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STATE OF CALIFORNIA
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Fish and Game Commission



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MARINE RESOURCES COMMITTEE

Committee Co-Chairs: Commissioner Rogers (present) and Commissioner Sutton (present)

Staff Meeting Summary
August 5, 2014, 10:00 a.m.
California State Building – Auditorium
1350 Front Street, San Diego, CA 92101

Following is a summary of the subject meeting as prepared by staff.

1. INTRODUCTIONS

The meeting was called to order at 10:00 a.m. by Commissioner Sutton, who introduced Commissioner Rogers, Fish and Game Commission (Commission) staff, and California Department of Fish and Wildlife (Department) staff.

Commission Staff

Sonke Mastrup	Executive Director
Susan Ashcraft	Marine Advisor
Caren Woodson	Analyst
Sherrie Fonbuena	Analyst

Department Staff

Mike Carion	Deputy Director and Chief, Law Enforcement Division
Tom Lupo,	Deputy Director, Data and Technology Division
Craig Shuman	Regional Manager, Marine Region
Tom Barnes	Program Manager, State Managed Fisheries
Robert Puccinelli	Captain, Law Enforcement Division
Ian Taniguchi	Senior Environmental Scientist, Marine Region
Derek Stein	Environmental Scientist, Marine Region

Susan Ashcraft outlined meeting procedures and guidelines for participating in Committee discussions, specifically noting that the Committee is a non-decision making body which provides recommendations to the full Commission on marine items, and reminding participants that the meeting would be audio-recorded for posting to the website along with a meeting summary.

2. INFORMATIONAL AGENCY UPDATES

A. CALIFORNIA OCEAN PROTECTION COUNCIL (OPC) UPDATES

OPC Project Manager Valerie Termini McCormick announced the release of a draft document titled “The California Collaborative Approach: Marine Protected Areas Partnership Plan” for public and tribal comment (on their website). The OPC’s Science Advisory Team is looking for a tribal scientist to be part of team.

B. DEPARTMENT UPDATES

Dr. Craig Shuman provided an update on recent Marine Region activities: An internal marine protected areas (MPA)/Fisheries Integration Workshop was hosted by the Department with invited scientists. The Marine Region has been working with the OPC’s Science Advisory Team to develop a “risk assessment tool” for scientific collecting within MPAs; and will an update on this tool to the MRC in November. Marine Region managers are setting priorities for enhancing fisheries management and MLPA implementation. They will bring to the MRC once finalized.

Dr. Shuman brought attention to Broad Beach, Malibu, where a substantial beach stabilization and restructuring project has been proposed by the Malibu Beach Geologic Hazard Abatement District. The project is currently being reviewed by California State Lands Commission. The Department raised significant concerns over potential impacts to sensitive habitat, in particular the impacts to rocky habitat within the MPA at Point Dume through direct burial by sand deposition.

Captain Bob Puccinelli provided an update on recent enforcement activity, including violations within MPAs that have been successfully prosecuted. Chief Mike Carion reported that in July the City of Manhattan Beach enacted a 60 day emergency public safety ban on fishing from the Malibu Beach Pier in response to a swimmer injured by a juvenile great white shark on a fishing line from the pier. The City Council is considering specific pier fishing restrictions it attributes to public safety measures. Discussion focused around whether the measures would overstep the city’s authority into an area of Commission authority.

After discussion, the MRC recommended that the Commission send a letter to California State Lands Commission expressing concern over impacts of Broad Beach restoration project to the MPA, and that the Commission send a letter to the City of Manhattan Beach concerning pier fishing.

3. UPDATE ON CALIFORNIA SPINY LOBSTER FISHERY MANAGEMENT PLAN

Tom Barnes provided an update on the progress and timeline for development of the California Spiny Lobster Fishery Management Plan (FMP). The draft FMP is ready for scientific peer review, and is expected to be released in September for public review while peer review is still underway. Mr. Barnes reported that Department enforcement

and commercial representatives from the Lobster Advisory MRC (LAC) are discussing specific regulations to implement FMP provisions, as anticipated by the LAC. The group is exploring feasibility of elements of the commercial representatives' proposal.

Discussion focused attention on the proposed commercial trap limit recommended by the LAC (i.e., 300 traps with the ability to stack a second trap permit). Members of the lobster fishing community from different port and fishing areas expressed views that diverge from the LAC recommendation, and offered alternatives they consider a better fit to the conditions or areas in which they fish. Differences between more northern (Santa Barbara/Ventura) and southern (San Diego) ports were notable. While it is clear that regional needs differ, representatives from the LAC and Department reinforced that the "consensus compromise" recommended by the LAC after 18 months of discussion should not be disregarded.

4. DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING NEXT STEPS FOR DEVELOPING A RED ABALONE FISHERY MANAGEMENT PLAN

Ian Taniguchi presented a detailed overview of the process and timeline to develop a Red Abalone Fishery Management Plan (FMP). The FMP will focus on long-term management for the northern California sport fishery, which is currently the only area open to fishing. Recovery of closed red abalone stocks would remain in Abalone Recovery and Management Plan (ARMP).

