

Fish and Game Commission Meeting Binder



November 15, 2016

Marine Resources Committee

Los Alamitos

OVERVIEW OF FISH AND GAME COMMISSION COMMITTEE MEETING

- Our goal today is informed discussion to guide future decision making, and, we need your cooperation to ensure a lively and comprehensive dialogue.
- We are operating under Bagley-Keene Open Meeting Act, but the Committee is not a decision making body and only makes recommendations to the full Commission for possible action.
- These proceedings may be recorded and posted to our website for reference and archival purposes.
- Items may be heard in any order pursuant to the determination of the Committee Co-Chairs.
- In the unlikely event of an emergency, please locate the nearest emergency exits.
- Restrooms are located _____.
- 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.
- Committee meetings operate informally and provide opportunity for everyone to provide 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.
 2. Provide your name, affiliation (if any), and the number of people you represent.
 3. Time is limited; please keep your comments precise to give others time to speak.
 4. If several speakers have the same concerns, please appoint a group spokesperson.
 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 comment, 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).
- **Warning!** Laser pointers may only be used by a speaker doing a presentation.

INTRODUCTIONS FOR FISH AND GAME COMMISSION MARINE RESOURCES COMMITTEE

FISH AND GAME COMMISSIONERS

Eric Sklar Co-Chair (Saint Helena)
Peter Silva Co-Chair (Chula Vista)

COMMISSION STAFF

Valerie Termini Executive Director
Susan Ashcraft Acting Deputy Executive Director
Elizabeth Pope Acting Marine Advisor

DEPARTMENT OF FISH AND WILDLIFE

David Bess Deputy Director and Chief, Law Enforcement Division
Bob Puccinelli Assistant Chief, Law Enforcement Division
Tom Barnes State Fisheries Program Manager, Marine Region
Sonke Mastrup Invertebrate Fisheries Program Manager, Marine Region
Becky Ota Habitat Conservation Program Manager, Marine Region

I would also like to acknowledge special guests who are present:
(i.e., key DFW staff, elected officials, tribal chairpersons, other special guests)

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

Valerie Termini, Executive Director
1416 Ninth Street, Room 1320
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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.

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

2. PUBLIC FORUM**Today's Item****Information** **Direction**

Receive public comments for items not on the agenda.

Summary of Previous/Future Actions (N/A)**Background**

The Committee generally receives two types of correspondence or comment under public forum: Requests for the Committee to consider new topics, and informational items. As a general rule, requests for regulatory change need to be redirected to FGC 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 discretion of the Committee, staff may be requested to follow up on items of potential interest to the Committee and possible recommendation to FGC.

Significant Public Comments (N/A)**Recommendation**

If the Committee wants to recommend any new future agenda items based on issues raised and within the FGC's authority, staff recommends holding for discussion under today's Agenda Item 9(B) *Potential new agenda topics for FGC consideration*.

Exhibits (N/A)**Committee Direction/Recommendation (N/A)**

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

3. AGENCY UPDATES**Today's Item****Information** **Direction**

Receive updates from other government agencies on marine items.

Summary of Previous/Future Actions (N/A)**Background**

This is a standing item for DFW, Ocean Protection Council (OPC), and other government agencies to provide an update on marine-related items of interest.

- A. OPC: Holly Wyer, OPC staff member, will provide an update on recent OPC actions.
- B. DFW Marine Region: Sonke Mastrup, Environmental Program Manager, will provide the Marine Region update on emerging marine issues.
- C. DFW Law Enforcement Division: Bob Puccinelli, Assistant Chief, will provide an enforcement update.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits (N/A)****Committee Direction/Recommendation (N/A)**

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

4. COMMERCIAL NEARSHORE FISHING PERMITS**Today's Item**Information Direction

Receive presentation from DFW staff on the current commercial permit structure for nearshore and deeper nearshore fisheries.

Summary of Previous/Future Actions

- Public regulatory change request received Aug 6, 2014; San Diego
- FGC request referred to DFW for review and response Oct 8, 2014; Mt. Shasta
- **Today receive DFW recommendation Nov 15, 2016; Los Alamitos**

Background

California's nearshore fishery includes 19 species managed jointly through state and federal actions, and is governed in part through the FGC-adopted Nearshore Fishery Management Plan (adopted in Aug 2002). The commercial fishing permit program includes two separate permits: The nearshore fishery permit (NFP) for ten nearshore species, and the deeper nearshore species fishery permit (DNSFP) for eight deeper species. Permit transferability rules, originally intended to limit effort and capacity, are highly restricted, where NFPs may be transferred on a 2-for-1 basis, and DNSFPs are non-transferable. This permit structure has been identified by fishery participants across the state as an area of concern and a limiting factor to fleet viability.

In 2014, FGC responded to new petitions to amend the nearshore fishery permit regulations by formally referring the request to DFW for review and recommendation. Following a joint meeting among nearshore permittees, DFW staff and FGC staff in 2015, DFW sent a survey to all nearshore permit holders to solicit detailed perspective and feedback on the permit structure, its limitations, and potential solutions.

Today, DFW will provide the MRC with an overview of the results from that survey, options identified, and DFW recommendations for changes to streamline and improve the permit structure while still maintaining fishery stability and biological capacity goals (see exhibits 1 and 2). DFW will present the MRC with a suite of narrowly-focused options to:

- 1) Change the NFP transfer rule from 2-for-1 to 1-for-1;
- 2) Develop transfer rules for DNSFP; and
- 3) Increase the transfer fee for NFP and establish a similar fee for DNSFP transfers.

Current staff capacity at FGC and DFW, as well as necessary outreach, would restrict notice on any rulemaking for commercial nearshore fishing permits to no earlier than the latter half of 2017.

Significant Public Comments

Nearshore fishermen have expressed a desire for other types of changes to the nearshore fishery permit structure, such as allowing permit stacking, permit leasing and substitutes, and allowing certain species to be retained under either permit.

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

Mr. Bill James, who holds a DNSFP, requested in Oct 2016 that FGC authorize a second person to fish his permit as part of accommodation for a physical disability.

Recommendation

FGC staff: Staff supports DFW's recommendation to move forward with preparing for a rulemaking narrowly focused on permit transferability, fees, and minor permit processing procedures. While other options may be warranted for future consideration, a narrow focus now will help address the biggest permitting obstacles for the near-term, as identified by the fishermen themselves, with available staff capacity. Staff also recommends that DFW return to MRC at the Mar 2017 meeting with a specific proposed transfer fee for each permit type.

DFW: Recommends advancing for proposed rulemaking: (1) Change shallow permit transfer to 1-for-1; (2) allow deeper permits to transfer 1-for-1; (3) change and implement a transfer fee (\$1000-\$2000) for each permit; and (4) minor changes to permit processing procedures.

Exhibits

1. [DFW memo](#), dated Nov 2, 2016
2. [DFW presentation](#): Nearshore Fishery Permits

Committee Direction/Recommendation

The Marine Resources Committee recommends that the Commission direct staff to begin preparing a notice of intent to amend regulations related to transferability of nearshore and deeper nearshore permits for the 2017 rulemaking calendar, and requests an update at the Mar 2017 marine resources committee meeting with a proposed permit transfer fee.

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

5A. ELECTRONIC LANDING RECEIPTS**Today's Item****Information** **Direction**

Receive presentation from DFW staff on progress in development of electronic landing receipts.

Summary of Previous/Future Actions

- | | |
|-------------------------------|--|
| • Today receive update | Nov 15, 2016; MRC, Los Alamitos |
| • Notice hearing | Jun 21-22, 2016; Fortuna |
| • Discussion/Adoption hearing | Oct 11-12, 2016; Ventura |

Background

Currently landing receipts for all commercial fisheries are maintained through a paper management reporting system. DFW is working to conform to federal standards on the documentation of catch by converting landing receipts from paper to electronic format. Today, DFW will provide an overview of the current landing receipt structure, an update on transition to electronic reporting, and the regulatory timeframe for implementing the changes noticed through the FGC process.

Significant Public Comments (N/A)**Recommendation:**

Clarify the potential rulemaking timeline.

Exhibits

1. [DFW presentation](#): Electronic reporting for commercial fishery landings

Committee Direction/Recommendation (N/A)

STAFF SUMMARY FOR NOVEMBER 15, 2016

5B. KELP AND ALGAE HARVEST**Today's Item**Information Action

Receive DFW update on approach to overhauling commercial kelp and algae harvest regulations. Provide guidance on approach and next steps.

Summary of Previous/Future Actions

- | | |
|---|--|
| • FGC approves 3-phase approach for kelp review | Jun 2012 |
| • FGC adopts Phase 1 kelp regulations | Nov 2013 |
| • MRC reviews approach to next regulation phases | Nov 4, 2015; MRC, Ventura |
| • FGC approves revised 3-phase approach | Dec 9, 2015; San Diego |
| • Today review approach to next regulation phase | Nov 15, 2016; MRC, Los Alamitos |

Background

Kelp has been identified as an important biogenic habitat, and is managed through DFW's kelp management program. In Jun 2012, FGC and DFW agreed to a three-phase approach to revise antiquated kelp regulations over several years, to improve management and enforceability (Exhibit 1), as follows:

- Phase 1: Modernize administrative kelp bed boundaries; require kelp harvest plans; improve reporting requirements;
- Phase 2: Review kelp fees, royalty rate, and lease deposits;
- Phase 3: Review and revise kelp management and harvest.

Phase 1 was completed in 2013 and implemented in 2014. Following a DFW update and discussion with MRC in Nov 2015, FGC approved an MRC recommendation to reverse the order of the 2nd and 3rd phases, to undertake evaluation of kelp harvest management measures and policies as Phase 2, before reviewing fees as Phase 3, to ensure any potential increased costs to DFW resulting from changes in kelp management structure could be considered in setting fees.

Today, DFW's presentation will focus on the status of its review of management measures (the new Phase 2), and highlight potential options that address regulatory clean-up needs and/or offer broader management overhaul, and the associated benefits and challenges associated with each pathway (Exhibit 2).

Significant Public Comments

Previously, kelp harvesters, edible seaweed harvesters, and Tribes have expressed interest in participating in review of regulations governing the take of kelp and algae.

Recommendation

FGC staff: Discuss possible guidance on next steps as requested by DFW given trade-offs described by DFW.

DFW: Provide guidance on whether to pursue clean-up regulations only or conduct more comprehensive management review, in light of cost and time considerations.

STAFF SUMMARY FOR NOVEMBER 15, 2016

Exhibits

1. [DFW memo on three-phase approach](#), dated Jun 1, 2012 – for reference purposes only
2. [DFW presentation](#)

Committee Direction

Consider recommendation to FGC regarding any changes to the approved three-phase approach and/or next steps.

