



Frequently Asked Questions about Fisheries Closure

Why does CDFW close fisheries in response to an oil spill?

Fish & Game Code requires the CDFW Director to close all fishing and shellfish harvesting from waters in the vicinity of an oil spill or discharge unless the Office of Environmental Health Hazard Assessment (OEHHA) finds that a public health threat does not exist or is unlikely to exist due to the spill and recommends that the fisheries should not be closed.

Is catch and release allowable within the closure boundaries?

Fish & Game Code 5654 prohibits take from the closure area. *Take*, by definition, means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. Thus, catch and release of fish or invertebrates cannot be allowed during a closure.



What are the possible threats to public safety from consuming seafood caught in the closure area?

Oil contains harmful chemicals called polycyclic aromatic hydrocarbons (PAHs). These chemicals can accumulate in the edible tissue of seafood and result in tainted seafood. Some PAHs can cause cancer and should not be consumed. For more information about seafood safety, please visit [OEHHA's website](#).

When are the fisheries reopened?

Per Fish & Game Code 5654, if fisheries are closed for more than 48 hours, seafood must be tested before fisheries can be re-opened to assure the public that the seafood is safe to eat. OEHHA & OSPR cooperatively establish the extent of testing based on the conditions of the oil spill. Seafood samples are collected within the closure area and sent to a qualified laboratory for analysis of PAH concentrations. OEHHA uses the lab data to complete a risk assessment and determine if the levels of PAHs in the seafood samples are safe to consume. OEHHA will recommend that fisheries be re-opened if data from seafood samples show that PAH levels are



below their “level of concern.” If the data show that PAH levels are above their “level of concern,” fisheries will remain closed, and additional seafood sampling will be required. The “level of concern” is a concentration that is considered to pose an unacceptable health risk if consumed at the stated rate and for the predicted duration. For more detail, [OEHHA’s protocol](#) is available online.



Can I fish in areas where I can see and smell oil?

Even if an area is open to all fishing, people should avoid fishing in areas where there is visible oil on the water and should not eat seafood that smells like oil due to the risk of contamination.

How are commercial fishing businesses compensated for financial losses during a spill-related fisheries closure?

During an active oil spill response, the Unified Command sets up a process for filing claims. A phone number is generally established for this purpose early on. Claims can include medical costs, boat cleaning fees, loss of income, and various other damages.

