

Nearshore Fishery Management Plan (Draft May 9, 2002)
Fish and Game Commission Meeting
June 20, 2002
South Lake Tahoe, CA

The following individuals spoke at this meeting:

Speaker	Comment	Response
S-1 Jim Bassler		
C-1	I'm asking you to move forward, at least this year, to make a meaningful reduction in the fleet. And that's hard to say because I know there are going to be deserving fishermen that get cut out.	The Department has proposed a nearshore restricted access program for the nearshore fishery. This program will be going through the regulatory process later this year and should be adopted prior to the next fishing season (April 1, 2003). This program proposes some significant limitations on the number of participants, as well as limiting the types and amount of gear allowed. The nearshore fishery restricted access program also proposes a gear endorsement program to allow some permittees to use other gear types that they have traditionally used. That program will be going through the regulatory process on a separate but parallel rulemaking.
C-2	Basically, you guys did the hard work of cutting landings, but you've got to do the hard work necessary to design a fleet that's able to catch them...to catch the amount of fish allocated.	Please see response to Comment 1 above.
S-2 Lloyd Reeves		
C-1	Are we rewarding people that overfished nearshore resources at the expense of "A" permit holders?	The Federal Pacific groundfish limited entry program was developed based on landings made during the 1980s. The groundfish fishery has traditionally targeted shelf and slope groundfish species in federal waters with longline or pot gear. On the other hand, the nearshore fishery developed in the 1990s, well after the qualifying time period for the groundfish program. Additionally, fishermen targeting nearshore fish stocks use rod and reel, stick gear, and traps along with limited longline and trawl. The species targeted and gears used are different. Therefore, the Department feels that it is appropriate to develop a separate restricted access program for the nearshore fishery. Federal "A" permittees have the opportunity to qualify under the provisions for either a regular permit or a "grandfathered" permit. The "grandfather" permit applies to people that have been licensed as a California commercial fishermen for 20 years or more.
C-2	Will the Pacific Fishery Management Council go ahead and transfer management to the state when they discover the state intends to disregard existing limited entry to create their own?	Most of the fish listed in the nearshore fishery management plan occur within California's jurisdictional waters and the State retains management authority in those waters. If the Commission opts to disregard A-permit status as a sole qualification criterion for the State program,

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		<p>the permit holder will have the option of appealing the decision to the Commission or the NMFS. This matter should be taken up early in the Commission process. Currently, a restricted access Nearshore Permit is required by the State for landing six species of shallow-dwelling nearshore rockfish, which effectively limits participation by any A-permit holders who did not already qualify for the existing State Nearshore Finfish Permit.</p>
C-3	<p>First, immediately require fish landings of survivable species by adding a maximum size limit to the minimum, you'll protect the breeding size.</p>	<p>The NFMP is designed and written to be a framework document. Each of the recommended and alternative management strategies in the NFMP relies on a 'toolbox' of general management tools already in use by the Commission. All of the comments for specific management measures, such as size limits, slot limits, monthly closures, limitations on traps, line gear, and other gear are measures available to the Commission to use to achieve the goals of the NFMP. Please see Section II, Addendum 5, pages 208-213.</p>
C-4	<p>Second, establish large, firm, no-fishing zones, at the very least no commercial take zones. When I mean large, I mean something along the lines of 20 miles of coastline open and 20 shut up and down the whole coast.</p>	<p>The NFMP defers development of a recommended set of MPAs (including no-fishing zones) to the MLPA process. The MLPA process has begun with the development of local working groups and will include opportunities for constituent input. Your comment is included in the administrative record of proceedings provided to the Commission for its information.</p>
C-5	<p>Third, establish fish trust allocations. This would where permit holders such as myself who would voluntarily hand over our allocation of nearshore species to the state in the form of a trust document. When the state feels the species has recovered, the fisherman or his inheritors would be once again permitted to fish.</p>	<p>Creation of any type of "trust" would be predicated on the development of an Individual Fishing Shares program. It is uncertain what the implications and obligations of a trust system would be in that there cannot be guarantees to any sector for future rights to harvest resources.</p>