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

5C. RECREATIONAL RED ABALONE REGULATIONS**Today's Item****Information** ☒**Direction** ☒

Update on the need for emergency action for red abalone and receive DFW overview of options.

Summary of Previous/Future Actions

- DFW briefs FGC on changes affecting abalone Feb 10-11, 2016; Sacramento
- DFW updates MRC on changes affecting abalone Jul 21, 2016; MRC, Petaluma
- FGC informed of possible need for emergency action Oct 19-20, 2016; Eureka
- **Today's overview of possible emergency action** **Nov 15, 2016; MRC, Los Alamitos**
- Emergency rulemaking; and Notice hearing Dec 7-9, 2016; San Diego

Background

Management and recovery of all abalone species in California is currently guided by the Abalone Recovery and Management Plan (ARMP), adopted by FGC in 2005 based on legislation in 1997, prior to enactment of the Marine Life Management Act (MLMA) that requires FMPs form the primary basis for managing the state's marine fisheries. DFW is currently developing an FMP for the existing northern California recreational red abalone fishery separate from recovery under the ARMP (see Agenda Item 6A, this meeting). However, until the FMP is completed and adopted by FGC, management is still governed by the triggers and management measures identified in the ARMP.

In Feb and Jul 2016, DFW briefed FGC and MRC on a series of unprecedented environmental and biological events in Northern California that have resulted in wide-sweeping changes in density and health of red abalone, sea urchin, and the kelp they depend upon for food. Through summer and fall, DFW conducted surveys to quantify the changes as they relate to reductions in density and health of red abalone. In Oct 2016, DFW notified FGC that its survey results indicate that density levels have declined to levels identified as "triggers" for possible FGC action under to the ARMP. The ARMP identifies biological "triggers" or "action points" associated with specific levels of lower population density, occurrence, and size. Based on DFW survey results, DFW recommends immediate to reduce the annual catch target through fishery management measure changes.

Today DFW will provide an overview of the biological need and options for regulation change for the red abalone fishery consistent with the ARMP; DFW provided presentations on these topics to the Recreational Abalone Advisory Committee (RAAC) for discussion on Nov 5, 2016 (exhibits 1-3).

Significant Public Comments (N/A)**Recommendation**

FGC Staff: Supports DFW recommendation. Staff recommends that MRC clarify the options to achieve necessary take reductions, receive stakeholder input, and develop recommendation for FGC consideration for regulatory change.

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

DFW: DFW recommends emergency action in Dec 2016 to ensure reductions are in effect before the 2017 abalone season, and to concurrently pursue a regular rulemaking to enact the changes long-term.

Exhibits

1. [DFW presentation on ecosystem health and abalone fishery](#) in northern California presented to the RAAC on Nov 5, 2016
2. [DFW presentation, on red abalone catch density and reproduction data](#), presented to the RAAC on Nov 5, 2016
3. [DFW presentation on options for Red Abalone Emergency Regulations](#), presented to the RAAC on Nov 5, 2016

Committee Direction/Recommendation

Consider a recommendation for FGC concerning options to achieve take reductions consistent with the ARMP.

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

6A. ABALONE FISHERY MANAGEMENT PLAN**Today's Item****Information** **Direction**

Update on red abalone fishery management plan (FMP) timeline and public involvement.

Summary of Previous/Future Actions

- FGC accepts MRC recommendation to develop red abalone FMP Oct 8, 2014; Mt Shasta
- Receive update on FMP process Nov 4, 2015; MRC, Ventura
- Receive update on FMP process Mar 21, 2016; MRC, Los Alamitos
- Receive update on FMP process and timeline Jul 21, 2016; MRC, Petaluma
- **Today's update on FMP process and timeline Nov 15, 2016; MRC, Los Alamitos**

Background

A fishery management plan (FMP) for red abalone is under development. Currently, the management and recovery of all abalone species in California is guided by the Abalone Recovery and Management Plan (ARMP), adopted by FGC in 2005. As required by legislation in 1997, prior to enactment of the Marine Life Management Act (MLMA) that requires FMPs form the primary basis for managing the state's marine fisheries. In light of changes in the red abalone fishery, and limitations in the management responses available under the ARMP, FGC endorsed a proposal from DFW to develop an FMP for the existing northern California recreational red abalone fishery, separate from recovery under the ARMP.

The endorsed process to develop the red abalone FMP was launched through a series of public workshops in 2014, followed by an online angler survey in Feb 2015. Since then, DFW has provided updates at MRC meetings on stakeholder input and next steps in the FMP development process. At the Mar 2016 MRC meeting, DFW staff reported that an extended timeline was needed, in order to increase public outreach including a 2-day Control Rules Workshop to discuss FMP development metrics and citizen science data streams in conjunction with The Nature Conservancy in May 2016.

Since Feb 2016, DFW has also kept FGC informed of the unexpected set of environmental conditions it referred to as a "perfect storm" leading to severe biological impacts, and how those have affected and delayed the FMP process, as staff resources have of necessity redirected focus to evaluate impacts to abalone stocks (see Agenda Item 5C, this meeting). Today DFW will provide an update for the FMP timeline and development.

Significant Public Comments

Comment from Brandi Easter encouraging the consideration of regional management, the use of citizen science, and area of consideration for FMP application (Exhibit 1).

Recommendation (N/A)**Exhibits**

1. [Letter from Brandi Easter](#), dated Oct 26, 2016

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

6B. PACIFIC HERRING FMP**Today's Item****Information** **Direction**

Receive DFW update on planning process to develop a Pacific herring fishery management plan (FMP).

Summary of Previous/Future Actions

- | | |
|--|---------------------------------------|
| • Receive DFW update on FMP contract | Mar 21, 2016; MRC, Los Alamitos |
| • Update on FMP progress | Jul 21, 2016; MRC, Petaluma |
| • Today receive update on FMP process | Nov 15, 2016; MRC Los Alamitos |

Background

A critically important forage species in California and the west coast, commercial herring are managed through annual FGC regulations to establish fishing quotas, pursuant to Section 163, Title 14, California Code of Regulations, based on herring spawning population size estimates from DFW surveys.

FGC and DFW have identified Pacific herring as a priority fishery for developing an FMP as mandated in the Marine Life Management Act. For over two years, a collaborative working group of herring fleet leaders, staff from conservation non-governmental organizations and DFW staff, developed a vision and concepts for an FMP, and provided MRC with regular updates.

At the Jul 21, 2016 MRC meeting, DFW introduced the newly-contracted project manager Sarah Valencia, who provided updates on the stock assessment peer review, FMP development, and tribal consultation process relative to Herring FMP completion.

Today, Ms. Valencia will provide additional status updates on the Herring FMP since the Jul 21 MRC meeting.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits (N/A)****Committee Direction/Recommendation (N/A)**

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

6C. MLMA MASTER PLAN**Today's Item****Information** ☒**Direction** ☐

Receive DFW update on progress in efforts to review and amend the current FGC-adopted master plan for fisheries pursuant to the Marine Life Management Act (MLMA).

Summary of Previous/Future Actions

- | | |
|--|--|
| • Received overview of plan and timeline | Nov 4, 2015; MRC, Ventura |
| • Update on progress | Mar 21, 2016; MRC, Los Alamitos |
| • Update on progress | Jul 21, 2016; MRC, Petaluma |
| • Today's update on progress | Nov 15, 2016; MRC, Los Alamitos |

Background

In 2001, FGC adopted a master plan for fisheries developed by DFW with input from stakeholders pursuant to the MLMA. A DFW effort to amend the master plan is currently underway, to broaden the policy scope of the document and facilitate moving more fisheries under active management and fishery management plans, as envisioned in the MLMA (See Exhibit 1 for more background). A master plan amendment is significant and substantial enough that DFW's Marine Region has elevated its priority to one of five strategic work plan objectives.

In Nov 2015, Mar 2016, and Jul 2016, DFW provided MRC with an overview and updates on the MLMA master plan amendment process, expected timeline for completion, and initial details on the draft framework. Since then, DFW has developed additional information resources to engage the public, including creation of new a DFW Master Plan amendment webpage, updated public information documents, and plans for more stakeholder engagement (exhibits 2-4). Today DFW will provide a verbal update on the status of the master plan amendment process.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [Staff Summary from Mar 2016 MRC meeting](#) – for reference purposes only
2. [Overview of Draft Amended Framework](#) of MLMA-based Management, updated Oct 2016
3. [MLMA Master Plan Amendment Process: Information Gathering Projects](#), Oct 2016
4. Link: "Updating the MLMA Master Plan" webpage (www.wildlife.ca.gov/Conservation/Marine/MLMA/Master-Plan)

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

7A. UPDATE: BYCATCH WORKGROUP**Today's Item**Information Direction

Receive an update on the progress of the Bycatch and Incidental Take Workgroup (BWG).

Summary of Previous/Future Actions

- | | |
|---------------------------------------|--|
| • BWG meeting | May 18, 2016; BWG, Santa Barbara |
| • Update on Bycatch workgroup | Jul 21, 2016; MRC, Petaluma |
| • BWG teleconference meeting | Sep 7, 2016; BWG, teleconference |
| • Today overview of next steps | Nov 15, 2016; MRC, Los Alamitos |

Background

On May 18, 2016 the MRC's Bycatch workgroup (BWG) held its first meeting in Santa Barbara with 14 members of the public attending. In preparation for future meetings, workgroups were formed and FGC staff agreed to provide a draft work plan for BWG review. A meeting summary was provided with next steps identified (Exhibit 1).

At the Jul 2016 meeting, staff updated MRC on BWG efforts and meeting outcomes. The MRC confirmed the general scope of the BWG, and proposed work plan development. On Sep 7, a BWG teleconference was held to confirm priorities, product status, and receive comments on draft materials. Based on input received, staff extended the opportunity for written comment on draft products, including the draft work plan, for an additional two week period. Finalization of the draft work plan was scheduled for Sep 30, 2016 but, due to illness and injury of both staff scheduled to facilitate the meeting, the meeting was canceled and is in the process of being rescheduled for late Nov/early Dec. However, staff has received comments on the draft work plan which are incorporated for today's discussion (Exhibit 3). While all members of the BWG have received the draft work plan, the staff updates to the work plan provided today have not been vetted with the full BWG, and are provided today for purposes of discussion before the BWG meets to refine the draft work plan. Once the work plan has been finalized the BWG will submit it to the MRC.

Today provides an opportunity for MRC to review, discuss, and provide direction on the scope and direction of the work plan in the current draft form so that the BWG can work toward completing the work plan at the next meeting.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [Bycatch workgroup meeting summary](#), May 18, 2016
2. [Bycatch workgroup teleconference summary](#), Sep 7, 2016
3. [Draft work plan with comments received to date](#), Nov 1, 2016

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

7B. FISHING COMMUNITIES**Today's Item****Information** **Direction**

Receive staff update on California's fishing communities and overview of next steps for planning.

