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August 18, 2023

Hon. Mike McGuire
Majority Leader
California State Senate
Eureka Office
1036 5th St., Suite D
Eureka, CA 95501

DRAFT LETTER – NOT YET APPROVED

Subject: Urgent Objection to CDFW Regulatory Changes Affecting Nearshore Groundfish
in the Northern Management Area

Dear Senator:

As Commissioners serving on the Crescent City Harbor District Board of Harbor Commissioners, we are writing to express our strongest objections and deep concerns regarding the recent regulatory changes announced by the California Department of Fish and Wildlife (CDFW) relating to quillback rockfish in the Northern Groundfish Management Area (NMA). Specifically, the CDFW has announced that effective from 12:01 a.m., Monday, August 21, 2023, recreational boat-based fishing of most species of groundfish will be restricted to areas seaward of a 50-fathom boundary line within the Northern GMA. We believe this regulatory change will have serious negative repercussions on our local economy across a broad range of individuals and businesses.

While we recognize the importance of conservation and the need to protect quillback rockfish, the sudden imposition of the “offshore only” fishery in the Northern GMA has sent shockwaves through our local economy, leading to serious concerns about the viability of several industries that depend on this fishery either directly or indirectly. Our local economy is intricately interconnected, and a disruption to one sector can reverberate throughout the community.

The Conservation Boundary Should Be Modified

We implore you to reconsider the current boundary set for the Rockfish Conservation Area (RCA). We propose a modification to start the RCA offshore at a 10-fathom depth. This adjustment is based on ecological data indicating that quillback rockfish, the species of primary concern, are rarely found in waters shallower than 10-fathoms. Such an adjustment would align with the CDFW's conservation goals while addressing critical safety concerns for our sportfishing community.

Forcing our sportfishermen to venture beyond the 50-fathom boundary places them in precarious and dangerous waters. A significant number of our local sportfishermen operate smaller boats, which are

not designed or equipped to handle the conditions so far offshore. This situation becomes all the more dire when considering the recent decommissioning of the local Coast Guard station. Without this vital resource, the potential response time in emergencies has increased dramatically, exacerbating the risk factor for our fishermen.

The ripple effects of these regulatory changes are twofold. On the one hand, many sportfishermen may altogether abstain from fishing due to the perceived dangers, thereby drastically reducing the economic inflow into our region. The sportfishing industry serves as a key driver of our local economy, and any substantial reduction in fishing activity will have severe repercussions on our community's financial health. On the other hand, those who choose to brave the risks and venture out will be placing their lives in considerable jeopardy. Neither scenario is acceptable.

In light of the inherent dangers and the unintended negative economic implications, we urge the CDFW to reconsider its decision on the RCA boundaries. Modifying the start of the RCA to the proposed 10-fathom depth will strike a balance between the crucial conservation goals and the safety and economic well-being of our community. We sincerely hope that our plea will be given earnest consideration, for the sake of both the quillback rockfish and the vibrant community that relies on our cherished coastal resources.

Economic Domino Effect

The sportfishing industry is not simply a recreational pastime but an essential part of our local economy, generating revenue, creating jobs, and supporting countless ancillary businesses. An economic domino effect is already cascading to other businesses, such as hotels and Airbnbs, which were booked by fishing enthusiasts and their families months in advance, and which now face a surge in cancellations. Furthermore, local restaurants now stand to lose the patronage of sportfishing tourists who will be staying home. Meanwhile, local tourist attractions that rely on the influx of visitors drawn initially by our renowned fishing opportunities will see a sharp decline in visitation. This ripple effect can substantially weaken our community's economic foundation, leading to reduced incomes and potential job losses even in sectors not directly associated with fishing.

The economic viability of the Harbor itself is imperiled. The fishing industry is the cornerstone of the Harbor's revenue, and the industry sustains numerous businesses that have revenue sharing agreements with the Harbor. With the current restrictions in place in California waters, it is both logical and predictable that many sportfishermen will choose to bypass California harbors in favor of those in Oregon that offer far less restrictive fishing opportunities. This migration will not only result in reduced traffic and patronage at our harbors but will also drive a narrative that California is no longer a viable fishing destination.

Additionally, with the salmon fishery already being closed, we are witnessing a confluence of regulatory restrictions that collectively push our Harbor District to a tipping point. Revenue streams, such as slip rentals, which have consistently bolstered our finances, will experience sharp declines if the proposed regulatory changes are not adjusted. The domino effect of these regulatory changes is stark: with fewer boats docking, businesses within the Harbor District, including restaurants, marine supply stores, and other amenities, will be placed in financial jeopardy.

