of this article, or regulation authorized by this article, by the permittee, his or her agents, servants, or employees, or those acting under his or her direction and control. A permit may be revoked and canceled for a period not to exceed 1 year from the date of revocation.
- 1984 General trap permits (FGC §9001)
(a) Finfish... shall not be taken by a person with traps for commercial purposes in ocean waters except under a valid general trap permit.
(b) Any person who operates or assists in operating any trap to take finfish...or who possesses or transports finfish...on any boat, barge, or vessel when any trap is aboard, shall have a valid general trap permit while engaged in the activity.
(c) The fee for the general trap permit shall be thirty-five dollars (\$35).
- 1996 Permit required to take finfish in traps for commercial purposes (FGC §9001.5)
(a) Finfish shall not be taken with traps for commercial purposes in ocean waters between a line extending due west true from Point Arguello in Santa Barbara County and the United States-Mexico border except under a valid finfish trap permit. At least one person aboard each commercial fishing vessel shall have a valid finfish trap permit. A finfish trap permit holder is not required to obtain or possess a valid general trap permit when taking finfish with traps. Any person who assists in the taking of finfish with traps shall have either a finfish trap permit or a valid general trap permit.

(b) A finfish trap permit shall only be issued to a person who held a finfish trap permit to take finfish during the immediately preceding permit year that has not been suspended or revoked and who landed at least 50 lb (23 kg) of finfish, other than hagfish, taken in finfish traps as reported on one or more fish landing receipts during the immediately preceding permit year.

- 1996 Fee for finfish trap permit (FGC §9001.6)
(b) The fee for the finfish trap permit is one hundred ten dollars (\$110).
- 1999 Suspension of permits (FGC §8589.5)
The Commission shall temporarily suspend and may permanently revoke the nearshore fishing permit of any person convicted of a violation of this article. In addition to, or in lieu of, a license or permit suspension or revocation, the Commission may adopt and apply a schedule of fines for convictions of violations of this article.
- 1999 Nearshore Fishery Permit Required (CCR, Title 14 §150.01)
Notwithstanding FGC §8587, a nearshore fishing permit is required only for the commercial take of the following species of nearshore fish stocks: black-and-yellow rockfish, gopher rockfish, kelp rockfish, California scorpionfish, greenlings, China rockfish, grass rockfish, California sheephead, and cabezon. When using a boat to take nearshore fish stocks at least one person aboard the boat shall have a valid nearshore fishery permit. Nearshore fishing permits are revocable. The fee for a nearshore fishing permit is one hundred and twenty-five dollars (\$125).
- 2001 Nearshore Fishery Permit Moratorium; Renewal; Restricted Access (CCR, Title 14 §150)
(a) Moratorium. Nearshore Fishery Permits shall be issued only to persons who have previously held a valid 1999-2000 Nearshore Fishery Permit. Persons who held Nearshore Fishery Permits during the 1999-2000 permit year are eligible to obtain permits for the 2000-2001 permit year until March 31, 2001. Persons who have not held a valid 1999-2000 and a 2000-2001 Nearshore Fishery Permit will not be eligible to purchase Nearshore Fishery Permits for the 2001-2002 permit year. This moratorium shall expire on March 31, 2002 unless extended by the Commission.
(b) Renewal. Applications for renewal of Nearshore Fishery Permits must be received by the Department accompanied by evidence that the qualification requirements specified in subsection (a) have been met.
(c) Restricted Access. A control date of December 31, 1999 is established for the purpose of developing a limited access nearshore fishery. Only persons possessing a valid Nearshore Fishery Permit as of December 31, 1999 will be considered for inclusion in a future restricted access nearshore fishery.

Conditions of licenses and permits

The term “responsible party” is intended to mean the licensee, the permittee, or the person holding the entitlement.

1996 Conditions applicable to commercial license, permit, or other entitlement (FGC §7857)

Unless otherwise specified, the following conditions apply to each commercial fishing license, permit, or other entitlement issued to take, possess aboard a boat, or land fish for commercial purposes and to each commercial boat registration issued by the Department, except business licenses:

(a) To be issued a commercial fishing permit or other entitlement, a person must possess a valid commercial fishing license.

(b) The Commission, after notice and opportunity for hearing, may suspend, revoke, or cancel commercial fishing privileges for a period of time to be determined by the Commission for the following reasons:

(1) The person was not lawfully entitled to be issued the license, permit, or other entitlement.

(2) A violation of this code, the terms of the permit or other entitlement, or the regulations adopted pursuant thereto, by the responsible party or persons under their direction or control.

(3) A violation of any federal law, relating to the fishery for which the license, permit, or other entitlement was issued, by the responsible party or persons under their direction or control.

(c) The responsible party shall be present when fish are being taken, possessed aboard a boat, or landed for commercial purposes. This subdivision does not apply to commercial fishing vessel permits or licenses.

(d) The commercial fishing license, permit, or other entitlement shall be in the responsible party’s possession, or immediately available to them, at all times when engaged in any activity for which the commercial fishing license, permit, or entitlement is required.

(e) Not more than one individual commercial fishing license, permit, or other entitlement of a single type shall be issued to an individual person, and not more than one commercial vessel fishing license, permit, or other entitlement of a single type shall be issued for each vessel.

(f) Any landing of fish used to qualify for, or renew, a commercial fishing license, permit, or other entitlement shall be reported on landing receipts.

(g) The name of the person issued the commercial fishing license, permit, or other entitlement authorizing the taking of the fish shall be included on the landing receipt for that landing.

(h) An application for a commercial fishing license, permit, or other entitlement shall be made on a form containing the information the Department may require. The commercial fishing license, permit, or other entitlement shall be signed by the holder prior to use.

(i) Any person who has had a commercial fishing license, permit, or other entitlement suspended or revoked shall not engage in that fishery, and shall not obtain any other commercial fishing license, permit, or other entitlement that authorizes engaging in that fishery, while the suspension or revocation is in effect.

(j) A commercial fishing license, permit, or other entitlement is not transferable unless otherwise expressly specified in this code.

(l) A person who holds a commercial fishing vessel permit or other entitlement authorizing the use of a vessel for commercial fishing shall also hold a valid commercial boat registration for that vessel.

Boat registration

pre-1980 Application for commercial boat registration; Application of section; Report of loss of vessel (FGC §7881)

(a) Every person who owns or operates a vessel in public waters in connection with fishing operations that land fish for profit in this state shall submit an application for commercial boat registration on forms provided by the Department and shall be issued a registration number.

(b) Upon payment of a fee by the resident owner or operator of the vessel, the Department shall issue a commercial boat registration which shall be carried aboard the vessel at all times and posted in a conspicuous place.

(c) The same registration procedures in subdivision (b) apply to nonresident owners or operators.

(d) If a registered vessel is lost, destroyed, or sold, the owner of the vessel shall immediately report the loss, destruction, or sale to the Department.

Licenses to buy and sell fish

All businesses and commercial fishermen who accept fish for commercial purposes are required to maintain records and receipts. The types of licenses that apply to the nearshore fishery are the Multi-functional Commercial Business License, Fisherman's Retail License, and Fish Receiver's License.

1986 Fisherman's retail license (FGC §8033.5)

(a) Any commercial fisherman who sells fish to the ultimate consumer of that fish shall obtain a fisherman's retail license. The annual fee for a fisherman's retail license is fifty dollars (\$50).

1986 Fish receiver's license (FGC §8033)

(a) Any person who purchases or receives fish for commercial purposes from a fisherman who is required to be licensed, or any person who removes fish from the point of the first landing that the person has caught for his or her own processing or sale, shall obtain a fish receiver's license.

(b) The annual fee for a receiver's license is four hundred dollars (\$400).

(c) A cooperative association of fisherman may be licensed as fish receivers.

1986 License fee; Specialty licenses (FGC §8032)

Multi-functional Commercial Fish Business: Required for any person to conduct the activities of a fish receiver, fish processor, and fish wholesaler. If the licensee is also a commercial fisherman, this license also authorizes a person to conduct the activities of a fisherman retailer.

Commercial passenger fishing boat, special requirements

- pre-1980 Persons required to procure license (FGC §7920)
The owner of any boat or vessel who, for profit, permits any person to fish therefrom, shall procure a commercial passenger fishing boat license. This article applies only to a boat or vessel whose owner, or his employee, or other representative is with it when it is used for fishing.
- pre-1980 Term of license (FGC §7921)
A commercial passenger fishing boat license shall be issued to the holder of a commercial boat registration for a fee.
- pre-1980 Duty of licensee to keep record in English; Confidentiality (FGC §7923)
The holder of a license shall keep a true record in the English language of all fish taken, and shall comply with such regulations as the Commission may prescribe. Such a record and the information contained in it shall be confidential, and the record shall not be a public record.
- pre-1980 Forfeiture, suspension, or revocation (FGC §7924)
Licenses issued under this article are subject to forfeiture, suspension, or revocation for a violation (for unlawful sale, purchase, or possession of fish) and for any offense for which a commercial fishing license may be forfeited, suspended, or revoked.
- 1945 Report of fish taken; to be made by owner of barge or vessel for hire, and accommodation for and cooperation with state and federal observers (CCR, Title 14 §750, renumbered to CCR, Title 14 §225.7, renumbered to CCR, Title 14 §195)
(a) Records required by the Fish and Game Code shall be made on a form (Skipper's Log Book - Marine Sportfishing, DFG 195) provided by the Department.
(b) The owner or operator of each vessel required to obtain a permit shall post a notice in a prominent place on the vessel giving information to fishermen on license requirements, bag limits, and other pertinent information. This notice shall be furnished by the Department of Fish and Game.
(c) Both the vessel owner and operator shall be responsible for keeping accurate records and complying with these regulations, even though the task is delegated to others.
(d) No fish may be taken or possessed by any person, including the owner or operator on any such vessel, in excess of the limits prescribed for a person acting under the authority of a sportfishing license.

2000 (e) Owners and operators of vessels and barges subject to these provisions shall carry and cooperate with Department and federal fishery observers, and observers collecting data for the Department on trips when space is available, at no charge to the sponsoring agency. If observer coverage of a trip is denied by the owner or operator of a vessel, the Department may require an explanation in writing by the owner or operator be submitted to the Department within 15 days of the Department's request for an explanation.

