

STAFF SUMMARY FOR DECEMBER 7-8, 2016

7. MARINE RESOURCES COMMITTEE**Today's Item**Information Action

Receive summary from Nov 15, 2016 Marine Resources Committee (MRC) meeting and adopt MRC recommendations. Receive update on MRC work plan and draft timeline, and discuss and approve new topics for MRC review.

Summary of Previous/Future Actions

- Most recent MRC meeting Nov 15, 2016; MRC, Los Alamitos
- **Today approve MRC recommendations** **Dec 7-8, 2016; San Diego**
- Next MRC meeting Mar 23, 2017; MRC, Oceanside

Background

Meeting Summary: The MRC continues to work under FGC direction to accomplish its current work plan (Exhibit 1). MRC generally meets three times per year to discuss topics referred by FGC, and provides a summary and recommendation to FGC after each meeting. The MRC met on Nov 15; a summary will provided at the meeting (see MRC agenda in Exhibit 2).

MRC Recommendations: Based on the meeting discussion, MRC has the following recommendations for FGC consideration:

- 1) Schedule a discussion in consultation with DFW enforcement concerning mechanisms available for FGC and DFW to advance actions against violators, either through adjudication or following it, based on public comment concerns over repeat commercial fishery violations and limited court-issued penalties.
- 2) Nearshore and deeper nearshore fishery permits: Authorize staff to work with DFW to prepare a rulemaking for consideration in 2017 to change shallow nearshore permit transferability to 1-for-1 (previously 2-for-1), allow deeper nearshore permits to transfer 1-for-1 (previously not transferable), and implement a transfer fee ranging from \$1000-\$2000 for each permit, as recommended by DFW.
- 3) Kelp and algae harvest management: Support the DFW option to move forward with conducting a comprehensive review of kelp and algae management; refer this topic to Tribal Committee for discussion (under Agenda Item 8, this meeting); and request that DFW reach out to edible seaweed harvesters and tribes.
- 4) Recreational red abalone fishery (by 2017 season): Support the DFW recommendation to adjust the total allowable catch (TAC) through changes to season length and annual take limit as described in DFW's "Option 1" (annual limit of 9; close Nov; which balances uncertainty and risk with impacts) or the fishermen's alternative (Option 3 developed after the MRC meeting). (Note: See Agenda Item 10, this meeting, where emergency action will be considered).

New Agenda Topics: No new topics were identified.

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Significant Public Comments

Bill James provided a comment in support of DFW's recommendation for 1:1 transferability of nearshore and deeper nearshore permits (Exhibit 3).

Recommendation

Approve MRC recommendations 1, 2, and 3; consider recommendation 4 under today's agenda item 10.

Exhibits

1. [MRC 2016 Work Plan, updated Nov 23, 2016](#)
2. [MRC Meeting Agenda for Nov 15, 2016](#)
3. [Email from Bill James, Nov 14, 2016](#)

Motion/Direction

Moved by _____ and seconded by _____ that the Commission approves recommendations 1, 2 and 3 from the Nov 2016 MRC meeting.

Marine Resources Committee (MRC) 2016-17 Work Plan: Scheduled topics and timeline for items referred to MRC from the Fish and Game Commission

(Updated for Dec 2016 FGC meeting)

Topic	Type	2016		2017	
		JUL 21	NOV 15	MAR 23	JUL 20
		Petaluma	Los Alamitos	Oceanside	Petaluma
Management Plans					
Update to MLMA Master Plan- Fisheries	MP update (MLMA)	X	X	X	X
Abalone FMP / ARMP update	FMP development	X	X	X	X
Herring FMP Updates	FMP development	X	X	X	X
Regulatory					
Annual Sportfish Regulations	Annual			X	
Kelp and Algae Harvest Management Review	DFW project		X		
Nearshore Fishery Structure Review	Referral for review		X/R	X/R	
Sea cucumber fishery status and update	Referral for review			X	
Aquaculture - Best Management Practices	DFW project			X	
Emerging Management Issues					
California's Fishing Communities	MRC project	X	X	X	
Informational / Special Topics					
Marine Debris and Plastic Pollution	Informational	R	X		
Ocean Acidification and Hypoxia	Informational	X			
Finding Dory – Sustainable Sources	Informational	X			
Special Projects					
Pier and Jetty Fishing Review	Special FGC project	X	X		
Fisheries Bycatch Workgroup	MRC workgroup	X	X	X	X