Mitigation Efforts Should Be More Targeted

It is important to note that Marine Protected Areas (MPAs) already cover 20-30% of the quillback habitat within a 3-mile shore radius. This not only offers sanctuary to spawning stock but also creates a network designed to replenish areas outside the MPAs. Therefore, the current foundation of our marine conservation strategies is robust and provides considerable protection to the quillback rockfish.

In light of this, the proposed expansion of protected areas may be overly broad, especially because it restricts fishing access to species not under immediate threat. We must ask: Is this broad approach genuinely superior to a more targeted, species-specific intervention? The recent history and success of MPAs indicate that a focused strategy, built on protecting key habitats and species, might be more effective and less economically damaging than wide-reaching geographical restrictions.

A more targeted approach might include the use of descending devices. Such devices enable fishermen to release inadvertently captured quillback rockfish closer to their capture depth. This approach significantly minimizes mortality linked to surface release events, including the detrimental effects of barotrauma injuries and predation. By equipping and educating fishermen on the use of these devices, we can strike a balance between conservation and economic viability without imposing unnecessarily broad restrictions.

The agency's justification for the broad closure is grounded in the notion that quillback rockfish often coexist with other rockfish species. Thus, CDFW posits that a geographical restriction is more effective than targeting the specific species in distress. This explanation, however, is rife with issues. Firstly, by casting such a wide net, CDFW undermines the precision and targeted efficacy that would be achieved by focusing specifically on quillback rockfish. Broad-based actions can inadvertently create new ecological and economic problems without adequately addressing the initial concern.

Moreover, CDFW's current approach starkly contrasts with its past decisions. When the yelloweye rockfish populations faced similar threats, regulatory actions were carefully tailored to protect that specific species rather than a sweeping, all-encompassing closure. The targeted approach not only demonstrated a clearer understanding of the nuances within marine ecosystems but also acknowledged the broader economic implications for our community.

One has to question why, if a species-specific approach was deemed suitable and effective for the yelloweye rockfish, the same logic cannot be applied to quillback rockfish? We implore the CDFW to revisit its decision-making process, ensuring that the chosen actions are consistent, targeted, and reflect a comprehensive understanding of both ecological and economic contexts, especially in light of existing MPAs and the potential of more targeted conservation tools like descending devices.

CDFW's Abrupt In-Season Regulatory Action Was Reckless

An important point of contention for our community is the sudden in-season implementation of this regulatory change. It is not merely the decision itself that is concerning, but the abruptness with which it has been imposed. Charter boat businesses operate based on careful planning, taking bookings and scheduling trips months in advance. Their clientele, many of whom travel considerable distances, plan their vacations and allocate significant resources based on the assurance of these bookings.

The unforeseen change in regulations has put these businesses in a highly precarious position, forcing them to turn away business that was scheduled, in good faith, based on the existing regulations. This not only leads to immediate financial loss but damages the reputation of these businesses and the trust they've built with their clientele. It is a double blow: lost revenue now, and the potential loss of repeat business in the future, due to the public's fear of this regulatory change being suddenly implemented once again in upcoming seasons, disrupting vacations and other plans with insufficient warning.

It is the responsibility of regulatory bodies to ensure that changes, especially those with far-reaching economic implications, are made with adequate notice and due consideration for those affected. While we appreciate the challenges of managing dynamic ecosystems and the sometimes urgent need for conservation action, the suddenness of this in-season change can be perceived as irresponsible and reckless. It overlooks the significant operational intricacies of businesses reliant on the fishery and risks long-term damage to their sustainability and the broader community's trust in regulatory bodies. It is essential that any changes, especially those with profound economic implications, be implemented in a manner that respects the delicate balance of ecological sustainability and economic viability.

Request for Intervention

This situation calls for a more measured approach that takes into consideration not only the conservation needs but also the socio-economic realities of the communities affected. We must balance the genuine need to protect our marine ecosystem with a thoughtful understanding of the human ecosystem that also relies on these resources. The current approach threatens to dismantle an intricate and long-established economic structure that has been a source of livelihood for generations.

We urge you to recognize the severity of this situation and the potential for long-term damage to our community. We strongly request your immediate intervention to reverse or modify these regulatory changes in a manner that balances the vital need for conservation with the equally essential requirement to support our local economy.

We are more than willing to collaborate with all involved parties to find a sustainable solution that takes into account the unique characteristics of our region and its economic dependencies. Time is of the essence, and we implore you to act swiftly in the best interest of our community.

Thank you for your attention to this urgent matter. We look forward to your prompt response.

Sincerely,

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Board of Harbor Commissioners
of the Crescent City Harbor District