1983 Ocean fishing enhancement stamps (FGC §6596)
(b) In addition to a valid California commercial passenger fishing boat license, the owner of any boat or vessel who, for profit, permits any person to fish therefrom, south of a line extending due west from Point Arguello, shall purchase a valid commercial ocean fishing enhancement stamp, issued for that vessel, that has not been suspended or revoked.

Required paperwork and landing taxes for commercial activities

pre-1980 Persons required to pay a landing tax (FGC §8041)
(a)(2) Any commercial fisherman who sells fish to any person who is not a licensed fish receiver must pay a landing tax.

pre-1980 Amount of landing tax (FGC §8042)
The amount of the landing tax under this article shall be determined by multiplying the tax rate for the type of fish delivered by a commercial fisherman in this state...by the number of pounds, or fraction thereof, delivered. If the tax is imposed based upon weight in the round, and the fish is cleaned, gutted, beheaded, or otherwise not in the round at the time of delivery, the taxes shall be adjusted by a conversion factor as determined by the Department by regulation.

1957 Landing receipt; Form and contents (FGC §8011 renumbered to FGC §8043 effective 1986)
(a) Every commercial fisherman who sells or delivers fish that he or she has taken to any person who is not licensed or who is required to be licensed to conduct the activities of a fish receiver shall make a legible landing receipt record on a form to be furnished by the Department. The landing receipt shall be completed at the time of the receipt, purchase, or transfer of fish, whichever occurs first.
(b) The landing receipt shall show all of the following:
(1) The accurate weight of the species of fish received.
(2) The name of the fisherman and the fisherman's identification number.
(3) The Department registration number of the boat.
(4) The recipient's name and identification number, if applicable.
(5) The date of receipt.
(6) The price paid.
(7) The Department origin block number where the fish were caught.

- (8) The type of gear used.
- (9) Any other information the Department may prescribe.

- pre-1980 Names used in landing receipt for designating species of fish (FGC §8045)
The names used in the landing receipt for designating the species of fish dealt with shall be those in common usage unless otherwise designated by the Department.
- 1980 Delivery and retention of landing receipt; Copies (FGC §8046)
(a) The original signed copy of the landing receipt shall be delivered to the Department on or before the 16th or last day of the month in which the fish were landed, whichever date occurs first after the landing. A copy of the landing receipt shall be delivered to the commercial fisherman at the time of the purchase or receipt of the fish. That copy of the landing receipt shall be retained by the commercial fisherman for a period of 4 years and shall be available for inspection at any time during that period by the Department. A copy of the landing receipt shall be kept by the person licensed, who filled out the landing receipt, for a period of 4 years and shall be available for inspection at any time within that period by the Department.
(c) A copy of the landing receipt shall be delivered to an agent authorized in writing by the majority of the persons who participated in the taking of the fish, excluding the commercial fisherman receiving the original copy.
- pre-1980 Other persons required to make landing receipt; Transportation receipt (FGC §8047)
(a) A person who takes his or her own fish shall make a legible record in the form of the landing receipt as required at the time the fish are brought ashore.
(b) Every commercial fisherman who sells fish taken from the waters of this state or brought into this state in fresh condition to persons not licensed to receive fish for commercial purposes shall make a legible record in the form of the landing receipt. Persons subject to FGC §8043 shall remit the landing tax. The person taking, purchasing, or receiving the fish, shall sign the landing receipt. A copy of the landing receipt shall be retained by the person taking, purchasing, or receiving the fish until they are prepared for consumption or otherwise disposed of.
(c) (1) Every commercial fisherman or his or her designee, who transports, causes to be transported, or delivers to another person for transportation, any fish...taken from the waters of this state or brought into this state in fresh condition, shall fill out a transportation receipt according to the instructions and on forms provided by the Department at the time the fish are brought ashore.

- (2) The name of the person transporting the fish shall be entered on the transportation receipt.
- (3) The original signed copy of the transportation receipt shall be delivered by the commercial fisherman to the Department on or before the first and 16th day of each month. A copy of the transportation receipt shall be retained by the commercial fisherman who filled it out for a period of 4 years and shall be available for inspection at any time within that period by the Department. A copy of the transportation receipt shall be given to and retained by the person transporting the fish until the fish are sold fresh, processed, or otherwise disposed of.
- (4) The transportation receipt is required only for transit purposes.
- (5) A person transporting fish from the point of first landing under a transportation receipt is not required to be licensed to conduct the activities of a fish receiver.

- pre-1980 Payment of landing tax (FGC §8053)
Landing taxes imposed by this article shall be paid monthly to the Department within 60 days after the close of each month. If any landing tax is not paid within 60 days after the close of the month for which it is due, the Department shall collect amounts owing under the procedures prescribed for sales and use taxes.

- 1982 Gill Net/Trammel Net Logbook [CCR, Title 14 §174(f)]
(f) Records. Each permittee shall complete and submit an accurate record of all gill net and trammel net fishing activities on a form (Gill and Trammel Net Log, DFG 174) provided by the Department.

- 1990 Keeping records of fishing activities (FGC §8026)
(a) The Commission may require the owner and operator of a commercial fishing vessel, the holder of a commercial fishing license or permit, and the owner and license holder of a commercial passenger fishing boat to keep and submit a complete and accurate record of fishing activities in a form prescribed by the Department.
(b) Failure to keep and submit records pursuant to subdivision (a) may result in the revocation or suspension of a license or permit by the Department or the Commission, when recommended by the Department, for a period not to exceed 1 year.

- 1993 Person landing groundfish subject to federal regulations to keep receipt on hand (FGC §8046.1)
Any person landing groundfish subject to federal groundfish regulations adopted pursuant to the Magnuson Fishery Conservation and Management Act shall keep a copy of the landing receipt on board the fishing vessel throughout, and for 15 days following, each period for which cumulative landings by individual vessels are limited.

- 2000 Fish sold directly to ultimate consumer (FGC §8043.2)
 (a) A commercial fisherman...who sells fish from a vessel directly to the ultimate consumer is required to make a landing receipt in either of the following ways:
 (1) For each individual sale by that fisherman at the time of the sale.
 (2) For each day that the fisherman is engaged in one or more sales to the ultimate consumers, the fisherman shall maintain an accurate tally sheet of sales. The total of the daily sales shall be recorded at the completion of sales for that day on a landing receipt and shall be attached to the fisherman's copy of the corresponding landing receipt and maintained for a period of 4 years.
 (b) A commercial fisherman who sells directly to the ultimate consumer, or who sells or delivers fish to any person who is not licensed to conduct the activities of a fish receiver, shall not be considered a weighmaster.
 (c) A commercial fisherman selling his or her own catch to the ultimate customer, upon request, must allow inspection or sampling by an authorized agent or employee of the Department.
- 2001 Commercial take of nearshore finfish (CCR, Title 14 §150.16)
 (d) Species of nearshore fish stocks for which there is a trip limit, size limit, or optimum yield (OY) must be sorted prior to weighing and the weight reported separately on the Fish and Game receipt.

F.1.2.2 Marine Protected Areas That Affect Commercial Fishing

Marine protected areas are currently in existence and have varying levels of regulation pertaining to commercial fishing for nearshore finfish (McArdle 1997). For a complete list of marine protected areas and take regulations for both recreational and commercial fishing of nearshore finfish, refer to Table F-1.

F.1.2.3 Commercial Management Areas and Seasonal/Time Closures

The following regulations, unless otherwise stated, are derived from the Status of the Pacific Coast Groundfish Fishery, Stock Assessment and Fishery Evaluation (SAFE) document (Council 2000). The Council has authority to manage the groundfish fishery in the Exclusive Economic Zone from 3 to 200 mi. (4.8 to 321.8 km) offshore. The management areas listed below pertain to the management of all rockfish in the *Sebastes* complex.

- 1983 A groundfish management boundary line was created at 43° N latitude. Previously, management was designated as coastwide, which had included the coastline of California, Oregon, and Washington.
- 1984 The groundfish management boundary line changed slightly from 43° N latitude to 42°50' N latitude (Cape Blanco, Oregon).
- 1985 The groundfish management boundary line changed from Cape Blanco (42°50' N latitude) northward 30 mi. (48.3 km) to the north jetty at Coos Bay, Oregon (43°22' N latitude).

- 1992 Groundfish management areas were altered to have two management lines. The first was placed at Cape Lookout, Oregon (45°20'15" N latitude) and the second was placed at Cape Mendocino, California (40°30'00" N latitude).
- 1995 Limitations on use of vertical fishing, troll, or set lines (FGC §9029.5)
 (a) It is unlawful to use set lines, vertical fishing lines, or troll lines to take fish for commercial purposes within 1 mi. (1.6 km) of the nearest point of land on the mainland shore in Fish and Game District 7 or 10 from sunset on Friday to sunset on the following Sunday or from sunset of the day before a state recognized legal holiday until sunset on that holiday. For the purposes of this subdivision, a "set line" is a fishing line that is anchored to the bottom on each end and is not free to drift with the tide or current and a "vertical fishing line" is a fishing line that is anchored to the ocean bottom at one end and attached at the other end on the surface to a fishing vessel or a buoy.
 (b) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2004, deletes or extends that date.
- 1997 The groundfish management area was changed to have a single management line at Cape Mendocino, California (40°30'00" N latitude).
- 2000 The southern groundfish management area was split into two parts; the first part was defined from near Cape Mendocino, California (40°10'00" N latitude) to Lopez Point (36°00' N latitude), and the second was from Lopez Point to the U.S.-Mexico border.

 The limited entry fixed gear and open access permit types had a closure on nearshore rockfish and California scorpionfish in the southern groundfish management area during January and February, and in the northern groundfish management area, during March and April.
- 2000 The southern groundfish management area changed; the central California management boundary moved from Lopez Point (36°00' N latitude) to Point Conception (34°27' N latitude). The two southern groundfish management areas were now defined as (1) from Cape Mendocino to Point Conception, and (2) from Point Conception to the U.S.-Mexico border.
- 2001 Management Areas Defined; Closure Periods Defined (CCR, Title 14 §150.06)
 (a) Cowcod conservation Area 1 and Area 2, also termed the western and eastern cowcod conservation areas respectively, were adopted as federal groundfish regulations. Both areas are south of Point Conception. Area 2

is smaller and west of San Diego. The boundaries for Area 1 and 2 are given in CCR, Title 14 §150.06.

The transit corridor through the cowcod conservation Area 1 is bound in the north by 33°00'30" N latitude, and in the south by 32°59'30" N latitude.