Summary of Previous/Future Actions

- | | |
|---|---------------------------------------|
| • Initial discussion on fishing communities | Mar 4, 2015; MRC, Marina |
| • Continued discussion on fishing communities | Nov 4, 2015; MRC, Ventura |
| • Public meeting and discussion | Jul 20, 2016; Petaluma |
| • Today's update on planning efforts | Nov 15, 2016; MRC Los Alamitos |

Background

Discussions in Mar and Nov 2015 between the MRC and members of various fishing communities demonstrated the potential value in expanding a conversation surrounding challenges facing California's fishing communities and providing additional time for the conversation through a public meeting dedicated to the topic. At the direction of the MRC, a public meeting was held Jul 20, 2016 in Petaluma. General feedback from the Petaluma meeting indicated a desire by many to continue the fishing communities discussion, including the topic of nearshore fisheries and permit transferability (see agenda item 4). At the Jul 21 MRC meeting, the MRC developed a recommendation that staff explore options for scheduling subsequent fishing community discussions with more locally-focused meetings along the coast; this recommendation was approved by FGC at its Aug meeting.

Potential meeting locations might include:

- Crescent City/Eureka/Fort Bragg
- Bodega Bay/Half Moon Bay
- San Francisco/Oakland
- Santa Cruz/Moss Landing/Monterey
- Morro Bay/San Luis Obispo/Santa Barbara
- Los Angeles/ San Pedro
- Orange County/San Diego

Proposed timeframe: Exact dates to be determined, but they will be closely aligned with currently scheduled FGC and MRC meetings. Examples include Feb in the San Francisco/Oakland area or the Bodega Bay/Half Moon Bay areas, Mar in San Diego, and Apr in the Morro Bay to Santa Barbara areas.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits (N/A)****Committee Direction/Recommendation (N/A)**

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

8A. UPDATES: MARINE DEBRIS**Today's Item****Information** ☒**Direction** ☒

Receive an update on the topic of marine debris, previously before the Committee.

Summary of Previous/Future Actions

- Informational presentations on marine debris Mar 21, 2016; MRC, Los Alamitos
- FGC accepts MRC recommendation to engage OPC Apr 13-14, 2016; FGC, Santa Rosa
- Update to MRC from OPC Jul 21, 2016; MRC, Petaluma
- **Today's update** **Nov 15, 2016; MRC, Los Alamitos**

Background

FGC referred this topic to the MRC in Feb 2016 to discuss concerns over marine debris and plastic pollution in California's coastal waters and ocean ecosystem, potentially impacting marine organisms under FGC purview. FGC previously discussed several issues that fall under this broad topic, ranging from *land-based* activities to *ocean-based* activities, all leading to *floating* or *submerged* debris in the ocean environment. Examples include plastics and trash originating from land, and lost gear associated with fishing and shellfish aquaculture. These all have the potential to harm to marine wildlife through ingestion, entanglement, or habitat disruption.

In Mar 2016, the MRC received informational briefings from a panel of three invited speakers on marine debris and plastic pollution, and discussed potential actions and opportunities at local, state and federal levels, including FGC engagement. Based on discussion, the MRC recommended, and in Apr 2016 FGC approved, for staff to coordinate with the California Ocean Protection Council (OPC) regarding possible efforts to jointly address marine debris (e.g., interagency workgroup or a possible multi-stakeholder workshop to share ideas).

1. OPC update: Holly Wyer, Program Manager at OPC, will report to MRC on progress in the OPC focal area of addressing marine debris (Exhibit 1). OPC is launching an effort to expand its 2008 Implementation Strategy for the 2007 OPC Resolution to Reduce and Prevent Ocean Litter (Exhibit 1). Ms. Wyer will discuss OPC funding granted in Oct for this effort. In line with FGC's request, based on MRC recommendation, Ms. Wyer has scheduled an interagency "lessons learned/kickoff meeting" in late Nov 2016, in which FGC staff will participate.
2. Plastics bag ban status and new referendum: FGC staff will briefly highlight and share preliminary election results for the "California Plastic Bag Ban Referendum", Proposition 67, a veto referendum to uphold the legislation banning plastic bags, which FGC voted to formally supported in Aug 2016.
3. Lost fishing gear: Staff will update on passage of SB 1287 by Senator McGuire (Chapter 542, Statutes of 2016), which will facilitate the retrieval of lost or abandoned Dungeness crab traps through a DFW-established retrieval permit program. Further, the OPC recently provided funding to support the Dungeness Crab Fishing Gear Working Group and implementation of its projects to reduce the risk and impact of whale entanglement in Dungeness crab fishing gear.

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

Significant Public Comments (N/A)**Recommendation**

Discuss FGC involvement with marine debris reduction efforts, including future meetings of interest sponsored by OPC. Staff recommends participation by staff and commissioners to the extent feasible with OPC's Strategy update process, beginning with the interagency workgroup.

Exhibits

1. [OPC report](#): Highlights from the Oct 17, 2016 OPC meeting
2. Link: http://www.opc.ca.gov/webmaster/ftp/pdf/opc_ocean_litter_final_strategy.pdf

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

8B. UPDATES: PIER AND JETTY FISHING**Today's Item**

Information ☒

Direction ☒

Receive update on pier and jetty fishing review, a topic previously before the Committee.

Summary of Previous/Future Actions

- Discuss pier fishing incident and restrictions Nov 5, 2014; MRC, Los Alamitos
- Update on pier fishing follow-up/outreach Nov 4, 2015; MRC, Ventura
- Update on pier fishing posted restrictions Jul 21, 2016; MRC, Petaluma
- **Today's update on pier fishing enforcement Nov 15, 2016; MRC, Los Alamitos**

Background

An incident in 2014 on a Southern CA pier, and resulting actions by city councils to close or restrict fishing from their pier(s), led to intense focus from FGC and other State agencies. The focus was to ensure that city and county officials recognized the State's sole authority to regulate fishing methods on public piers (see exhibits 1 and 2 for background). A combination of public outreach and direct work with city managers related to fishing on piers in Los Angeles County, reflected effectiveness of outreach and education efforts in lieu of State regulatory action. This included public forum roundtables with city managers and councils, sport fishing organizations and NGOs (including a joint workshop hosted by Heal the Bay in collaboration with FGC staff).

Today's update was prompted by public comment at recent MRC and FGC meetings in which a speaker identified concerns regarding pier fishing restrictions and license requirements posted on certain piers in Southern California. They requested that DFW and FGC staff look into the matter for potential inconsistencies with State statutes and regulations. FGC staff has coordinated with DFW's Law Enforcement Division (LED) to evaluate the issue; LED will report out on its review, with an emphasis on public awareness, signs on piers, and on-the-ground enforcement actions.

Significant Public Comments

Public testimony has reflected conflicting interpretations of whether concerns have been resolved or not regarding restriction on fishing on select piers in Southern California.

Recommendation

Staff and LED has not located any local restrictions inconsistent with State statutes and regulations being enforced at this time, and recommends that FGC take no further action unless a new action by city managers or councils emerges to warrant further review.

Exhibits

1. [Staff summary from Nov 2014 MRC meeting](#) – for background only
2. [Staff summary from Jul 2016 MRC meeting](#) – for background only

Committee Direction/Recommendation

Consider a recommendation that, unless and until a significant issue arises related to this topic, that no further action is warranted.

COMMITTEE STAFF SUMMARY FOR NOVEMBER 15, 2016

9A. FUTURE TOPICS**Today's Item****Information** ☒**Direction** ☒

Review upcoming agenda items scheduled for the next and future MRC meetings, hear requests from DFW and interested stakeholders for future agenda, and identify new items for consideration.

Summary of Previous/Future Actions

- | | |
|--|--|
| • Today discuss possible topics | Nov 15, 2016; MRC, Los Alamitos |
| • FGC approves draft Mar MRC topics | Feb 8-9, 2017; Santa Rosa |
| • Next MRC meeting | Mar 23, 2017; Oceanside |

Background

Committee topics are referred by FGC and scheduled as appropriate. MRC agendas currently include several complex and time-intensive topics. The committee has placed emphasis on issues of imminent regulatory importance, and thus consideration of new topics will require planning relative to existing committee workload.

FGC-referred topics and draft schedule, including Mar 2017, are shown in Exhibit 1. Two topics referred to MRC but not yet scheduled include:

1. Sea Cucumber fishery status and update
2. Aquaculture-Best Management Practices

Today provides an opportunity to clarify timing for referred topics, and to identify any potential new agenda topics to recommend to FGC for referral.

Significant Public Comments (N/A)**Recommendation**

Review current rulemaking calendar (Exhibit 2) and draft MRC schedule, schedule or re-schedule recommended projects for 2016 or 2017, including the two unscheduled topics listed above, and consider any potential new topics to recommend.

Exhibits

1. [MRC 2016-2017 Work Plan](#), updated Nov 2016
2. [Perpetual Timetable for FGC Anticipated Regulatory Actions](#), updated Oct 25, 2016

Committee Direction/Recommendation (N/A)

Memorandum

Date: November 2, 2016

To: Valerie Termini
Executive Director
Fish and Wildlife Commission

From: Craig Shuman, D. Env. 
Marine Regional Manager

Subject: Proposed Nearshore Fishery Permit Program Changes

California's nearshore fishery includes 19 species managed through a complex suite of state and federal regulations. Over the last several years, numerous individuals have requested the Commission consider changes to the state's nearshore fishery permit regulations to improve performance of the permit programs to accommodate their individual commercial fishing business needs. To better assess the specific interests and concerns of all current permit holders, the Department recently conducted a survey aimed to collect information on what regulation changes would improve performance of the permit programs.

In addition to the survey, the Department took inventory of its own experience administering the nearshore fishery permit programs over the past 17 years. This included an evaluation of changes in allowable harvest levels, nearshore fishery management strategies, and fishery performance as well as the need to minimize bycatch of nearshore fish stocks. This memo briefly describes two priority concerns identified with the current permitting program and the Department's recommendation to address these concerns.

Background

Pursuant to regulations adopted by the Commission, fishermen participating in the directed nearshore fishery must possess a Nearshore Fishery Permit (NFP) or a Deeper Nearshore Species Fishery Permit (DNSFP)¹. The NFP is for the take of 10 shallow nearshore species (cabezon, California scorpionfish, California sheephead, kelp and rock greenlings, and black-and-yellow, China, gopher, grass and kelp rockfishes). The DNSFP is for the take of eight deeper nearshore rockfish (black, blue, brown, calico, copper, olive, quillback and treefish). The nearshore fishery has an average annual ex-vessel value of \$2.5 million (2011- 2015)

¹ There are no permit requirements or gear restrictions for monkeyface prickleback, a Nearshore Fishery Management Plan species.