KEY: **X** Discussion scheduled **R** Recommendation to FGC anticipated

Commissioners

Eric Sklar, President
Saint Helena

Jacque Hostler-Carmesin, Vice President
McKinleyville

Anthony C. Williams, Member
Huntington Beach

Russell E. Burns, Member
Napa

Peter S. Silva, Member
Chula Vista

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

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Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

MARINE RESOURCES COMMITTEE

Committee Chairs: Commissioner Sklar and Commissioner Silva

Meeting Agenda

November 15, 2016, 9:00 a.m.

**WestEd Building - Ed Meyers Classroom
4665 Lampson Ave., Ste. A, Los Alamitos, CA**

This meeting may be audio-recorded

NOTE: See important meeting procedures and information at the end of the agenda.

All agenda items are informational and/or discussion only. The Committee develops recommendations to the Commission but does not have authority to make policy or regulatory decisions on behalf of the Commission.

Call to order; roll call

1. Approve agenda
2. Public forum for items not on the agenda
The Committee may not discuss or take action on any matter raised during this item, except to consider whether to recommend that the matter be added to the agenda of a future meeting. [Sections 11125, 11125.7(a), Government Code]
3. Staff and agency updates
4. Nearshore and Deeper Nearshore Fishery Permits
 - (A) Presentation from Department of Fish and Wildlife (Department) on proposed changes to permit transfer provisions
 - (B) Discussion and possible Committee recommendation
5. Overview and discussion of potential regulation changes
 - (A) Electronic reporting for landing receipts
 - (B) Kelp and algae harvest management
 - (C) Recreational red abalone fishery (by 2017 season)

6. Update on current fishery management plan development efforts
 - (A) Red Abalone Fishery Management Plan
 - (B) Pacific Herring Fishery Management Plan
 - (C) Marine Life Management Act Master Plan for Fisheries amendment process
7. Marine Resources Committee Special Projects
 - (A) Fisheries Bycatch Workgroup
 - I. Review and approve draft work plan recommendation
 - (B) Fishing Communities
 - I. Discuss next steps for regional public meetings
8. Update on topics previously before the Committee
 - (A) Marine debris and plastic pollution
 - (B) Pier and jetty fishing review
9. Future agenda topics
 - (A) Review work plan agenda topics and timeline
 - (B) Potential new agenda topics for Commission consideration

Adjournment

**2016 FISH AND GAME COMMISSION
MEETING SCHEDULE**

www.fgc.ca.gov

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING
December 7-8	Hilton Garden Inn San Diego Mission Valley/Stadium 3805 Murphy Canyon Road San Diego, CA 92123	

OTHER MEETINGS OF INTEREST

Wildlife Conservation Board

- November 16, Sacramento

Pacific Fishery Management Council

- November 16-21, Garden Grove

IMPORTANT COMMITTEE MEETING PROCEDURES INFORMATION

Welcome to a meeting of the California Fish and Game Commission's Marine Resources Committee. The Committee is chaired by up to two Commissioners; these assignments are made by the Commission.

The goal of the Committee is to allow greater time to investigate issues before the Commission than would otherwise be possible. Committee meetings are less formal in nature and provide for additional access to the Commission. The Committee follows the noticing requirements of the Bagley-Keene Open Meeting Act. It is important to note that the Committee chairs cannot take action independent of the full Commission; instead, the chairs make recommendations to the full Commission at regularly scheduled meetings.

The Commission's goal is the preservation of our heritage and conservation of our natural resources through informed decision making; Committee meetings are vital in developing recommendations to help the Commission achieve that goal. In that spirit, we provide the following information to be as effective and efficient toward that end. Welcome, and please let us know if you have any questions.