(b) Rockfish and lingcod management line is a line extending due west magnetic from Point Conception, Santa Barbara County, (at 34°27' N latitude). The northern rockfish and lingcod management area refers to ocean waters between 40°10' N latitude (near Cape Mendocino, Humboldt County) and Point Conception, Santa Barbara County. The northern rockfish and lingcod closure is March through June. The southern rockfish and lingcod management area refers to ocean waters between Point Conception and the U.S.-Mexico border. The southern rockfish and lingcod closure is January through February, and also November through December if needed to meet management harvest goals.

(c) The commercial take of cabezon, kelp greenling, and rock greenling is prohibited from Thursday through Sunday, inclusive.

2001 Federal groundfish regulations specified that the northern rockfish and lingcod closure for March and April was a total closure on nearshore rockfish and California scorpionfish, however in May and June, commercial fishing was allowed for nearshore rockfish and California scorpionfish, but only inside of 20 fathoms.

The southern rockfish and lingcod closure specified that for January and February, commercial fishing was allowed for nearshore rockfish and California scorpionfish, but only inside of 20 fathoms.

2001 Commercial take of nearshore finfish (CCR, Title 14 §150.16)
(a) Cabezon, kelp greenling, and rock greenling shall not be taken commercially in the northern rockfish and lingcod management area during March and April, or in the southern rockfish and lingcod management area during January and February.
(b) California sheephead shall not be taken commercially north of Point Conception, Santa Barbara County during March and April, and south of Point Conception during January and February. (The Commission had adopted prohibitory regulations for 2001, however the Office of Administrative Law did not approve the regulations until March 5, 2001 making the regulations unenforceable in January and February.)

2001 Emergency closures were issued for commercial harvesting of greenlings (September 1), cabezon (September 18), and California sheephead (November 8) at the end of the 2001 fishing year to prevent exceeding the allocated OY.

F.1.2.4 Commercial Gear Regulations

The primary gears utilized in the nearshore fishery are hook-and-line, fish traps or pots, and gill and trammel nets. Hook-and-line gears include rod-and-reel, vertical hook-and-line, stick gear, and set longline.

Hook-and-line

- pre-1980 Set lines (FGC §9026)
Set lines may be used in Districts 6, 7, 10, 17, 18, and 19. It is unlawful to use set lines with hooks more than 100 ft (30 m) above the anchor or ocean bottom.
- 1984 Troll lines or hand lines (FGC §9025.5)
(a) Troll lines or hand lines having not more than two hooks (plugs excepted) may be used in any district, and troll lines with more than two hooks may be used in Fish and Game Districts 6, 7, 10, 16, 17, 18, 19, and 19A, and that portion of Fish and Game District 11 west of the Golden Gate Bridge.
(b) "Troll line" means a line with one or more hooks towed by a vessel underway and making way.
- 1995 (c) Notwithstanding subdivision (a), in that portion of Fish and Game District 10 in Tomales Bay south of a line extending 252 degrees magnetic from the western tip of Tom's Point (Marin County) to the opposite shore, in that portion of Fish and Game District 11 east of the Golden Gate Bridge, and in Fish and Game Districts 12 and 13, commercial fishermen shall not use more than four troll lines or hand lines at any time with not more than two hooks attached to each line, and when more than one commercial fisherman is aboard a vessel, not more than six lines with a maximum of two hooks per line may be fished aboard that vessel.
- 1990 Length of lines (FGC §9028)
It is unlawful to use fishing lines, including, but not limited to, troll lines and hand lines more than 900 ft (274 m) in length unless they are used as set lines.
- 1990 Fishing lines (FGC §9029)
(a) A fishing line which is anchored to the ocean bottom at one end and attached at the surface to a fishing vessel or a buoy may be used in Districts 6, 7, 10, 17, 18, and 19.
(b) A fishing line otherwise permitted pursuant to subdivision (a), may not be used under any of the following circumstances:
(2) If the fishing line exceeds 3,000 ft (914m) in length from the anchor to the surface vessel or buoy.
(3) If any hooks are attached to the upper one-third of the line.
(c) A buoy attached to the surface end of a fishing line used pursuant to subdivision (a) shall display above its waterline, in numerals at least 2 in.

(5.1 cm) high, the fisherman's identification number. The "fisherman's identification number" means the number of the person's commercial fishing license.

- 1996 Restrictions on hooks and lines from commercial vessel (FGC §9027.5)
(a) (1) In the area described in subdivision (b), it is unlawful to use more than 150 hooks on a vessel to take fish for commercial purposes when using fishing lines authorized pursuant to this article.
(2) In the area described in subdivision (b), not more than 15 hooks shall be attached to any one fishing line, and no fishing line shall be attached to another fishing line, while those lines are being used for commercial fishing pursuant to this article.
(3) Each fishing line used pursuant to this article that is not attached to a vessel fishing in the area described in subdivision (b) shall be buoyed and the commercial fishing license number...marked on the upper one-half of each buoy, in numbers not less than 2 in. (5.1 cm) in height.
(b) This section applies only to waters within 1 mi. (1.6 km) of the mainland shore in Fish and Game Districts 17, 18, and 19.
- 1996 Limitation on number of hooks (FGC §9027)
(a) (1) In the area described in subdivision (b), it is unlawful to use more than 150 hooks on a vessel to take fish for commercial purposes when using fishing lines authorized pursuant to this article.
(2) In the area described in subdivision (b), not more than 15 hooks shall be attached to any one fishing line, and no fishing line shall be attached to another fishing line, while those lines are being used for commercial fishing pursuant to this article.
(3) Each fishing line used pursuant to this article that is not attached to a vessel fishing in the area described in subdivision (b) shall be buoyed and the commercial fishing license number...of the permittee who is using the fishing line shall be marked on, and visible on the upper one-half of each buoy, in numbers at least 2 in. (5.1 cm) high.
(b) This section applies only to waters within 1 mi. (1.6 km) of shore within Fish and Game Districts 6, 7, and 10, but not including ocean waters in Fish and Game District 7 between a line extending 203 degrees magnetic from Gitchell Creek and a line extending 252 degrees magnetic from False Cape in Humboldt County and not including ocean waters in Fish and Game District 10 between a line extending 245 degrees magnetic from the most westerly point of the west point of the Point Reyes headlands in Marin County and a line extending due west magnetic from Point Bolinas in Marin County.
- 2001 Limitations on number of hooks and area (CCR, Title 14 §150.17)
It is unlawful to use more than 150 hooks on a vessel, or to use more than 15 hooks per line, to take nearshore fish stocks for commercial purposes in ocean waters within 1 mi. (1.6 km) of the mainland shore within Fish

and Game Districts 6, 7, and 10. This code section negates the exception that previously existed under FGC §9027.

Traps

- 1984 Use of traps for commercial purposes (FGC §9000)
(a) Except as expressly authorized in this article, no person shall use a trap to take any finfish...in the waters of this state for commercial purposes.
(b) Traps, which are authorized to be used under this article, may be used to take finfish in ocean waters.
- 1984 Unlawful action upon trap or another; Movement of trap marked by numbered buoy (FGC §9002)
(a) It is unlawful to willfully or recklessly disturb, move, or damage any trap that belongs to another person and that is marked with a buoy identification number.
- 1984 Destruct devices (FGC §9003)
Every trap shall have at least one destruction device which meets specifications approved by the Department. In order to minimize the adverse effects on living marine resources, the specifications for destruction devices shall provide for a device that destructs rapidly enough to facilitate escape of a substantial proportion of all species confined in the trap from any trap that cannot be raised.
- 1984 Maximum intervals for servicing traps; Abandoned traps (FGC §9004)
Every trap shall be raised, cleaned, serviced, and emptied at intervals, not to exceed 96 hours, weather conditions at sea permitting, and no trap shall be abandoned in the waters of this state.
- 1984 Trap buoys (FGC §9005)
Every trap or string of traps, shall be marked with a buoy.
- 1984 Removal of trap without buoy or with unmarked buoy (FGC §9007)
Any trap used without a buoy, or with a buoy which is not marked is a public nuisance and shall be removed from the waters of this state by any person authorized to enforce this code.
- 1984 Trap in violation of code or regulations as public nuisance; seizure (FGC §9008)
Any trap used in violation of this code, or any regulations adopted pursuant thereto, is a public nuisance and...shall be seized.
- 1984 Finfish traps (FGC §9022)
(a) Traps used to take finfish may not be used in Districts 10, 11, and 12, except for bait fish traps.

(b) Except as otherwise provided in subdivision (a), all marine species of finfish...may be taken with one or more finfish traps as prescribed by the Commission under a general trap permit.

- 1984 Buoy identification numbers (FGC §9006)
Any buoy used to mark a trap shall be clearly and distinctively marked with a buoy identification number, as follows:
(c) The buoy identification number for a trap used to take finfish under a finfish trap permit...is the commercial fishing license number issued to the operator of the trap...followed by the letter "Z".
- 1996 Limitations on taking finfish under finfish trap permit (FGC §9001.6)
(a) A finfish trap permit...authorizes finfish to be taken with finfish traps only subject to the following limitations:
(1) Lobster may not be used as bait in finfish traps.
(2) During the period from 1 hour after sunset to 1 hour before sunrise, finfish traps that are left in the water shall be unbaited with the door secured open. However, if, for reasons beyond the control of the permittee, all trap doors cannot be secured open prior to 1 hour after sunset, the permittee shall immediately notify the Department.
(3) Timed buoy release mechanisms commonly termed "pop-ups" may not be used on buoy lines attached to finfish traps.
(4) Trap destruction devices used on finfish traps shall conform to the current requirements for those devices adopted by the Commission.
(5) No finfish traps may be within 750 ft (229 m) of any pier, breakwall, or jetty in District 19, 19A, 19B, 20, 20A, 20B, or 21.
(6) Not more than 50 finfish traps may be used in state waters along the mainland shore.
(7) The mesh of any finfish trap shall measure 2 in. (5.1 cm) by 2 in. (5.1 cm).
(d) This section shall become inoperative on April 1, 2002, and as of January 1, 2003, is repealed, unless a later enacted statute, which is enacted before January 1, 2003, deletes or extends that date.
- 1998 Finfish trap limitations (FGC §9001.7)
Finfish traps authorized for use to take fish other than sablefish and hagfish in waters of the state between the California-Oregon border and a line extending due west magnetic from Point Arguello, Santa Barbara County, shall be subject to the following limitations:
(e) No finfish traps shall be set within 750 ft (229 m) of any pier, breakwall, or jetty in District 6, 7, 17, or 18.
(f) No more than 50 finfish traps may be used in state waters along the mainland shore.