Nearshore Fishery Permits (NFP)

Consistent with the Nearshore Fishery Management Plan, the state is divided into four different regions – each with a specific NFP. Permittees may hold only one NFP applicable for a single region. Permit transfers are allowed on a 2-for-1 basis, meaning a new participant must purchase two permits for the same regional management area they want to fish in, agree to retire one permit, and fish off the other. The vast majority of permittee survey respondents reported significant difficulty acquiring two permits for sale in the same region. Also, 78 percent of the NFP permittees currently actively participate in the fishery. This high level of participation is likely a factor in why interested buyers reported difficulty finding two permits for sale in one region.

The number of NFPs issued in 2003 totaled 220 and has been reduced, through transfers or non-renewal, to 144 permits in 2016. Despite the reduction in the number of NFPs, each region remains above its capacity goal of 14, 9, 20 and 18 transferable NFPs for the North Coast, North-Central Coast, South-Central Coast and South Coast regions, respectively. However, many of the Total Allowable Catches that were initially used to develop these capacity goals have increased over time, resulting from new stock status information. Additionally, the commercial nearshore fishery has been successfully managed for many years under both state and federal management authorities. The Department collects and evaluates inseason catch information, which allows adjustment of bi-monthly trip limits to ensure that catches remain within established annual limits. Because of these factors, the Department is comfortable recommending changes to nearshore permit regulations that could result in modest increases in fishery participation, catch, or effort in the fishery, despite being above the capacity goal for each NFP region.

Deeper Nearshore Species Fishery Permits (DNSFP)

The DNSFP was adopted by the Commission to limit the amount of effort on deeper nearshore fish stocks that may have shifted from those who did not initially qualify for a NFP when it was enacted. The DNSFP has no gear limitations, nor regional boundaries. The DNSFP is non-transferable so there is currently no mechanism for entry for those wishing to enter the fishery. Consequently, the program does not allow new participants to enter this nearshore fishery, nor does it allow existing permittees who may wish to retire or leave the fishery to sell or pass the permit to a family member, working partner or other person. 96 percent of survey respondents support transferability of the DNSFP.

From a resource management and conservation standpoint, the Department notes the prohibition on DNSFP transfers and the constraints on NFP transfers can result in regulatory discards in the nearshore fishery, as the shallow and deeper species are sometimes caught together. Many fishermen have expressed interest in holding both permits to maximize their fishing productivity and to reduce the number of fish they are required to release, but due to regulatory constraints, they are not able to acquire both permits.

Department Recommendations

Based on the Department's evaluation of the existing regulations, and the input provided through the permittee survey and ongoing input to the Commission and Department under public forum and in other venues, the Department recommends the Marine Resources Committee and Commission consider the following changes to the nearshore fishery permit program:

- Change the NFP transfer rule to 1-for-1, from 2-for-1. While each region remains above its capacity goal, permit numbers have declined substantially from 2003 levels, and the management of the fishery has been successful using a suite of annual catch limits and inseason monitoring and management mechanisms. As a result, the Department is confident these mechanisms will be effective in addressing any increases in fishery catch, effort or participation that may result from increased permit transfer activity. Changing NFP transfers to 1-for-1 would require a regulatory change, but no changes to the Nearshore Fishery Management Plan or the Fish and Game Code are necessary.
- The Department recommends the Fish and Game Commission consider increasing the transfer fee to a level between \$1000 and \$2000, to more accurately reflect current administrative costs, and to partially cover costs associated with heightened scrutiny on inseason monitoring and trip limit management that is needed to keep the fishery within its annual limits. The current fee for a 2-for-1 NFP transfer is \$500. The transfer fee was established in 2003 and has not been adjusted since.
- Develop transfer rules for the DNSFP. The Department recommends making DNSFP transferable on a 1-for-1 basis. This would provide flexibility for current fishermen and allow new fishermen to enter the fishery. This change to the DNSFP would require a regulatory change, but no changes to the Nearshore Fishery Management Plan or Fish and Game Code are necessary.
- Should DNSFPs become transferable, the Department recommends the Fish and Game Commission consider a fee range between \$1000 and \$2000, consistent with the transfer fee proposed for the NFP described above.
- Other minor changes to administrative processes and paperwork required for issuance and renewals of nearshore permits, as recommended by the Department's License and Revenue Branch.

Conclusion

The recommended modifications to the nearshore permitting programs will address a number of long-standing operational concerns within this fishery. The proposed changes are overwhelmingly supported by fishery participants and interested parties, and are expected to streamline and improve the program's performance. These proposed changes may also facilitate reduction in bycatch and discards by those who currently cannot attain both permits. The proposed changes are relatively simple fixes

Valerie Termini, Executive Director
Fish and Game Commission
November 2, 2016
Page 4

that can be accomplished without a Nearshore Fishery Management Plan amendment. While additional changes could be made to further improve the nearshore fishery, both the problems and possible solutions are less clear, and involve more complex analyses that cannot readily be accomplished in the near-term.

Next Steps

The Department requests the Marine Resources Committee consider the Department's proposal and possibly recommend to the full Commission to direct the Department to prepare an Initial Statement of Reasons to include the Department's recommended changes described above. A proposed timeline and schedule would include a notice hearing in June, discussion hearing in August, and adoption hearing in October of 2017. These opportunities for public input are scheduled in locations that should be convenient for stakeholder input from all four nearshore regions of the state, allowing the Commission to hear from a wide array of interests and consider any regional concerns.

ec: Marci Yaremko, Environmental Program Manager
Marine Region
Marci.Yaremko@wildlife.ca.gov

Traci Larinto, Senior Environmental Specialist
Marine Region
Traci.Larinto@wildlife.ca.gov

Nearshore Fishery Permits



DFW file photos



Traci Larinto

Senior Environmental Specialist

Department of Fish and Wildlife, Marine Region

Marine Resources Committee Meeting

November 15, 2016



Overview

- * Describe the two nearshore permits
- * 2015 Nearshore Survey results
 - Shallow permit transfers
 - Deeper permit transfers
- * Nearshore Permit capacity and activity
- * Department recommendations
- * Next steps



Nearshore Fishery Permit aka Shallow Permit

- * Restricted access program
- * Regional permit
- * Hook-and-line, dip net and trap gear
- * Permit fee \$707.25

Transfer Requirements

- Two transferable NFPs for the same region
- Notarized letters from buyer and sellers
- Transfer fee \$500

Species

- * Cabezon
- * California scorpionfish
- * California sheephead
- * Kelp and rock greenlings
- * Rockfishes:
 - Black-and-yellow
 - China
 - Gopher
 - Grass
 - Kelp



North Coast Region

Cape Mendocino

**North-Central
Coast Region**

Point Año Nuevo

**South-Central
Coast Region**

Point Conception

South Coast Region

Nearshore FMP Regions



Deeper Nearshore Species Fishery Permit aka Deeper Permit

- * Permit moratorium
- * Statewide permit
- * No gear restrictions
- * Permit fee \$179.74

Transfer requirements

- Not transferable

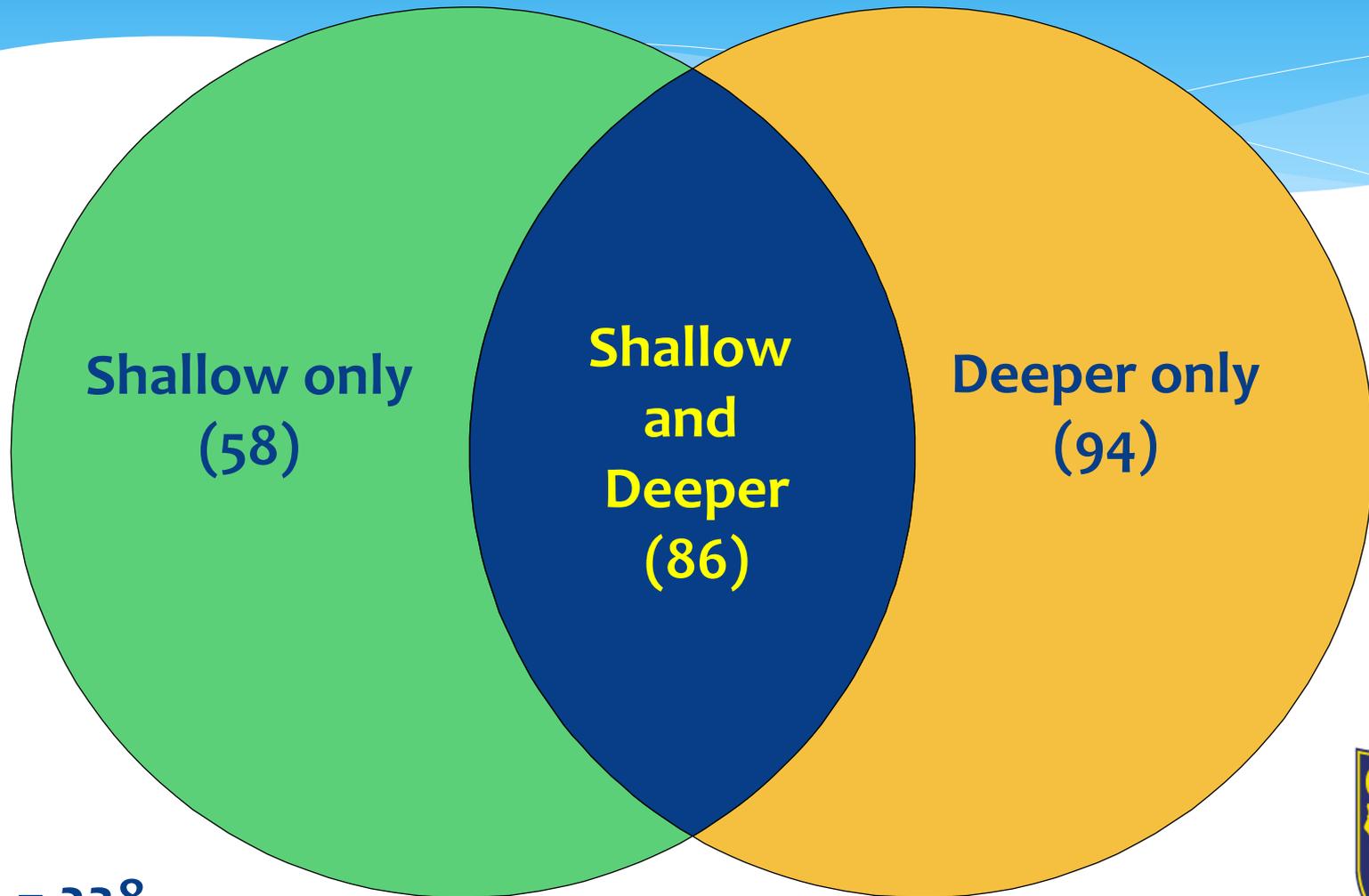
Species

* Rockfishes:

- Black
- Blue
- Brown
- Calico
- Copper
- Olive
- Quillback
- Treefish



2016 Nearshore Permits



Total = 238

2015 Nearshore Survey

- * Survey sent to 246 permittees
- * Questions included
 - Fishing practices
 - Purchasing shallow permits
 - Support or oppose
 - a) Deeper permit transfers
 - b) Combining shallow and deeper permits
- * 51 percent responded
- * Equal responses by permit type
- * More from the North & North-Central
- * Fewer from the South



Transferring into the shallow fishery

Very difficult - 12

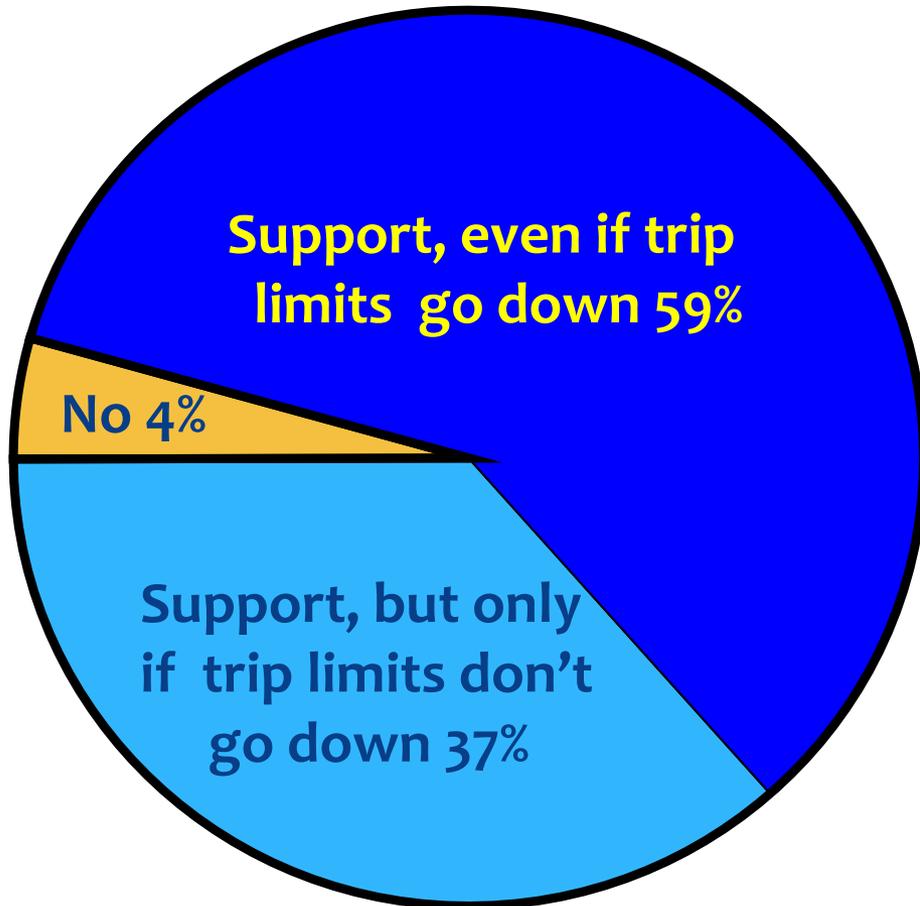
**Not difficult
- 2**

**Somewhat
Difficult - 3**

- * 18 respondents transferred in
- * 13 said it was cost effective
- * What would make it easier?
 - 1-for-1 transfer
 - Permit registry
 - Allow transfer from other regions



Allowing Deeper Permit transfers



- * 96% support deeper permit transfers
- * 70% did not support limiting number of transfers per year
- * 11 people did not answer the question

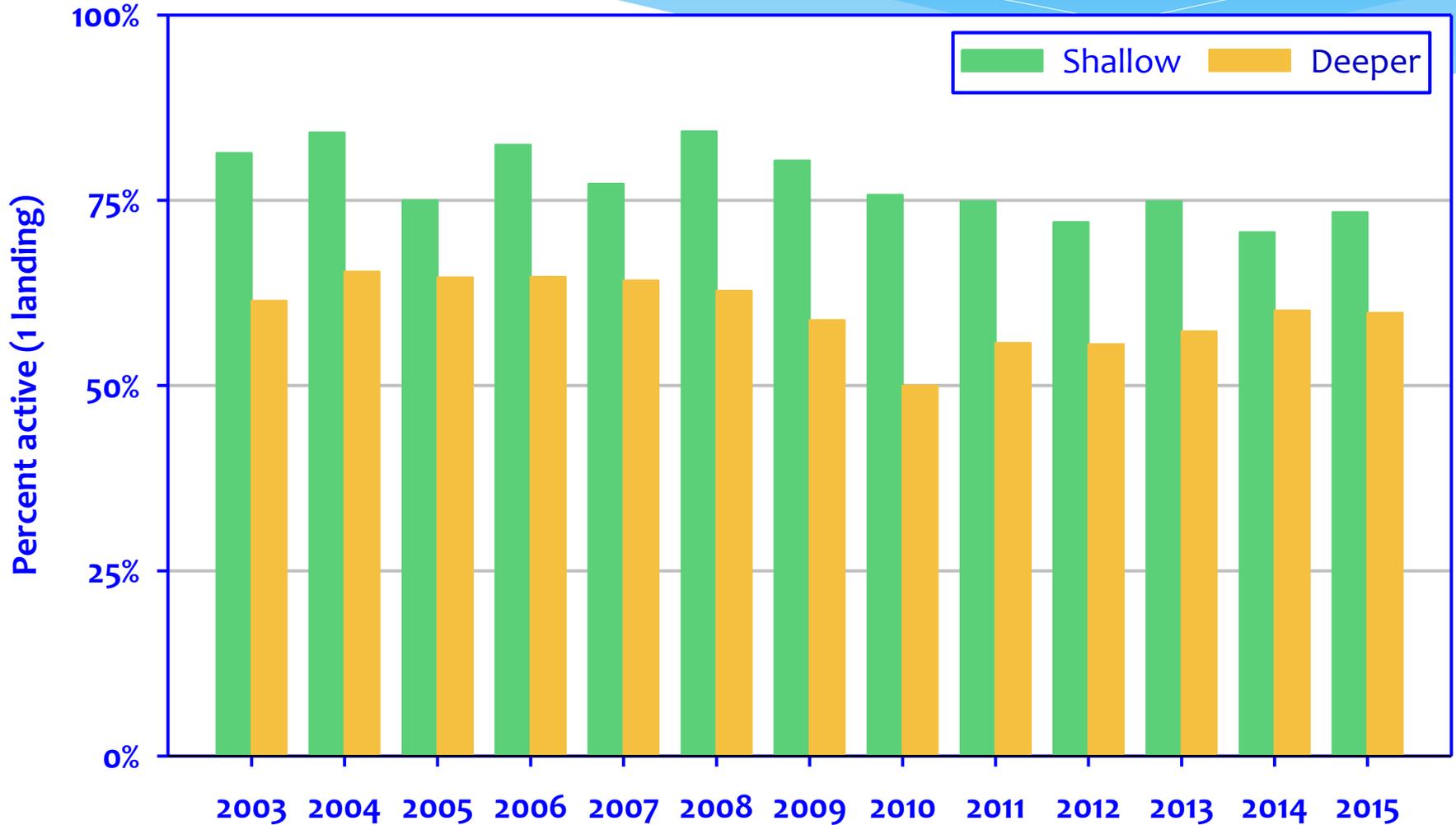


Nearshore Permit Capacity

	Capacity goal	2003	2016	Permit transfers	Permits not renewed	Total attrition
North Coast Region	14	30	16	3	11	47%
North-Central Coast Region	9	38	26	5	7	32%
South-Central Coast Region	20	75	51	17	7	32%
South Coast Region	18	77	51	15	11	34%
Total Shallow permits	61	220	144	40	36	35%
Deeper permits	n/a	281	180	-- ¹	101	36%

Notes: 1. Permit transfers are not allowed for DNSFPs.

Nearshore Permit Activity



Department Recommendations

- * **Change Shallow Permit transfers to 1-for-1**
- * **Allow Deeper Permits to transfer 1-for-1**
- * **Change/implement a transfer fee of (\$1000 - \$2000) for each permit**
- * **Minor changes to permit processing procedures**



Next Steps

What can the MRC do?

- * Request FGC to ask the Department to prepare rulemaking with:
 - 1-for-1 transfer shallow
 - 1-for 1 transfer deeper
 - Address transfer fees
- * Provide guidance on fees

Possible timeline

- * FGC Direction Dec or Feb
- * MRC March 2017-Oceanside
- * Notice June 2017-Crescent City
- * Discussion August 2017-Sacramento
- * Adoption October 2017-Morro Bay



Thank You

Traci Larinto
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Electronic Reporting for Commercial Fishery Landings

Brian Owens
Senior Environmental Scientist
Marine Region

Marine Resources Committee
November 15, 2016



Overview

- Background
- Proposed regulations
- Time line and public input





Background

- Electronic reporting is a high priority for CDFW (and NOAA)
- Current CDFW requirements are paper based
- Federal requirements currently exist for certain fisheries to report electronically





Paper Landing Receipt Example

FISH NAME	POUNDS	PRICE	TOTAL AMOUNT	CONDITION	GEAR	PRIMARY GEAR USED
3) CRAB CALIF 222 HALIBUT	18.00	\$ 00	18.00			803
CALIF 260 SCORPIONFISH	30.00	\$ 00	30.00			225
WHITE 435 CROAKER	2.00	\$ 50	1.00			
SABLEFISH 190 Rock Crabs	82.00	\$ 1.00	82.00			801
THORNYHEAD 262 pomano	1.00	\$ 1.00	1.00			80
BOCACCIO ROCKFISH 253	6.25	\$ 00	0.00			
PETRALE ROCKFISH 559	9.00	\$ 1.00	9.00			209
GROUP-RED poincrabs	0.73	\$ 00	0.00			823
ROCKFISH 250 UNSPEC Smongail	60.00	\$ 40	24.00			736
DOVER SOLE 211 Squid	3.00	\$ 40	1.20			711
1) REX SOLE 207 lizard	6.00	\$ 00	0.00			473
2) SKATES 175 UNSPEC Rockcrabs	37.00	\$ 40	14.80			801
3) SHOVELNOSE GUITARFISH 174 SANTATAILE	2.22	\$ 00	0.00			204
4) RIDGEBACK PRAWN 813						
5) SPOT PRAWN 815 LEOPARD SHARK	12.00	\$ 1.00	12.00			
6) FAN TAIL	32.00	\$ 40	12.80			
7) PETRALE	21.00	\$ 1.00	21.00			
8) Sanddab	56.00	\$ 40	22.40			
9) ENGLISH	48.00	\$ 40	19.20			
TOTALS # 363		\$ 220.40				

GEAR LEGEND

35 DANISH/SCOTTISH SEINE

53 PAIR TRAWL

54 MIDWATER TRAWL

58 SINGLE-RIGGED TRAWL

59 DOUBLE-RIGGED TRAWL

OTHER

(BIOLOGIST USE)
FISH CODE
153

RECEIVED
SEP 26 2016
SANTA BARBARA
Department of Fish & Wildlife

204
209
225
206

NOTE PAD



Federal Requirements for Electronic Reporting



E-Tix Portal - Login

- Login
- Request an Account
- Help
 - Washington
 - Oregon
 - California

Login

Username

Password

[Forgot Username or Password](#)

The ETix Portal will be unavailable Tuesday mornings from 6:30am – 6:45am PST for system maintenance.

