Pacific Seabird Group

DEDICATED TO THE STUDY AND CONSERVATION OF PACIFIC SEABIRDS AND THEIR ENVIRONMENT

William J. Sydeman,Ph.D.
Chair
Point Reyes Bird Observatory
4990 Shoreline Highway
Stinson Beach, CA 94970
(415) 868-1221
wjsydeman@prbo.org

Craig S. Harrison, Esq.
Vice Chair for Conservation
4001 North Ninth Street #1801
Arlington, Virginia 22203
(202) 778-2240
charrison@hunton.com

Lisa T. Ballance, Ph.D.
Chair-Elect
Southwest Fisheries Science Center
8604 La Jolla Shores Drive
La Jolla, CA 92037
858-546-7173
Lisa.Ballance@noaa.gov

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John M. Duffy
Assistant Executive Director
Fish and Game Commission
1416 Ninth Street
Box 944209
Sacramento, CA 94244-2090

Re: Comments on Proposed Regulations for the White SeaBass Fishery

Dear Mr. Duffy,

These are the comments of the Pacific Seabird Group (PSG) on the Fish and Game Commission's (Commission) proposed changes in regulations under Title 14 of the Fish and Game Code pertaining to white seabass (*Atractoscion nobilis*) and the draft White Seabass Fishery Management Plan (White Seabass FMP). PSG is an international organization that was founded in 1972 to promote knowledge, study and conservation of Pacific seabirds. PSG draws its members from the rim of the entire Pacific Basin, including the United States, Canada, Mexico, Japan, China, Australia, New Zealand, and Russia. Among PSG's members are biologists who have research interests in Pacific seabirds, state and federal officials who manage seabird populations and refuges, and individuals with interests in marine conservation. Over the years we have advised and worked cooperatively with government agencies to further these interests. PSG is especially active with regard to seabird-fishery conflicts and oil spill restoration.

First, we applaud the Commission and the Department of Fish and Game (CDFG) for the development of Fishery Management Plans in general, as mandated by the Marine Life Management Act of 1998. These plans hold much promise to more effectively manage California's fisheries, better assuring healthy stocks and reduced ecological impacts. The draft of the updated White Seabass FMP holds many positive proposals for white seabass

management. However, we feel that any adopted plan requires implementation of a program, independent of the fishery, to collect data on fishery bycatch on non-target species, to assess the extent of this bycatch and its potential ecological impacts, and provide guidance for mitigation of bycatch impacts. The commercial set and drift gill net fishery for white seabass is of particular concern because of the high bycatch typical of such gill net fisheries and the relatively large size of this fishery. Information provided in Chapter 2 of the draft White Seabass FMP suggests that the white seabass gill net fishery is no exception. According to the draft White Seabass FMP, seabirds, marine mammals, invertebrates, and 145 species of fish were recorded as white seabass gill net bycatch during an on-board observation study conducted by CDFG in 1982 to 1988.

While the only seabirds reported caught in the observer study were 10 cormorants (*Phalacrocorax* spp.), observers covered only 3% of fishing days. Thus, this study may have grossly underrepresented seabird bycatch during the study period. This study is also outdated. Since the fishery moved farther offshore following the gill net closure within state waters south of Point Conception in 1994, the level of bycatch and species taken as bycatch likely have changed. In the past, species that forage close to shore, such as cormorants, likely were most susceptible. Currently, species that forage over more open waters, such as Sooty Shearwater (*Puffinus griseus*), Common Murre (*Uria aalge*), Xantus's Murrelet (*Synthliboramphus hypoleucus*), Cassin's Auklet (*Ptychoramphus aleuticus*), and Rhinoceros Auklet (*Cerorhinca monocerata*), would be more susceptible to gill net capture. Common Murres, and to a lesser extent, Sooty Shearwaters and other species, were common bycatch in the California halibut set gill net fishery. The Xantus's Murrelet, which breeds on the California Channel Islands and forages throughout the offshore waters of the Southern California Bight, is a California Species of Special Concern.

In summary, we highly recommend the implementation of an onboard observer program for bycatch in the white seabass gill net fishery as part of the White Seabass FMP. Such a program would need higher observer coverage than the past study, with adequate temporal and spatial coverage to assess the entire fishery. For example, in the Monterey Bay set gillnet observer program conducted by the National Marine Fisheries Service in 1999 and 2000, observer coverage ranged from 20% to 31% per quarter. In addition, the potential need for bycatch data from the smaller-scale white seabass longline fishery requires examination. Longline fisheries are well-known for high seabird bycatch. Without observer data, it will be impossible to make necessary, scientifically-based decisions regarding potential ecological impacts of the white seabass gill net and longline fisheries, and all gill net and longline fisheries.

Sincerely,

Craig S. Harrison
Vice Chair for Conservation