Gill and trammel nets

A series of legislative actions in the 1980s limited the use of gill and trammel nets in many nearshore areas. The Marine Resources Protection Act of 1990 (Proposition 132) further restricted the use of gill and trammel nets by prohibiting their use for the take of rockfish in state waters. It also established a 3-year phase-out of the use of gill and trammel nets within 3 mi. (4.8 km) of the mainland shore south of Point Arguello and within 70 fm (128 m) or 1 mi. (1.6 km) of the Channel Islands, with a total prohibition of the use of gill and trammel nets in those areas beginning in 1994. Many amendments and changes were made to code subsections concerning gill and trammel nets over a time period of several years. Rather than placing regulatory code sections in strict chronological order, related code sections are displayed together to track the various changes in area and depth restrictions.

- pre-1980 What constitutes set net or set line (FGC §8601)
Any net or line used to take fish that is anchored to the bottom on each end and is not free to drift with the tide or current is a set net or set line.
- pre-1980 Prohibited use or possession in District 19A (FGC §8694)
In District 19A, gill nets may not be used, nor may they be possessed on any boat.
- pre-1980 Gill net as trammel net (FGC §8700)
Any line used on a gill net which shall tend to cause the webbing of such gill net to bag or hang slack shall cause such net to lose its identity as a gill net and become a trammel net.
- pre-1980 Trammel net (FGC §8720)
Trammel net includes entangling nets constructed of more than one wall of webbing.
- pre-1980 Prohibited use or possession in District 19A (FGC §8725)
In District 19A, trammel nets may not be used, nor may they be possessed on any boat.
- 1980-1998 Use in Districts 17, 18, 19 and 20A (FGC §8693)
- 1980 FGC §8693
(a) Except as otherwise provided in this code, drift gill nets and set gill nets may be used in Districts 17, 18, 19, and 20A, except for the taking of salmon.
(b) Rockfish and lingcod may be taken with drift gill nets and set gill nets in Districts 17, 18, 19, and 20A, subject to the following restrictions:
(1) Rockfish and lingcod shall not be taken between Moss Landing and Point Pinos (Monterey County) in water less than 60 fm (110 m).
(2) Rockfish and lingcod shall not be taken between Point Pinos and Hurricane Point (Monterey County) in water less than 45 fm (82 m).

- (3) Rockfish and lingcod shall not be taken between Hurricane Point and Pfeiffer Point (Monterey County) in water less than 45 fm (82 m).
- (4) Rockfish and lingcod shall not be taken between Point Piedras Blancas (San Luis Obispo County) and Point Sal (Santa Barbara County) in water less than 40 fm (73 m).
- (5) Rockfish and lingcod shall not be taken between Pigeon Point (San Mateo County) and Moss Landing (Monterey County) in water less than 40 fm (73 m), by means of drift gill nets or set gill nets which have mesh smaller than 5 ½ in. (14.0 cm).
- (6) Drift gill nets and set gill nets shall not be used nor shall they be possessed on any boat taking rockfish and lingcod with mesh smaller than 4 1/8 in. (10.5 cm) when used in Districts 17 and 18 north of Point Buchon (San Luis Obispo), or with mesh smaller than 4 1/8 in. (10.5 cm) when used in District 18 south of Point Buchon or in District 19. Drift gill nets and set gill nets used or possessed on any boat taking rockfish and lingcod in District 17, 18, or 19, shall not be constructed of twine larger than number 6 nylon, except that the bottom 15 meshes may be constructed of heavier twine.
- (6) In District 18 south of Point Sal and in District 19, drift gill nets and set gill nets shall not be used to take rockfish and lingcod with the mesh of the net in waters less than 50 fm (91 m) in depth when within the 100 fm (183 m) curve along the mainland shore, and elsewhere in water less than 70 fm (128 m) in depth.
- (7) Loads or lots of fish taken in the areas described in paragraphs 1 to 7, inclusive, may contain 200 lb (91 kg) or less of rockfish and lingcod in combination, but in no instance more than 100 lb (45 kg) of rockfish.
- (8) Gill nets shall not be used to take rockfish in District 20A.

- 1988 FGC §8693
Subsections (1), (2) and (3) deleted.
- 1982-1990 Use of gill or trammel nets in specified districts; Public hearing following determination of adverse impact from use of nets (FGC §8664.5)
- 1982 Subsection FGC §8664.5(a)
Gill nets and trammel nets shall not be used between the mouth of Aptos Creek (Santa Cruz County) and the United States surveyor's monument near Seaside (Monterey County) in waters less than 10 fm (18 m) in depth. The area covered by this prohibition was expanded in 1985.
- 1985 Subsection FGC §8664.5(a)
Gill nets and trammel nets shall not be used between the mouth of Waddell Creek (Santa Cruz County) and Yankee Point, Carmel Highlands, (Monterey County) in waters 15 fm (27 m) or less in depth at mean lower low water. Gill nets and trammel nets shall not be used

between the mouth of Waddell Creek and Franklin Point (San Mateo County) in waters 25 fm (46 m) or less in depth at mean lower low water.

- 1990 Subsection FGC §8664.8(c)(2)
The depth was increased to 30 fm (55 m) between Waddell Creek and Yankee Point. The text about the area from Waddell Creek to Franklin Point was removed, because that area was included in a more restrictive statute.
- 1985 Subsection FGC §8664.8(c)(2)
Gill nets and trammel nets shall not be used between Yankee Point (Monterey County) and Point Sal (Santa Barbara County) in waters 15 fm (27 m) or less in depth at mean lower low water. However, the Director may issue an order allowing the use of gill or trammel nets in all or part of the area south of Point San Luis (San Luis Obispo County) if it will not result in accidental take of sea otters.
- 1990 Subsection FGC §8664.5(b)
The depth restriction was increased to 30 fm (55 m), and the Director's authority to allow use of gill and trammel nets in the area was removed.
- 1986 Subsection FGC §8664.5(c)
Gill nets and trammel nets shall not be used between Pico Creek (San Luis Obispo County) and Cape San Martin (Monterey County) in waters 20 fm (37 m) or less in depth at mean lower low water. Gill nets and trammel nets shall not be used between Pfeiffer Point (Monterey County) and Point Sur (Monterey County) in waters 20 fm (37 m) or less in depth at mean lower low water.
- 1990 Subsection FGC §8664.5(c)
Text removed because the depth closure from Point Sal to Yankee Point in FGC §8664.5(b) was increased to 30 fm (55 m), and, thus, the new provisions of FGC §8664.5(b) were more restrictive than subsection 8664.5(c) in the FGC .
- 1986 Subsection FGC §8664.5(c)
Any person using gill nets or trammel nets in the portion of District 17 from the mouth of Waddell Creek in Santa Cruz County to Yankee Point in Monterey County in waters between 15 fm (27 m) and 20 fm (37 m) in depth at mean lower low or in the portion of District 18 north of Santa Rosa Creek in San Luis Obispo County in waters between 15 fm (27 m) and 20 fm (37 m) in depth at mean lower low water shall comply with specific reporting requirements and allow onboard observers to ensure adequate monitoring of fishing effort to protect marine mammals. In addition, fishing with gill and trammel nets is only allowed during daylight hours in these areas.

- 1990 Subsection FGC §8664.5(c)
The area restrictions were expanded to include waters from Waddell Creek to Point Sal in Santa Barbara County. The depth restriction was modified to include waters between 30 fm (55 m) and 40 fm (73 m), because subsections 8664.5 (a) and 8664.5 (b) were amended to close waters 30 fm (55 m) or less to gill and trammel nets.
- 1982 Subsection FGC §8664.5(b) and §8664.6
The Director may prohibit the use of gill and/or trammel nets in any or all of District 17 or District 10 for a specified period of time in waters greater than 10 fm (18 m) if the Director determines that a local population of seabirds or marine mammals is in danger as a result of the use of gill or trammel nets.
- 1983 Subsection FGC §8664.5(b), §8664.6, and §8664.7
FGC §8664.5(b) and §8664.6 were amended to allow the Director to prohibit or restrict the use, method of use, size or materials used in construction of the net. FGC §8664.7 was added. It set the initial period of effectiveness of an order at a maximum of 180 days. It also provided that after a further public hearing, the director may, on the basis of a report prepared by the Department on the condition of the local population of any species of seabird, marine mammal, or fish, extend the order for a further specified period or reissue the order for a further specified period.
- 1985 FGC §8664.7
Renumbered as FGC §8664.5(d) and the text of FGC §8664.6 was incorporated into the subsection. Thus, the area became all or any part of District 10 or 17, or in all or any part of District 18 north of a line extending due west from Point Conception in Santa Barbara County. Fish were added to the types of animals whose population status could result in a closure. The subsection was amended to require the Director to close an area if there was an adverse impact and adverse impact is defined. In addition, the Director is required to hold a hearing within 1 week of the order to describe the action taken and shall take testimony as to the effect of the order and determine whether any modification of the order is necessary. The initial period of effectiveness of an order was reduced to 120 days.
- 1985 Subsection FGC §8664.5(f)
This section does not apply to any gill net with meshes 3 ½ in. (8.9 cm) or less in length in any portion of District 18 between Yankee Point in Monterey County and Point Sal in Santa Barbara County.
- 1983 Possession or operation of net, trap, or line subject to federal groundfish regulations (FGC §8607).

It is unlawful for any person possessing or operating any type of net, trap, or line that is subject to federal groundfish regulations adopted pursuant to the Magnuson Fishery Conservation and Management Act to possess or land any load of fish in violation of those federal groundfish regulations.