E-Tix Login Page at <https://etix.psmfc.org>

[Report a Problem](#)





Mock up of CA Northern Trawl Landing Receipt



Pacific States Marine Fisheries Commission

2.0.252.0

E-Tix Portal - Query Fish Tickets

- Home
- Fish Tickets
 - Print Ticket
 - Query Tickets
- Enter Tickets
- Reports
 - Code Lists
- Manage Lists
 - Licenses
 - Vessels
 - Operators
 - Cost Types
- Administration
 - Manage Users
 - Manage Orgs
 - Broadcast Message
 - Advanced
- Help
 - Washington
 - Oregon
 - California

[Return to Query Results](#)

DRAFT

B100001 [Add Overage Ticket](#)

State of California - B - Northern Trawl

Date of Landing: 02/15/15 [Change](#) Dealer# (Name): 09987 (Test Location...)

Operator I.D. (Last, First): Port of 1st Landing: 201 - CRESCENT CITY Catch Area:

Vessel I.D. (Name): Primary Gear: Transportation #:

Fish Code - Description	Gross Lbs	Price Per Lb	Amount	# of Fish	Condition	Grade	Gear	Use	Take Home/ Weighback
									T/H-WB <input checked="" type="checkbox"/>
Total:	0.00		\$0.00	0					

Notes



Proposed Regulations

- Require the use of E-Tix for all State fisheries by a certain date
- Include regulations for paper landings receipts
- Phase out paper over time





Public Input

November 2016:

- Provide overview to the MRC
- Informational item and survey included in the Commercial Fish Business License Renewal packet

March 2017:

- MRC meeting

June 2017:

- Notice Hearing

October 2017:

- Discussion/Adoption Hearing





Questions?

Brian Owens
Senior Environmental Scientist
CDFW – Marine Region

Brian.Owens@wildlife.ca.gov or (650) 631-6786

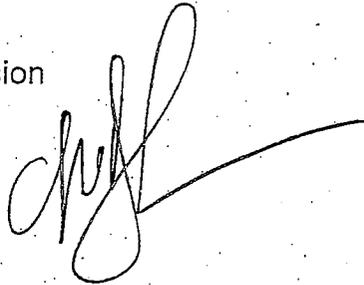


Memorandum

Date: ~~June 1~~
May 15, 2012

To: Sonke Mastrup
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: Agenda Item for June 20-21, 2012, Fish and Game Commission Meeting Re:
Recommendation to Amend Regulations for the Commercial Take of Kelp and Other
Aquatic Plants (Sections 165 and 165.5, Title 14, CCR)

On February 2, 2012, the Fish and Game Commission (Commission) directed the Department of Fish and Game (Department) to provide an approach and time line to revise antiquated kelp and other aquatic plant regulations (Sections 165 and 165.5, Title 14, CCR). The purpose of this informational item is to begin a formal discussion to improve management of marine algae. The Department recommends a three-phase reconstruction approach over several years to improve management and enforceability of the regulations.

Phase 1. Boundaries and Improved Guidelines

Request notice authorization at the Commission's October 3-4, 2012 meeting to consider these amendments to the existing regulations:

- Enhance descriptions of Administrative Kelp Bed (Kelp Bed) boundaries with spatially explicit latitude and longitude coordinates.
- Improve management of the mechanical harvest of giant kelp (*Macrocystis pyrifera*) by requiring a Commission-approved kelp harvest plan for all kelp beds.
- Improve spatial reporting requirements for kelp harvest.

Phase 2. Fees

Conduct public scoping meetings in 2012-2013, with assistance from the Commission, to explore options for increasing existing commercial license fees and royalty rates for harvesting giant kelp and bull kelp (*Nereocystis luetkeana*), edible seaweed, and agarweed to cover the long-term costs of managing these algae. By October 2013, the Department intends to have collected the necessary information to have had detailed discussions with the Commission's Marine Resources Committee.

Sonke Mastrup, Executive Director

May 15, 2012

Page 2

After discussion in the Commission venue late in 2013, the Department will be prepared to ask the Commission to authorize notice of its intent to amend existing regulations concerning commercial license fees and royalty rates for the aforementioned resources.

Phase 3. Kelp Management and Harvest

Over the next three years (2013-2016), conduct a full review and potential rewrite of existing regulations to address management and harvest concerns identified by the Commission, kelp harvesters, and the public. This phase would include the following elements:

- Identify management and harvest issues and challenges by consulting and collaborating with kelp harvesters, the scientific community, and the public.
- Conduct public scoping meetings on a proposed project.
- Provide options for the Commission to consider revising the regulations.
- Draft an Initial Statement of Reasons for kelp regulations.
- Draft an Environmental Impact Report.

The Department looks forward to receiving input and guidance on this concept and to providing more detail and opportunity for discussion at future Commission and Marine Resource Committee meetings.

If you have questions or need additional information, please contact Ms. Marija Vojkovich, Regional Manager in the Department's Marine Region, by telephone at (805) 568-1246.

ec: Marija Vojkovich, Regional Manager
Marine Region
mvojkovich@dfg.ca.gov



Update on Process to Review and Amend Regulations for the Commercial Harvest of Marine Algae



Marine Resources Committee Meeting
November 15, 2016

Rebecca Flores Miller
California Department of Fish and Wildlife

Photo Credit: R. Flores Miller



Purpose



- Background
- Range of possible amendments for consideration
- Next steps

bull kelp

Photo Credit: R. Flores Miller



Background

Phase One: *Kelp – Adopted April 1, 2014*

- Administrative kelp bed boundaries
- Harvest plans
- Editorial changes

Phase Two: *Edible seaweed, agar-bearing, and kelp*

- Management policies
- Harvest methods and seasons

Phase Three: *Edible seaweed, agar-bearing, and kelp*

- License fees
- Royalty rates



Regulatory Clean Up

Edible Seaweed and Agar-bearing

Regulation language

- Correct inaccurate references
- Update language

Harvest methods

Licenses

- List individuals harvesting under license
- List species to be collected
- Use of harvest
- Move license reference in Title 14



Broader Overhaul

Kelp, Edible, Agar-bearing

Edible species (sea palm and bull kelp)

- Consideration of life history
- Ecosystem needs
- Potential harvest seasons
- Harvest methods
- Sea palm and bull kelp
 - Harvest limits

Bull kelp closures



Benefits and Challenges

Clean Up Edible/Agar-bearing	Overhaul Kelp/Edible/Agar-bearing
Benefits	
Clean up language, improve administration and oversight	Considers life history and ecosystem needs
Further define harvest methods	Increase protections for sea palm and bull kelp
Challenges	
CEQA compliance –potential for less cost	CEQA compliance – potential increased cost and time
May not fully protect sea palm and bull kelp and may require future rulemaking	Surveys and monitoring needed – increased costs



Next Steps

- Consider range of options to pursue and availability of resources
- Input from researchers, commercial harvesters, Tribal governments, others



sea palm

Photo Credit: R. Flores Miller



Thank You



Questions?

**Rebecca Flores Miller
Environmental Scientist
Marine Region
831-649-2835**



Commercial Harvest 2010-2015

	2010	2011	2012	2013	2014	2015
Licenses	37	22	33	32	31	33
Kelp	4,054	3,220	2,984	3,643	3,894	3,681
Edible Seaweed	29	34	25	18	31	38