PERSONS WITH DISABILITIES

Persons with disabilities needing reasonable accommodation to participate in public meetings or other Commission activities are invited to contact the Reasonable Accommodation Coordinator at (916) 651-1214. Requests for facility and/or meeting accessibility should be received at least 10 working days prior to the meeting to ensure the request can be accommodated.

SUBMITTING WRITTEN MATERIALS

The public is encouraged to attend Committee meetings and engage in the discussion about items on the agenda; the public is also welcome to comment on agenda items in writing. You may submit your written comments by one of the following methods (only one is necessary): **Email** to fgc@fgc.ca.gov; **deliver** to California Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814; or **hand-deliver to a Committee meeting**.

COMMENT DEADLINES:

The **Written Comment Deadline** for this meeting is: **5:00 p.m. on November 1, 2016**. Written comments received at the Commission office by this deadline will be made available to Commissioners prior to the meeting.

The **Late Comment Deadline** for this meeting is: **12 noon on November 8, 2016**. Comments received by this deadline will be marked "late" and made available to Commissioners at the meeting.

After these deadlines, written comments may be delivered in person to the meeting – **please bring five (5) copies** of written comments to the meeting.

The Committee **will not** consider comments regarding proposed changes to regulations that have been noticed by the Commission. If you wish to provide comment on a noticed item, please provide your comments during Commission business meetings, via email, or deliver to the Commission office.

NOTE: Materials provided to the Committee may be made available to the general public.

REGULATION CHANGE PETITIONS

As a general rule, requests for regulatory change need to be redirected to the full Commission and submitted on the required petition form, FGC 1, titled "Petition to the California Fish and Game Commission for Regulation Change" (Section 662, Title 14, CCR). However, at the Committee's discretion, the Committee may request that staff follow up on items of potential interest to the Committee and possible recommendation to the Commission.

SPEAKING AT THE MEETING

Committee meetings operate informally and provide opportunity for everyone to comment on agenda items. If you wish to speak on an agenda item, please follow these guidelines:

1. Raise your hand and wait to be recognized by the Committee co-chair(s).
2. Once recognized, please begin by giving your name and affiliation (if any) and the number of people you represent.
3. Time is limited; please keep your comments concise so that everyone has an opportunity to speak.
4. If there are several speakers with the same concerns, please try to appoint a spokesperson and avoid repetitive comments.
5. If you would like to present handouts or written materials to the Committee, please provide five copies to the designated staff member just prior to speaking.
6. If speaking during public forum, the subject matter you present should not be related to any item on the current agenda (public comment on agenda items will be taken at the time the Committee members discuss that item). As a general rule, public forum is an opportunity to bring matters to the attention of the Committee, but you may also do so via email or standard mail. At the discretion of the Committee, staff may be requested to follow up on the subject you raise.

VISUAL PRESENTATIONS/MATERIALS

All electronic presentations must be submitted by the **Late Comment Deadline** and approved by the Commission executive director before the meeting.

1. Electronic presentations must be provided by email by the written materials deadline.
2. All electronic formats must be Windows PC compatible.
3. It is recommended that a print copy of any electronic presentation be submitted in case of technical difficulties.
4. A data projector, laptop and presentation mouse will be available for use at the meeting.

LASER POINTERS may only be used by a speaker during a presentation.

From: Bill James
Sent: Monday, November 14, 2016 1:16 PM
To: FGC; Ashcraft, Susan@FGC
Cc: Larinto, Traci@Wildlife; Yaremko, Marci@Wildlife
Subject: 4. Nearshore and Deeper Nearshore Fishery Permits

Commissioner Sklar and Commissioner Silva: My name is William James (Bill James). I have been a Nearshore Commercial Fishermen since 1992. I request that you adopt the Department of Fish and Wildlife's recommendation to make both the Shallow Nearshore and Deeper Nearshore Fishery Permits transferable on a one for one basis. I commend the Department of Fish and Wildlife's hard work on putting this proposal forward for your review and possible endorsement to the full commission. I especially would like to thank Traci Larinto, Bob Leos, Marci Yaremko, Susan Ashcraft, and others for their hard work in bringing this forward to today's MRC Meeting. Sincerely, William James (Bill James)