- 1983 District 118.5; Nets unlawful within specified distance from pier or dock; Exceptions (FGC §8665).
In District 118.5, nets may not be used within 750 ft (229 m) of any pier or dock, except for bait nets...used to capture live bait.
- 1983 Use of nets in Districts 10, 17, 18, and 19; Exceptions (FGC §8724)
(a) Except as otherwise provided, in Districts 10, 17, 18, and 19, drift and set trammel nets may be used if the meshes are at least 8 ½ in. (21.6 cm) in length, except that these nets may not be used in District 18 within 750 ft (229 m) of any pier or jetty, nor may they be used for the taking of salmon.
This section became operative on August 15, 1989.
- 1984-1989 Use of set or drift gill or trammel nets in specified waters (FGC §8664.8)
- 1984 FGC §8664.8
(a) Gill and trammel nets shall not be used from May 1 through September 30 in waters 25 fm (46 m) or less in specified areas around Point Reyes (Marin County), in waters 10 fm (18 m) or less in specified areas from Point Reyes to Double Point (Marin County), in waters 15 fm (27 m) or less in specified areas around Double Point, in waters 20 fm (37 m) or less in specified areas from Mussel Rock to Point Montara (San Mateo County), and in waters 10 fm (18 m) or less in specified areas from Tunitas Creek to Miramontes Point (San Mateo County).
(b) Gill and trammel nets with mesh less than 8 in. (20.3 cm) shall not be used in specified areas from Duxbury Point to Point Bonita (Marin County), and within 1 mi. (1.6 km) of the mainland in specified areas from Point Lobos (San Francisco County) to Mussel Rock (San Mateo County).
(c) Gill and trammel nets with mesh 8 in. (20.3 cm) or greater shall not be used in specified areas around Duxbury Point (Marin County) from May 1 through September 30.
(d) Gill and trammel nets with mesh 8 in. (20.3 cm) or less shall not be used in waters 40 fm (73 m) or less or within 2 nmi (3.7 km) of shore, which ever is nearer the shore around the Farallon Islands and Noonday Rock buoy (San Francisco County). Gill and trammel nets with mesh greater than 8 in. (20.3 cm) shall not be used in waters 25 fm (46 m) or less around the Farallon Islands and Noonday Rock buoy (San Francisco County).
(e) Gill and trammel nets with mesh less than 8 in. (20.3 cm) shall not be used from May 1 through August 15 within 3 nmi (5.6 km) of the Farallon Islands and Noonday Rock buoy (San Francisco County).

(f) Between Point Reyes (Marin County) and Pigeon Point (San Mateo County), in waters 40 fm (73 m) or less, no permittee shall fish, in combination in any 1 day, more than 600 fm (1,097) of set gill or trammel net with meshes ranging from 8 to 10 in. (20.3 to 25.4 cm) and 1,000 fm (1,829 m) of gill or trammel net with meshes less than 8 in. (20.3 cm); from Rocky Point to Duxbury Reef a maximum of 200 fm (366 m) with mesh 8 in. (20.3 cm) or greater shall be fished per day per boat.

1987

FGC §8864.8

(a) After April 1, 1987, set or drift gill or trammel nets (except for drift gill nets with mesh 14 in. (35.6 cm) or greater) shall not be used in ocean waters between Point Reyes headlands in Marin County and the westerly extension of the California-Oregon boundary, or in waters which are 40 fm (73 m) or less in depth at mean lower low water between the Point Reyes headlands and Duxbury Buoy (Marin County).

(b) From April 1, 1987 through March 31, 1988, set or drift gill or trammel nets (except for drift gill nets with mesh 14 in. (35.6 cm) or greater) shall not be used in ocean waters 20 fm (37 m) or less between Duxbury Buoy and Franklin Point (San Mateo County), or within 5 nmi (9.3 km) of Point San Pedro (San Mateo County).

(c) After April 1, 1988, set or drift gill or trammel nets (except for drift gill nets with mesh 14 in. (35.6 cm) or greater) shall not be used in ocean waters between Point Reyes and Waddell Creek (Santa Cruz County).

(f) Gill and trammel nets shall not be used within 3 nmi (5.6 km) of the Farallon Islands and Noonday Rock buoy (San Francisco County) with provisions for the Director to extend the closure to 5 nmi (9.3 km).

1989

Subsection FGC §8664.8(c)

Amended to increase the depth closure to 60 fm (110 m).

1985

Ban on new gill or trammel net permits; Exception; Transfer of permits (FGC §8681.5)

(a) The Department shall issue no new gill net or trammel net permits.

1986

Use of gill nets to take rockfish or lingcod in specified waters (FGC §8692)
It is unlawful to use gill nets to take rockfish or lingcod in the following waters:

(a) Between Santa Cruz Point (Santa Cruz County) and Point Sur lighthouse in Monterey County in waters 100 fm (183 m) or less in depth.

(b) Between Point Sur lighthouse and Pfeiffer Point in Monterey County in waters 75 fm (137 m) or less in depth.

1987

Use of gill and trammel nets offshore of San Nicolas Island (FGC §8664.2)

Gill nets and trammel nets shall not be used offshore of San Nicolas Island in Ventura County in waters 20 fm (37 m) or less in depth at mean

lower low water.

- 1988 Use of set gill nets and trammel nets of specified mesh to take rockfish and lingcod in following waters (FGC §8691)
Set gill nets and trammel nets with mesh smaller than 4 1/8 in. (10.5 cm) shall not be used or possessed on any boat taking rockfish or lingcod in ocean waters between Point Reyes and Pigeon Point Lighthouse.
- 1990 Net limits (FGC §8692.5)
(a) Not more than 1,250 fm (7,500 ft) of gill net or trammel net shall be fished in combination each day from any vessel for lingcod in ocean waters.
- 1992 Codification of initiative constitutional amendment. The Marine Resources Protection Act of 1990 (Art. X B, California Constitution) was adopted as an initiative constitutional amendment at the November 6, 1990 general election. Article 1.4 codifies and implements that initiative constitutional amendment. (FGC §8610.1 to 8610.16)
Definition of the Marine Resources Protection Zone [FGC §8610.2 (d)]
The zone consists of the following:
(1) In waters less than 70 fm (128 m) or within 1 mi. (1.6 km), whichever is less, around the Channel Islands consisting of the Islands of San Miguel, Santa Rosa, Santa Cruz, Anacapa, San Nicolas, Santa Barbara, Santa Catalina, and San Clemente.
(2) The area within 3 nmi (5.6 km) offshore of the mainland coast, and the area within 3 nmi (5.6 km) off any manmade breakwater, between a line extending due west from Point Arguello and a line extending due west from the Mexican border.
(3) In waters less than 35 fm (64 m) between a line running 180 degrees true from Point Fermin (Los Angeles County) and a line running 270 degrees true from the south jetty of Newport Harbor.
- Use of nets in zone before specified date (FGC §8610.3)
(a) From January 1, 1991, to December 31, 1993, inclusive, gill nets or trammel nets may only be used in the zone pursuant to a non-transferable permit.
(b) On and after January 1, 1994, gill nets and trammel nets shall not be used in the zone.
- Restriction on use of nets as to certain fish and locations (FGC §8610.4)
(a) Gill nets and trammel nets may not be used to take any species of rockfish.
(b) In ocean waters north of Point Arguello on and after November 7, 1990, the use of gill nets and trammel nets shall be regulated by Article 4 (commencing with FGC §8660), Article 5 (commencing with FGC §8680) and Article 6 (commencing with FGC §8720).

F.1.2.5 Commercial Gears That May Affect Nearshore Finfish

Bycatch of nearshore finfish may occur while fishing for species that share similar habitat. Those fish and the gear used include salmon trolling, halibut trawling, shrimp and prawn trawling, lobster trapping, and shrimp and prawn trapping.

F.1.2.6 General Take and Possession Regulations for the Commercial Nearshore Fishery

Unless otherwise specified by state or federal law, the taking of all finfish for commercial purposes is allowed, including taking fish with a finfish trap [FGC §8140 and 8403(c)]. General take and possession regulations that were in existence from 1980 through 2001 for nearshore rockfish and California scorpionfish include landing weight restrictions that were part of the federal groundfish regulations made by the Council. These landing restrictions were set on the *Sebastes* complex, a general sort group containing all rockfish. A chronology of Council regulations on the *Sebastes* complex from 1980 through 1999 is in Appendix F.2.

In 2000, the nearshore rockfish group was created by the Council (Table F-2). In 2001, the Commission expanded the definition of nearshore finfish to include these same species.

Table F-2. Nearshore rockfish group established by the Pacific Fishery Management Council in 2000	
California scorpionfish, <i>Scorpaena guttata</i> _a	Copper rockfish, <i>Sebastes caurinus</i>
Black rockfish, <i>Sebastes melanops</i>	Gopher rockfish, <i>Sebastes carnatus</i>
Black-and-yellow rockfish, <i>Sebastes chrysomelas</i>	Grass rockfish, <i>Sebastes rastrelliger</i>
Blue rockfish, <i>Sebastes mystinus</i>	Kelp rockfish, <i>Sebastes atrovirens</i>
Brown rockfish, <i>Sebastes auriculatus</i>	Olive rockfish, <i>Sebastes serranoides</i>
Calico rockfish, <i>Sebastes dallii</i>	Quillback rockfish, <i>Sebastes maliger</i>
China rockfish, <i>Sebastes nebulosus</i>	Treefish rockfish, <i>Sebastes serriceps</i>

a/ California scorpionfish is only included in the nearshore rockfish group south of 40°10' N latitude.

Pacific Fishery Management Council regulations from 2000 to 2001

Tables F-3 through F-6 list the federal permit type and the corresponding landing restrictions by month for the two major management areas: north and south of 40°10' N latitude (near Cape Mendocino). The southern management area is further divided into two smaller management areas. The first is from 40°10' N to 34°27' N (Point Conception), and the second is from 34°27' N to the U.S.-Mexico border. Landing restrictions are in the form of 2-month cumulative limit periods and monthly cumulative limit periods. As of 2001, there are two cowcod conservation areas located south of Point Conception where fishing for groundfish is highly restricted.

Table F-3. 2000 federal groundfish quotas for nearshore rockfish north of 40° 10' (near Cape Mendocino), grouped by management area and permit type

Month	Limited entry trawl	Limited entry fixed gear	Open access
January-April	200 lb (90 kg) may be landed per month	2,400 lb (1,089 kg) may be landed in 2 months _a	1,000 lb (454 kg) may be landed in 2 months _b
May	200 lb (90 kg) may be landed per month	3,000 lb (1,361 kg) may be landed in 2 months _c	1,500 lb (680 kg) may be landed in 2 months _d
June			
July	200 lb (90 kg) may be landed per month	5,000 lb (2,268 kg) may be landed in 2 months _e	3,000 lb (1,361 kg) may be landed in 2 months _f
August			
September	200 lb (90 kg) may be landed per month	5,000 lb (2,268 kg) may be landed in 2 months _e	3,000 lb (1,361 kg) may be landed in 2 months _f
October		10,000 lb (4,536 kg) may be landed in 2 months _g	6,000 lb (2,722 kg) may be landed in 2 months _h
November	200 lb (90 kg) may be landed per month	10,000 lb (4,536 kg) may be landed in 2 months _g	6,000 lb (2,722 kg) may be landed in 2 months _h
December			

- a/ No more than 1,200 lb (544 kg) may be species other than black or blue rockfish.
- b/ No more than 500 lb (227 kg) may be species other than black or blue rockfish.
- c/ No more than 1,400 lb (635 kg) may be species other than black or blue rockfish.
- d/ No more than 700 lb (318 kg) may be species other than black or blue rockfish.
- e/ No more than 1,800 lb (816 kg) may be species other than black or blue rockfish.
- f/ No more than 900 lb (408 kg) may be species other than black or blue rockfish.
- g/ No more than 4,000 lb (1,814 kg) may be species other than black or blue rockfish.
- h/ No more than 2,000 lb (907 kg) may be species other than black or blue rockfish.