Licenses = kelp, edible, agarweed, or combination
Harvest recorded as wet tons

RECENT KELP LOSS IMPACTS ECOSYSTEM HEALTH AND ABALONE FISHERY IN NORTHERN CALIFORNIA

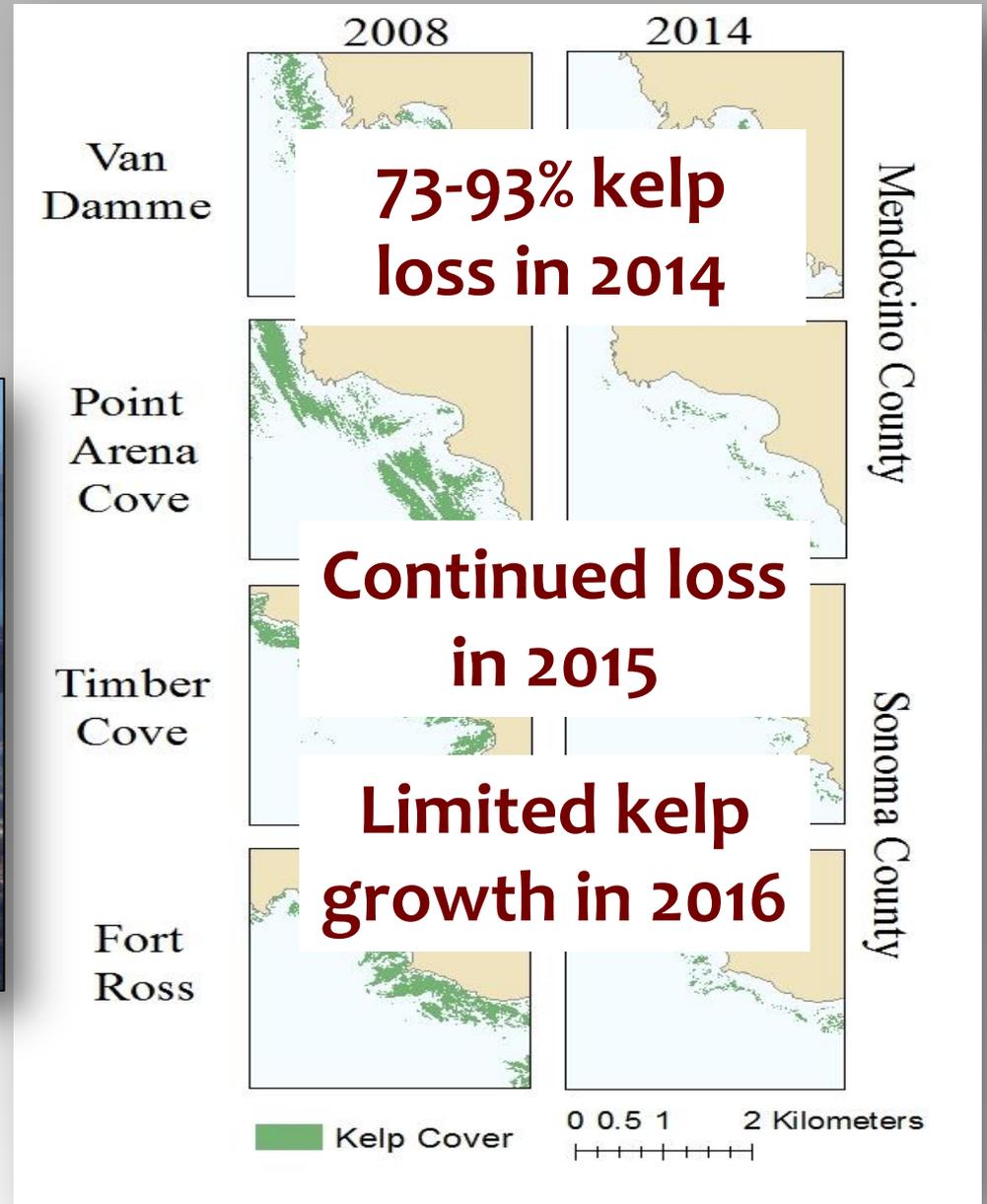
DR. CYNTHIA CATTON &
THE CDFW INVERTEBRATE MANAGEMENT TEAM



Kelp Fly-Over Data CDFW



Photo by: G. Lee (Abalone Diver)
Mendocino Headlands 2016

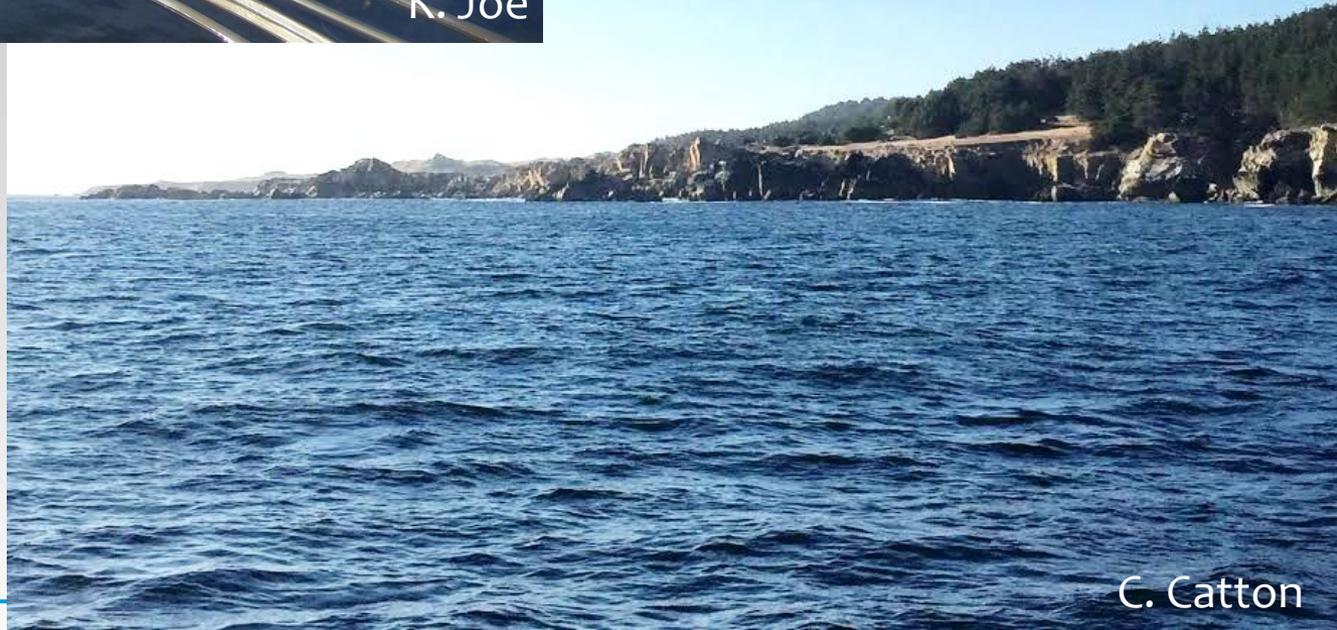


Ocean Cove / Salt Point
September 13-14, 2012



K. Joe

Ocean Cove / Salt Point
September 14, 2016



C. Catton

Unprecedented Large-Scale Purple Sea Urchin Explosion



- **60x historic densities in N. California**

High numbers of urchins have persisted in northern California since 2014

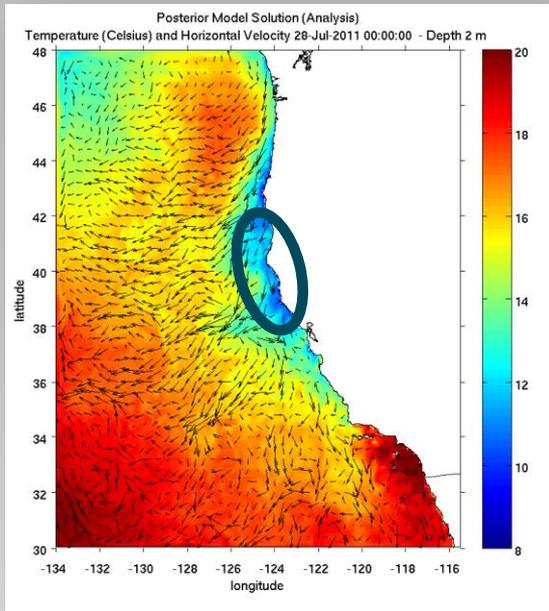
Subtidal Algal Impacts in 2016



Bare Rock

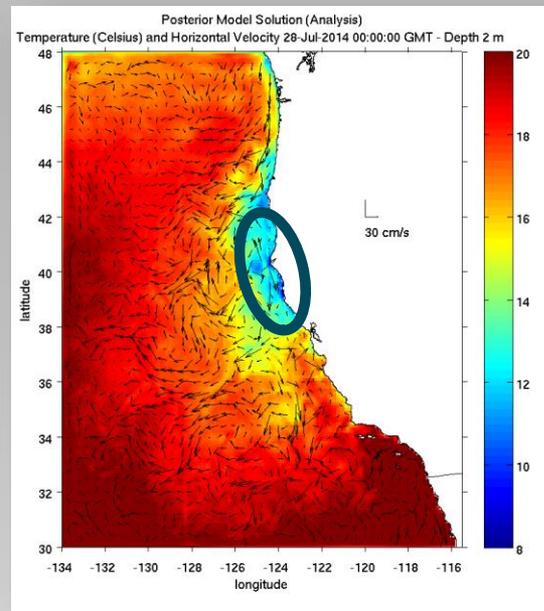
Urchins are starting to eat through the calcified coralline crust (pink rock)

Persistent Warm Water Conditions



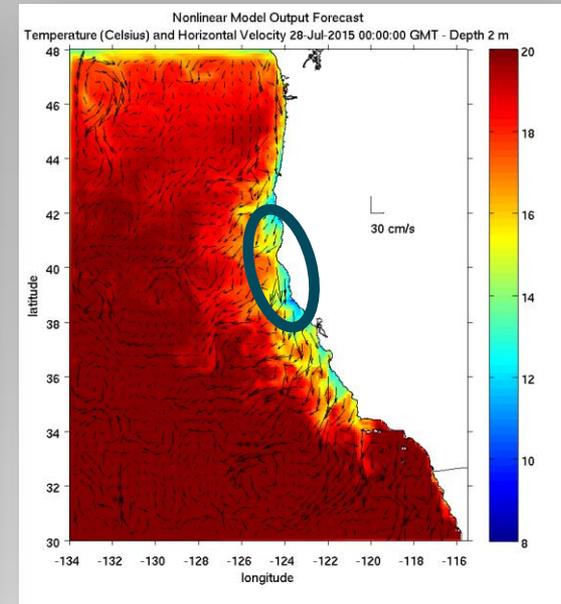
* July 28, 2011

Normal



• July 28, 2014

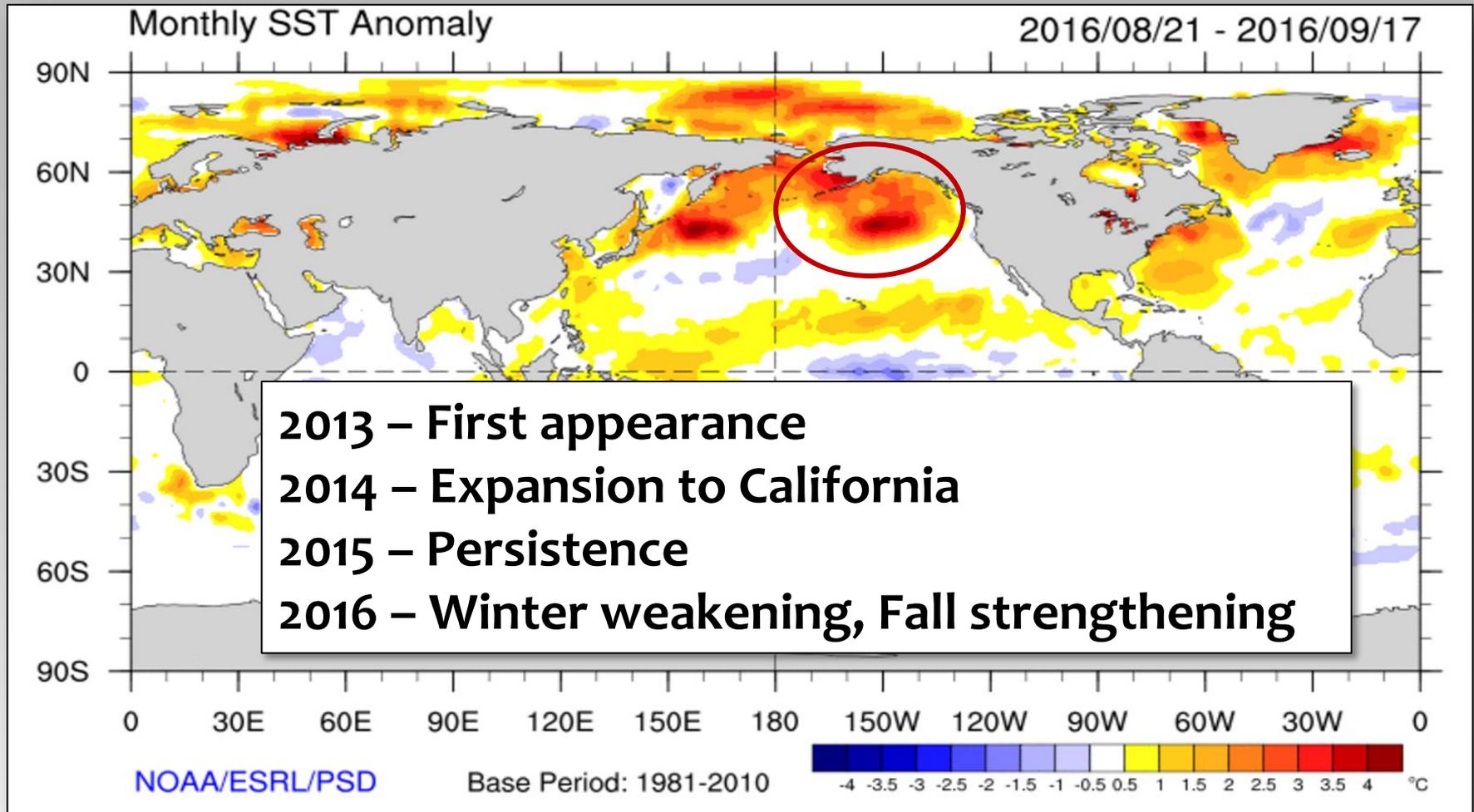
“Warm Blob”