The MRC deliberated with the public about the scope of the FMP and its relationship to the ARMP. Some members of the public expressed concern that the FMP would not explore other prospective fisheries in moratorium areas where red abalone is under recovery, and emphasized a preference for a red abalone FMP that would replace the ARMP in order to keep focus on recovery. They further emphasized a desire to consider methods other than the current density-based model both for management and for recovery standards. There was agreement that everyone wants better information and science to drive management. Commissioner Rogers emphasized that, given that the OST peer review focused on density methodology used in current management under the ARMP, the MRC remains strongly interested in obtaining external scientific guidance on other methods that may effectively serve long-term management, including recovery.

Dr. Shuman reinforced that the focus of the FMP scope is needed to address the most immediate management need at this time – the northern fishery has been showing signs of stress, and more refined management actions have become necessary. The Department approach is intended to address that need as efficiently as possible, recognizing that considering the structure of fisheries for southern stocks, once they recover, is necessary, albeit not as immediate. The Department announced that four public workshops would be held in northern California in late September and early October, to launch the FMP process and solicit public input.

After discussion, the MRC recommended that the Commission support the Department's scope and approach to red abalone FMP.

5. DISCUSSION AND POSSIBLE RECOMMENDATION REGARDING RED SEA URCHIN FISHERY CAPACITY REDUCTION PROPOSED BY THE CALIFORNIA SEA URCHIN COMMISSION

Derek Stein presented an update on the red sea urchin fishery in California, including recent participation levels and catch trends. Northern California landings have increased recently.

Representatives from the California Sea Urchin Commission (CSUC) presented its proposal to reduce capacity to 150 permits, eliminate the current lottery “loophole”, and fix the “dead diver” provision. They also discussed desires to provide avenues for new entrants to enter the fishery given the increasing average age of urchin divers. The CSUC would like to discuss transferability in the future, following capacity reduction.

Discussion centered on managing an orderly fishery versus managing based on sustainability. Analysis of fishery participation indicates a high level of latency – nearly half of the permits are not actively fishing. Their proposal recognizes that latent capacity could lead to overcapacity if they became active again. Instead, the CSUC recommends taking proactive steps to reduce the capacity number, to both ensure an orderly fishery continues, and to avoid risk to sustainability within the fishery.

Tom Barnes clarified that the Department had worked closely with CSUC on the proposal, to ensure the scope was sufficiently narrow to focus on immediate needs that could be accomplished through a simple rulemaking.

Dave Rudie, a non-voting CSUC representative of the urchin processors, presented a processor proposal to consider providing additional fishing days due to recent changes in market demand. Current regulations allow four days per week (Monday-Thursday). For Southern California, adding Friday as a fifth fishing day is proposed to meet weekend market demands. For Northern California, weather constraints are a greater concern, so flexible rather than fixed fishing days is proposed. The MRC agreed that the processor “days back” proposal would need more analysis of biological and enforcement considerations before a recommendation could be made.

Based on discussion, the MRC that the Commission approve the CSUC petition to schedule a rulemaking to reduce capacity and improve the permit lottery system.

6. UPDATE ON PROGRESS OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ELECTRONIC LOG BOOK PROJECT

Tom Lupo gave a presentation on latest implementation efforts of the Department. It is taking longer than anticipated, but the Department is making progress on its priority project to develop electronic Commercial Passenger Fishing Vessel (CPFV) log books. An internal log book system has been launched for Marine Region. The next step is to complete the electronic log for the user (CPFVs) in the field. This should get launched by the end of the year. The Department will continue working on electronic reporting systems - Lobster is the next log book to be addressed.

7. INITIAL DISCUSSION OF INCIDENTAL TAKE AND BYCATCH IN CALIFORNIA'S FISHERIES

Susan Ashcraft introduced the topic by provided an overview of the issue and possible scope as it pertains to state-managed fisheries through a review of terms and standards governing bycatch and its minimization that are specified in the Marine Life Management Act (MLMA). The importance of looking to the standards set forth in the MLMA, and defining our terms of reference specific to state fisheries under the authority of the Commission, was emphasized.

Discussion explored what type or level of bycatch was of concern – should impact to the ecosystem or non-target populations be the measure of acceptable bycatch levels? For some, dead discards are the primary issue of concern, while several fishermen emphasized efforts to market bycatch. Commissioner Sutton appreciated the efforts of the industry, although he reinforced the priority of prevention before retention.

The discussion covered possible next steps, such as identifying which fisheries have bycatch data available, and a recommendation that the Commission emphasize its priority for state-managed fisheries under its authority, followed by state fisheries under legislative authority, while federally-managed fisheries adjacent to California as the lowest priority for Commission focus.

8. FUTURE AGENDA ITEMS

Susan Ashcraft reviewed pending issues for the November MRC meeting and initial scheduling for the following year. At the request of Commissioner Sutton, an update herring FMP planning work group was given by Tom Barnes and NGO representatives from the work group. An update on this item will be received in November.

9. PUBLIC FORUM

Public comment reinforced support for Commission sending a letter about the Broad Beach project and its impact to sensitive marine habitats, notably those within a marine protected area. A lobster fisherman raised concern that sand replenishment projects were impacting eel grass beds and were resulting in the disappearance of lobster at those sites. The group discussed the lack of a mitigation program for unavoidable impacts to MPAs or other marine projects that cause habitat harm. Could this be the beginnings of a marine mitigation program?

Public comment turned to concerns over bluefin tuna population status, the lack of federal action to curtail recreational take, and what to do about it. Following public comment, the MRC recommended that the Commission send a letter to PFMC encouraging emergency action in response to the Bluefin tuna issue.

The Marine Resources Committee meeting adjourned at 4:30 p.m.