Table F-4. 2000 federal groundfish quotas for nearshore rockfish south of 40° 10' (near Cape Mendocino), grouped by management area and permit type					
Month	South of 40° 10' N Limited entry trawl	From 40° 10' N to 34°27' N Limited entry fixed gear	South of 34°27' N Limited entry fixed gear	From 40° 10' N to 34°27' N Open access	South of 34°27' N Open access
January	200 lb (90 kg) may be landed per month	1,000 lb (454 kg) may be landed in 2 months _a	CLOSED _a	550 lb (249 kg) may be landed in 2 months _a	CLOSED _a
February					
March	200 lb (90 kg) may be landed per month	CLOSED _a	1,000 lb (454 kg) may be landed in 2 months _a	CLOSED _a	550 lb (249 kg) may be landed in 2 months _a
April					
May	200 lb (90 kg) may be landed per month	1,300 lb (590 kg) may be landed in 2 months		800 lb (363 kg) may be landed in 2 months	
June					
July	200 lb (90 kg) may be landed per month	2,000 lb (907 kg) may be landed in 2 months		1,600 lb (726 kg) may be landed in 2 months	
August					
September	200 lb (90 kg) may be landed per month	2,000 lb (907 kg) may be landed in 2 months		1,600 lb (726 kg) may be landed in 2 months	
October		6,000 lb (2,722 kg) may be landed in 2 months	9,000 lb (4,082 kg) may be landed in 2 months	4,000 lb (1,814 kg) may be landed in 2 months	6,000 lb (2,722 kg) may be landed in 2 months
November	200 lb (90 kg) may be landed per month	6,000 lb (2,722 kg) may be landed in 2 months	3,000 lb (1,361 kg) may be landed in 2 months	6,000 lb (2,722 kg) may be landed in 2 months	3,000 lb (1,361 kg) may be landed in 2 months
December					

a/ The management area was split from 40°10' N to 36°00' N (near Point Lopez) and South of 36°00' N for January through April 2000.

Table F-5. 2001 federal groundfish quotas for nearshore rockfish north of 40° 10' (near Cape Mendocino), grouped by management area and permit type			
Month	Limited entry trawl	Limited entry fixed gear	Open access
January-April	200 lb (90 kg) may be landed per month	10,000 lb (4,536 kg) may be landed in 2 months _a	3,000 lb (1,361 kg) may be landed in 2 months _b
May-October	200 lb (90 kg) may be landed per month	7,000 lb (3,175 kg) may be landed in 2 months _a	7,000 lb (3,175 kg) may be landed in 2 months _b
November-December	200 lb (90 kg) may be landed per month	2,000 lb (907 kg) may be landed per month _c	2,000 lb (907 kg) may be landed per month _c

a/ No more than 4,000 lb (1,814 kg) may be species other than black or blue rockfish.

b/ No more than 900 lb (408 kg) may be species other than black or blue rockfish.

c/ No more than 800 lb (363 kg) may be species other than black or blue rockfish.

Table F-6. 2001 federal groundfish quotas for nearshore rockfish south of 40° 10' (near Cape Mendocino), grouped by management area and permit type					
Month	South of 40° 10' N	From 40° 10' N to 34°27' N	South of 34°27' N	From 40° 10' N to 34°27' N	South of 34°27' N
	Limited entry trawl	Limited entry fixed gear	Limited entry fixed gear	Open access	Open access
January	200 lb (90 kg) may be landed per month	2,000 lb (907 kg) may be landed in 2 months	CLOSED outside of 20 fm (37 m)	1,800 lb (816 kg) may be landed in 2 months	CLOSED outside of 20 fm (37 m)
February					
March	200 lb (90 kg) may be landed per month	CLOSED	2,000 lb (907 kg) may be landed in 2 months	CLOSED	1,800 lb (816 kg) may be landed in 2 months
April					
May	200 lb (90 kg) may be landed per month	CLOSED outside of 20 fm (37 m)	2,000 lb (907 kg) may be landed in 2 months	CLOSED outside of 20 fm (37 m)	1,200 lb (544 kg) may be landed in 2 months
June					
July-August	200 lb (90 kg) may be landed per month	2,000 lb (907 kg) may be landed in 2 months	2,000 lb (907 kg) may be landed in 2 months	1,200 lb (544 kg) may be landed in 2 months	1,200 lb (544 kg) may be landed in 2 months
September-December	200 lb (90 kg) may be landed per month	3,000 lb (1,361 kg) may be landed in 2 months	3,000 lb (1,361 kg) may be landed in 2 months	3,000 lb (1,361 kg) may be landed in 2 months	3,000 lb (1,361 kg) may be landed in 2 months

F.1.2.7 Individual Species Regulations for the Commercial Nearshore Fishery

Minimum size limits were implemented in 1999 for the commercial take of ten

nearshore finfish species (FGC §8588). The fish listed in Table F-7, when taken pursuant to a commercial fishing license, cannot be possessed, sold, or purchased unless it exceeds the specified minimum total length in the round or dressed with head on, except that nearshore finfish taken in trawls and landed dead are exempt from these size limits. Any nearshore fish taken in the nearshore fishery shall be measured immediately upon being brought aboard the vessel and released immediately if not in compliance with the size limits. The size limits of cabezon and California sheephead were adjusted in 2001 (CCR, Title 14 §150.16). Juvenile sheephead that measure less than 6 in., total length, are illegal to take for commercial purposes (FGC §8598).

Table F-7. Nearshore finfish minimum size limits (total length) for the commercial fishery		
Species	Size limits 1999	Adjusted size limits 2001
Cabezon	14 in. (35.6 cm)	15 in. (38.1cm)
California scorpionfish	10 in. (25.4 cm)	
California sheephead	12 in. (30.5 cm)	13 in. (33.0 cm)
Kelp greenling	12 in. (30.5 cm)	
Rock greenling	12 in. (30.5 cm)	
Black-and-yellow rockfish	10 in. (25.4 cm)	
China rockfish	12 in. (30.5 cm)	
Gopher rockfish	10 in. (25.4 cm)	
Grass rockfish	12 in. (30.5 cm)	
Kelp rockfish	10 in. (25.4 cm)	

F.1.3 Scientific Collecting Permits

pre-1945 Scientific collecting permit provisions [CCR, Title 14 §800, renumbered to CCR, Title 14 §650(a)]
 Except as otherwise provided, it is unlawful to take or possess...
 fishes...for scientific, educational, or propagation purposes except as
 authorized by a permit issued by the Department. Take includes
 capturing, marking, and releasing any animal.

F.2 Chronology of the Pacific Fishery Management Council Regulations Affecting Nearshore Finfish

This chronology covers the time period from 1980 to 2001. It is best viewed in three discrete time frames: the first is from 1980 through 1993, before the groundfish limited entry fishery was created; the second is from 1994 through 1999, when the fishery was managed by quotas that were based on permit type; and third, from 2000 to 2001 when the minor nearshore rockfish sort group was distinguished from the *Sebastes* complex under which it had previously been managed.

F.2.1 Pacific Fishery Management Council Regulations from 1980 through 1993

All regulations that pertained to the *Sebastes* complex are cited since the nearshore rockfish in the NFMP were contained within that species group during this time period. Any species specific landing weight restrictions under the *Sebastes* complex were cited so that the remaining landing limits, which could have been attributed to nearshore rockfish species as they are currently defined, could be estimated. The regulations that follow have been edited to depict only regulations that affected nearshore species. For a complete copy of council regulations, consult the “Status of the Pacific Coast Groundfish Fishery, Stock Assessment and Fishery Evaluation” report that is published annually by the Pacific Fishery Management Council.

- **1 January 1983** A coastwide 40,000 lb trip limit for the *Sebastes* complex was established.
- **10 September 1983** The Council continued the 40,000 lb trip limit for the *Sebastes* complex, south of 43° N latitude. Previously, management was designated as coastwide, which had included the coastline of California, Oregon and Washington. There was no limit on the number of trips.
- **12 February 1984** The management line changed slightly to south of 42°50' N latitude (Cape Blanco), but the 40,000 lb trip limit and no limit on trip frequency were retained.
- **6 May 1984** It was specified that fishing for groundfish on a *Sebastes* complex trip may only occur on the south side of Cape Blanco (42°50' N latitude), which allowed the southern-caught fish to be landed north of Cape Blanco using the southern trip limit of 40,000 lb with the appropriate declaration of intent.
- **1 August 1984** Vessel operators on combined groundfish/*Sebastes* complex trips were allowed to fish on both sides of the line at Cape Blanco (42° 50' N latitude), but landings of *Sebastes* complex in excess of 3,000 lb were controlled by the trip limit/trip frequency in effect north of the line (Vancouver and Columbia areas). Appropriate advance declaration of intent was required.
- **10 January 1985** For fisherman that fished on both sides of the Cape Blanco line (42° 50' N latitude) during a trip, the northern limit on *Sebastes* complex applied.

Landings of less than 3,000 lb of *Sebastes* complex were unrestricted.

- **1 September 1985** The management boundary line separating northern and southern trip limits for the *Sebastes* complex was changed to 30 mi. (48.3 km) northward: from Cape Blanco (42°50' N latitude) to the north jetty at Coos Bay, Oregon (43°22' N latitude).
- **1 January 1986** Fisherman that fished on both sides of the Coos Bay line (43°22' N latitude) during a trip had to conform with the northern (more restrictive) trip limit.
- **3 May 1987** The definition of the fishing week was changed from Sunday through Saturday to Wednesday through Tuesday for *Sebastes* complex.
- **26 April 1989** Gear quotas for the remainder of the year were revised by reducing the non-trawl quota by 400 mt (to 4,581 mt), and increasing the trawl quota by 1,000 mt (400 mt from non-trawl gear plus the 600 mt reserve, giving a total of 6,397 mt). If either gear quota were reached, further landings by that gear would be prohibited for the remainder of the year.
- **1 January 1991** The Groundfish Fishery Management Plan, Amendment 4, combined all species into a single, multispecies optimum yield (OY), with Council authority to establish a quota or harvest guideline for any species in need of individual management attention; and established framework procedures for making adjustments to management measures, including routine actions intended to achieve a quota or harvest guideline.

For *Sebastes* complex south of Coos Bay, a trip limit was established at 25,000 lb, including no more than 5,000 lb of bocaccio; with no trip frequency restriction.
- **1 January 1992** A cumulative landing limit of 50,000 lb was established for the *Sebastes* complex for each specified 2-week period . Within this 50,000 lb, no more than 8,000 lb (cumulative) could be yellowtail rockfish landed north of Cape Lookout, and no more

than 10,000 lb (cumulative) could be bocaccio landed south of Cape Mendocino, California (40°30'00" N latitude). All landings counted toward the 50,000-lb limit.

- **19 April 1993** It was announced that under the provisions of Amendment 6, applications for groundfish limited entry permits must be submitted by 30 June 1993 for each qualifying vessel. Permits were issued based upon the fishing history of qualifying fishing vessels.
- **20 September 1993** The deadline for submitting applications for groundfish limited entry permits was extended from 30 June 1993 to 15 October 1993.

F.2.2 Pacific Fishery Management Council Regulations from 1994 through 1999

- **1 January 1994** The commercial groundfish fishery was divided into two components: the limited entry fishery and the open access fishery. A federal limited entry permit was required to participate in the limited entry segment of the fishery. Permits were issued based on the fishing history of qualifying fishing vessels. Each permit was endorsed for one or more of three gear types (trawl, longline, and fish trap or pot) and in addition, for each gear type, one of four possible types of endorsements ("A", Provisional "A", "B", and "Designated Species B"). Vessels without valid limited entry permits could participate in the open access fishery with any legal groundfish gear except groundfish trawl, subject to any open access trip limits, quotas, and harvest guidelines in effect.

Limited entry fishery:

There was a *Sebastes* complex (including yellowtail rockfish and bocaccio) cumulative limit of 80,000 lb per calendar month, of which no more than 14,000 lb could be yellowtail rockfish caught north of Cape Lookout, Oregon (45°20'15" N latitude), no more than 30,000 lb could be yellowtail rockfish caught south of Cape Lookout, and no more than 30,000 lb could be bocaccio caught south of Cape Mendocino, California (40°30'00" N latitude).

Open access fishery:

There was a rockfish limit of 10,000 lb per vessel per trip, not to exceed 40,000 lb cumulative per month,

and the limits for any rockfish species or complex in the limited entry longline or pot fishery could not be exceeded.

- **1 April 1994** An additional 14-day extension (from 1 April 1994 to 15 April 1994) was given to the 3-month suspension of the vessel size endorsement requirement for vessels operating in the limited entry fishery for Pacific groundfish.
- **8 April 1994** Requirements were established for combining two or more limited entry permits endorsed with vessel lengths from smaller vessels, into a single limited entry permit endorsed with a larger length for use with a single vessel.
- **1 May 1994** The trip limit for rockfish taken with setnet gear off California was changed: the 10,000-lb trip limit for rockfish caught with setnets, which applied to each trip, was removed. The 40,000-lb cumulative limit per calendar month remained in effect.
- **1 September 1994** The cumulative trip limit for the *Sebastes* complex caught south of Cape Mendocino, California (40°30'00" N latitude), in the limited entry groundfish fishery was increased from 80,000 lb to 100,000 lb per calendar month.
- **1 January 1995** Limited entry fishery:
The *Sebastes* complex (including yellowtail rockfish and bocaccio) cumulative limit was set at 35,000 lb per calendar month north of Cape Lookout, Oregon (45°20'15" N latitude); 50,000 lb per month between Cape Lookout and Cape Mendocino, California (40°30'00" N latitude), and 100,000 lb per month south of Cape Mendocino. Within the cumulative monthly limits for the *Sebastes* complex, no more than 14,000 lb could be yellowtail rockfish caught north of Cape Lookout, Oregon; no more than 30,000 lb could be yellowtail rockfish caught between Cape Lookout and Cape Mendocino; and there was no limit south of Cape Mendocino (other than the limit on the *Sebastes* complex). For bocaccio, the cumulative limit was 30,000 lb per month south of Cape Mendocino, with no limit north of Cape Mendocino (other than the limit on the *Sebastes* complex). For

canary rockfish the cumulative yellowtail rockfish was 6,000 lb per month coastwide.

Open access gear except trawls:

The rockfish cumulative limit was 35,000 lb per month north of Cape Lookout and 40,000 lb per month south of Cape Lookout, including a coastwide trip limit for hook-and-line and pot gear of 10,000 lb of rockfish per trip.

The following two management measures for fishing in areas with different trip limits for the same species were adopted:

1. Trip limits for a species or species complex may differ in different geographic areas along the coast.
2. The following “crossover” provisions applied to all vessels (limited entry and open access) operating in different geographical areas with different cumulative or “per trip” limits for the same species. If a vessel fished (for any species) in an area where a more restrictive trip limit applied, then the vessel was subject to the more restrictive trip limit for the entire period to which that trip limit applied, no matter where the fish were taken and retained, possessed, or landed. Similarly, if a vessel took and retained a species (or species complex) in an area where a higher trip limit (or no trip limit) applied, and possessed or landed that species (or species complex) in an area where a more restrictive trip limit applied, then that vessel was subject to the more restrictive trip limit for that trip limit period.

- **13 March 1995**

The marking requirements for commercial vertical hook-and-line gear that is closely tended, were modified to require only a single buoy clearly identifying the vessel’s owner or operator.

- **1 January 1996**

Limited entry fishery:

Cumulative vessel limits were established for specified 2-month periods, rather than 1-month periods, with the target harvest level per month being 50% of the 2-month limit. However, vessels could land as much as 60% of the 2-month limit during

either of the 2 months, so long as the total did not exceed the specified limit. The specified periods were January-February, March-April, May-June, July-August, September-October, and November-December. All weights were round weight or round weight equivalents, unless otherwise specified.

The *Sebastes* complex (including yellowtail rockfish and bocaccio) cumulative limit was set at 70,000 lb per specified 2-month period north of Cape Lookout, Oregon (45°20'15" N latitude); 100,000 lb per 2-month period between Cape Lookout and Cape Mendocino, California (40°30'00" N latitude); and 200,000 lb per 2-month period south of Cape Mendocino. Within the cumulative 2-month limits for the *Sebastes* complex, no more than 32,000 lb could be yellowtail rockfish caught north of Cape Lookout, Oregon; no more than 70,000 lb could be yellowtail rockfish caught between Cape Lookout and Cape Mendocino; and there was no limit south of Cape Mendocino (other than the limit on the *Sebastes* complex). For bocaccio, the cumulative limit was 60,000 lb per 2-month period south of Cape Mendocino, with no limit north of Cape Mendocino (other than the limit on the *Sebastes* complex). For canary rockfish, the limit was 18,000 lb per 2-month period coastwide.

Open access gear except trawls:

The monthly landings could not exceed 50% of any 2-month cumulative limit or any other limit for the limited entry fishery for any groundfish species or complex for the same area or gear.

The cumulative rockfish limit was 35,000 lb per month north of Cape Lookout and 40,000 lb per month south of Cape Lookout, including a coastwide trip limit for hook-and-line and pot gear of 10,000 lb of rockfish per trip.

- **2 May 1996** Certain trip limits were defined as routine management measures: for the open access fishery, and for all groundfish, either separately or in any combination.
- **1 November 1996** The cumulative limit for yellowtail rockfish north of

Cape Lookout, Oregon (45°20'15" N latitude) was reduced to 6,000 lb per month effective 1 November in an effort to keep landings within 10% of the harvest guideline. All *Sebastes* limits north of Cape Mendocino were to be 1-month cumulative limits to maintain the continuity of the Cape Lookout declaration option. The cumulative trip limit for the *Sebastes* complex taken and retained north of Cape Lookout was 35,000 lb per month, of which no more than 6,000 lb could be yellowtail rockfish and no more than 9,000 lb could be canary rockfish. The 6,000-lb limit did not apply to the area between Cape Lookout and Cape Mendocino, California. The cumulative trip limit for the *Sebastes* complex taken between Cape Mendocino and Cape Lookout was 50,000 lb per month, of which no more than 35,000 lb could be yellowtail rockfish and no more than 9,000 lb could be canary rockfish. For widow rockfish, the monthly cumulative limit took effect November 1 also and was 25,000 lb coastwide, half the previous 2-month limit.

- **1 January 1997**

Limited entry fishery:

Cumulative vessel limits were established for specified 2-month periods, with the target harvest level per month being 50% of the 2-month limit. However, vessels could land as much as 60% of the 2-month limit during one of the 2 months, as long as the total did not exceed the specified limit. The specified periods were January-February, March-April, May-June, July-August, September-October, and November-December. All weights were round weight or round weight equivalents, unless otherwise specified.

The *Sebastes* complex (including yellowtail rockfish and bocaccio) cumulative limit was set at 30,000 lb per specified 2-month period north of Cape Mendocino, California (40°30'00" N latitude), and 150,000 lb per 2-month period south of Cape Mendocino. Within the cumulative 2-month limits for the *Sebastes* complex, no more than 6,000 lb could be yellowtail rockfish caught north of Cape Mendocino, with no limit south of Cape Mendocino (other than the limit on the *Sebastes* complex). For bocaccio, the cumulative limit was 12,000 lb per 2-

month period south of Cape Mendocino, with no limit north of Cape Mendocino (other than the limit on the *Sebastes* complex). For canary rockfish, the limit was 14,000 lb per 2-month period coastwide.

Open access gear except trawls:

Landings could not exceed 50% of any 2-month cumulative limit or any other limit for the limited entry fishery for any groundfish species or complex that applies to the same area or gear.

The cumulative rockfish limit was set at 40,000 lb per month coastwide, including a trip limit for hook-and-line and pot gear of 10,000 lb of rockfish per trip, which includes, south of Cape Mendocino, a trip limit of 300 lb of bocaccio not to exceed 2,000 lb cumulative per month. Setnets, which are legal gear only south of 38° N latitude, were to be subject to the 40,000-lb monthly cumulative limit but not the per trip limit, and had a cumulative limit of 4,000 lb of bocaccio per month.

- **1 October 1997**

The limit for *Sebastes* complex (including yellowtail rockfish and bocaccio) changed from 2-month limits to 1-month limits for *Sebastes*. The *Sebastes* 1-month limit was increased to 20,000 lb north of Cape Mendocino and 75,000 lb south of Cape Mendocino; no more than 5,000 lb of which could be yellowtail rockfish north of Cape Mendocino, and no more than 5,000 lb of which could be bocaccio south of Cape Mendocino; and no more than 10,000 lb of which could be canary rockfish coastwide.

- **1 January 1998**

Limited entry fishery:

For the limited entry fishery, cumulative vessel limits were set for specified 2-month periods, with the target harvest level per month being 50% of the 2-month limit. However, vessels could land as much as 60% of the 2-month limit during one of the 2 months, so long as the total did not exceed the specified limit. The specified periods were January-February, March-April, May-June, July-August, September-October, and November-December. All weights were round weight or round weight equivalents, unless otherwise specified.

For the *Sebastes* complex (Including yellowtail, canary and bocaccio rockfish), there was a cumulative limit of 40,000 lb per specified 2-month period north of Cape Mendocino, California (40° 30'00" N latitude), and 150,000 lb per 2-month period south of Cape Mendocino. Within the cumulative 2-month limits for the *Sebastes* complex, no more than 11,000 lb could be yellowtail rockfish caught north of Cape Mendocino, with no limit south of Cape Mendocino (other than the limit on the *Sebastes* complex). For bocaccio, the cumulative limit was 2,000 lb per 2-month period south of Cape Mendocino, with no limit north of Cape Mendocino (other than the limit on the *Sebastes* complex). For canary rockfish, the limit was 15,000 lb per 2-month period coastwide.

Open access gear except trawls:

Landings were not to exceed 50% of any 2-month cumulative limit or any other limit for the limited entry fishery for any groundfish species or complex that applied to the same area, unless specifically authorized.

For rockfish, a cumulative limit of 40,000 lb per month coastwide was set, including a trip limit for hook-and-line and pot gear of 10,000 lb of rockfish per trip, which included, south of Cape Mendocino, a trip limit of 250 lb bocaccio not to exceed 1,000 lb cumulative per month. Setnets, which were legal gear only south of 38° N latitude, were subject to the 40,000-lb monthly cumulative limit, but not the per-trip limit, and had a cumulative limit of 2,000 lb of bocaccio per month.

Open access (non groundfish) trawls:

Landings were not to exceed 50% of any 2-month cumulative limit or any other limit for the limited entry fishery for any groundfish species or complex that applied to the same area or gear, unless specifically authorized.

- **1 July 1998**

Limited Entry:

For the *Sebastes* complex, the 2-month cumulative limit south of Cape Mendocino was decreased to 40,000 lb.

Open Access:

The overall rockfish monthly limit was replaced with limits for component rockfish species: for *Sebastes* complex the monthly cumulative limit was 33,000 lb; for widow rockfish the monthly cumulative trip limit was 3,000 lb; and for Pacific Ocean perch the monthly cumulative trip limit was 4,000 lb.

- **1 September 1998**

Limited Entry:

All cumulative limits became monthly limits.

- **1 October 1998**

Limited Entry:

The monthly limit for *Sebastes* complex south of Cape Mendocino was decreased to 15,000 lb.

- **1 January 1999**

Limited Entry:

A new three-phase cumulative limit period system was introduced for 1999. Phase 1 was a single cumulative limit period that was 3 months long, from January 1 - March 31. Phase 2 had 3 separate 2-month cumulative limit periods of April 1 - May 31, June 1 - July 31, and August 1 - September 30. Phase 3 had 3 separate 1-month cumulative limit periods of October 1-31, November 1-30, and December 1-31. For all species except Pacific Ocean perch and bocaccio, there were no monthly limits within the cumulative landings limit periods. An option to have the period lagged by 2 weeks (i. e., starting on the 16th and continuing to the 15th of the next month) was made available to limited entry trawl vessels when their permits were renewed for 1999. Vessels that were authorized to operate in this "B" platoon could take and retain, but not land, groundfish during January 1-15, 1999. All weights were round weights or round weights equivalents, unless otherwise specified. Percentages applied only to the round weight of legal fish on board, unless otherwise specified.

For the Sebastes complex (including yellowtail rockfish, canary rockfish, and bocaccio):

North of Cape Mendocino, California (40° 30' 00" N latitude)

Phase 1: 24,000 lb per period. The *Sebastes* complex limit north of Cape Mendocino equaled the sum of the yellowtail and canary

rockfish limits, and a vessel could not exceed the overall *Sebastes* limit, regardless of the amount of yellowtail and/or canary rockfish landed within that limit.

Phase 2: 25,000 lb per period.

Phase 3: 10,000 lb per period.

South of Cape Mendocino, California,

Phase 1: 13,000 lb per period.

Phase 2: 6,500 lb per period.

Phase 3: 5,000 lb per period.

For canary rockfish:

Coastwide

Phase 1: 9,000 lb per period.

Phase 2: 9,000 lb per period.

Phase 3: 3,000 lb per period.

For yellowtail rockfish:

North of Cape Mendocino,

Phase 1: 15,000 lb per period;

Phase 2: 13,000 lb per period.

Phase 3: 5,000 lb per period.

Open access:

Vessels using open access gear were subject to the trip limits for the open access fishery, whether or not the vessel had a valid limited entry permit endorsed for any other gear. Shrimp pot or prawn trap gear were considered open access groundfish gear if consistent with the groundfish gear requirements. Management measures applied to all gears unless otherwise specified.

North of Cape Mendocino:

Sebastes complex: 3,600 lb per month.

Canary rockfish: coastwide, 1,000 lb per month.

Yellowtail rockfish: 2,600 lb per month

South of Cape Mendocino:

Sebastes complex: 2,000 lb per month.

Canary rockfish: coastwide, 1,000 lb per month.

Bocaccio: 500 lb per month, except for setnet and trammel net gears.

Bocaccio: setnet and trammel net gears, legal only south of 38° N latitude, 1,000 lb per month.

Exempted Trawl Gear:

Vessels fishing for pink shrimp, spot and ridgeback prawns, California halibut, and sea cucumbers, the trip limit was set at 300 lb of groundfish per trip. All limits and closures adopted for open access gear (above) also applied and were counted toward the 300 lb groundfish limit. The groundfish "per trip" limit could not be multiplied by the number of days in the fishing trip, although this was allowed in 1998 for the pink shrimp fishery.

- **1 April 1999** (Effective 16 April 1999 for "B" platoon vessels)

Limited Entry and Open Access *Sebastes* complex:

North and south of Cape Mendocino, if a vessel took and retained, possessed, or landed any splitnose or chilipepper rockfish south of Cape Mendocino, then the more restrictive *Sebastes* complex cumulative trip limit applied throughout the same cumulative limit period, no matter where the *Sebastes* complex was taken and retained, possessed, or landed.

Limited Entry:

Canary Rockfish: south of Cape Mendocino, the 2-month cumulative limit was decreased from 9,000 lb to 6,500 lb. Landings of canary rockfish south of Cape Mendocino were limited by and counted against the overall *Sebastes* complex 2-month cumulative limit south of Cape Mendocino, which was 6,500 lb.

Open Access:

For the *Sebastes* complex north of Cape Mendocino, the overall monthly limit was increased from 3,600 lb to 12,000 lb.

For yellowtail rockfish the cumulative limit was increased from 2,600 lb to 6,500 lb per month.

For canary rockfish the cumulative limit was increased from 1,000 lb to 2,000 lb per month.

For combined black rockfish and blue rockfish the cumulative limit was 3,500 lb per month.

No more than 2,000 lb per month could be species other than yellowtail, canary, black, and blue rockfish.

- **1 May 1999** (Effective 16 May 1999 for "B" platoon; some changes did not take effect until June)

Limited Entry:

For *Sebastes* complex north of Cape Mendocino: the 2-month cumulative trip limit for the periods 1 June - 31 July, and 1 August - 30 September increased from 25,000 lb to 30,000 lb, within which (1) the 2-month cumulative trip limit for yellowtail rockfish north of Cape Mendocino increased from 13,000 lb to 16,000 lb, and (2), the 2-month cumulative trip limit for canary rockfish north of Cape Mendocino increased from 9,000 lb to 14,000 lb.

For *Sebastes* complex south of Cape Mendocino, the limited entry 2-month cumulative trip limit for the periods 1 June - 31 July and 1 August - 30 September decreased from 6,500 lb to 3,500 lb, within which (1) the bocaccio monthly trip limit of 750 lb changed to a 2-month cumulative trip limit of 1,000 lb with a 500 lb per trip limit, and (2) the canary rockfish 2-month cumulative trip limit decreased to 3,500 lb.

Open Access:

For exempted trawl gear, the weight of groundfish landed was not to exceed the weight of target species landed.

- **1 August 1999** (Effective 16 August 1999 for "B" platoon vessels)

Limited Entry:

For the *Sebastes* complex north of Cape Mendocino, the 2-month cumulative trip limit for the period 1 August - 30 September (or 16 August - 15 October for "B" platoon) increased from 30,000 lb to 35,000 lb, within which (1) for yellowtail rockfish north of Cape Mendocino the 2-month cumulative trip limit increased from 16,000 lb to 20,000 lb; (2) for canary rockfish north of Cape Mendocino the 2-month cumulative trip limit remained at 14,000 lb; and (3) a 2-month cumulative trip limit of 10,000 lb was added for rockfish other than yellowtail rockfish and canary rockfish north of Cape Mendocino.

- **1 October 1999** (Effective 16 October 1999 for "B" platoon vessels)

Limited Entry:

For the *Sebastes* complex north and south of Cape Mendocino, the 1-month cumulative trip limits decreased from 10,000 lb north of Cape Mendocino and 5,000 lb south of Cape Mendocino to a coastwide limit of 500 lb per month.

F.2.3 Pacific Fishery Management Council Regulations from 2000 to 2001

Council regulations in 2000 and 2001 significantly affected the take of nearshore rockfish. This information is covered in detail in Appendix F.1.2.6. Tables F-3 to F-6 in this section show the landing weight restrictions on the minor nearshore rockfish sort group that was established in 2000.