• July 28, 2015

**“Warm Blob” +
Strong El Niño**

The Warm Blob Strengthening in Fall 2016

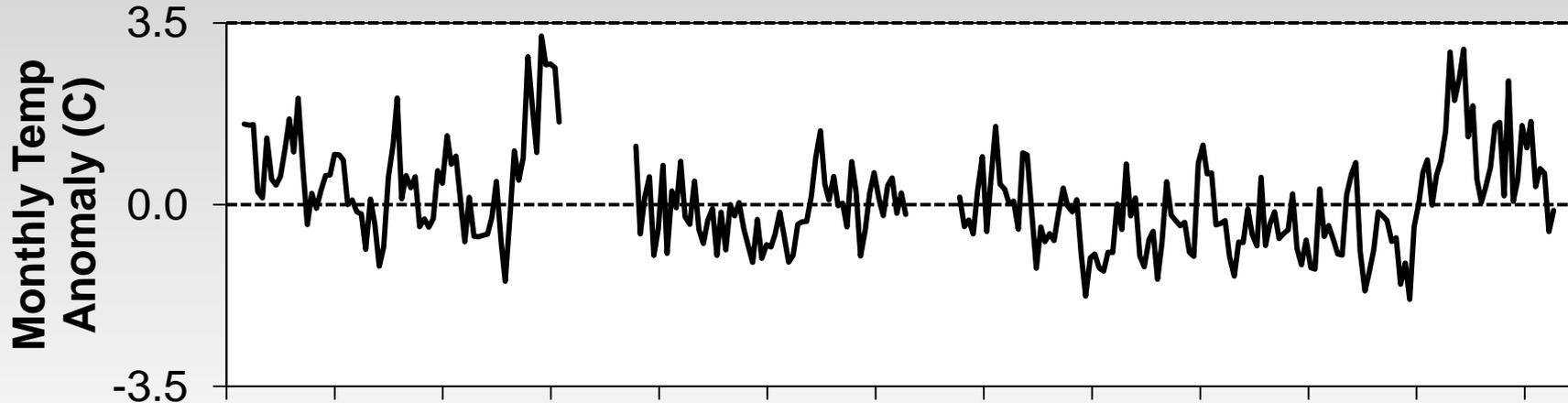
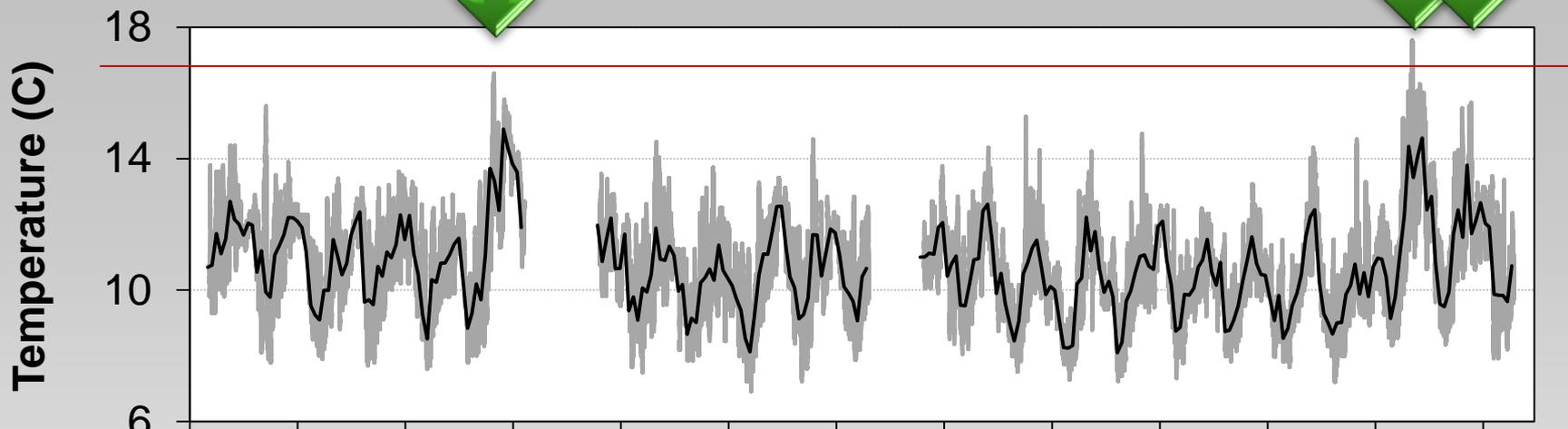


Daily 10-m Seawater Temperature

Mendocino County

Fall 1997

Fall
2014 & 2015



Kelp loss threatens fisheries and the ecosystem

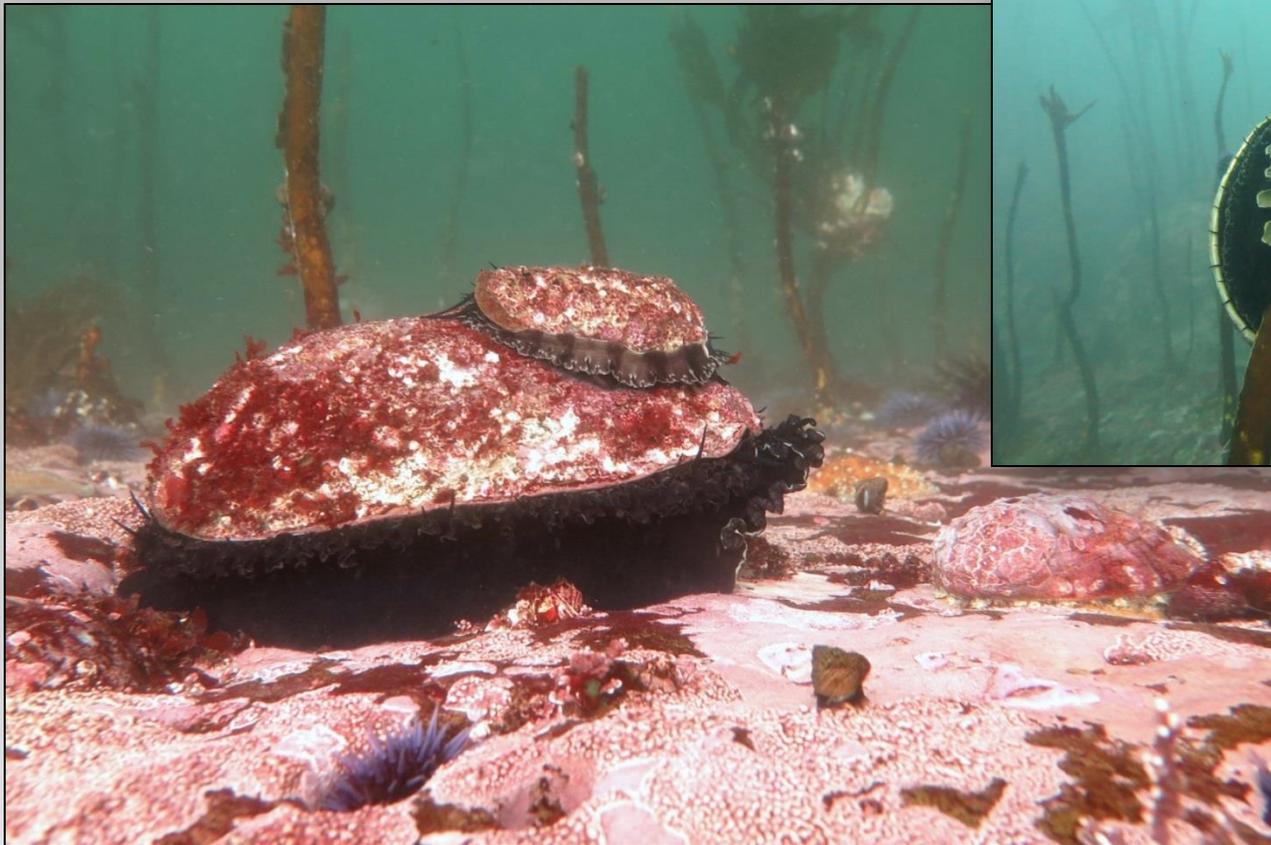


L. Rogers-Bennett (CDFW)



A. Weltz (CDFW)

Starvation Conditions in Northern California (2014-2016)



A. Maguire (CDFW)



K. Joe (CDFW)

Red Abalone Health Assessment

Creel surveys

Sonoma, Mendocino, and Humboldt

Spring 2016

~6,000 abalone inspected



> 25% of abalone shrunken at key fishery locations

Body Shrinkage
Score 0

Body Shrinkage
Score 1

Body Shrinkage
Score 2

Body Shrinkage
Score 3

Large swells dislodge dying abalone



Impacts to Body Mass and Reproduction Van Damme and Fort Ross



Photo Jack Likins

Body mass:
20% reduced at
Van Damme

Reproduction:
60-90%
reduced

Implications for Long-term Red Abalone Fishery Productivity

- **Increased natural mortality**
 - Weakened / poor abalone health
 - Unknown recovery time
 - Susceptible to large swell conditions
- **Negative impacts to abalone reproduction**
 - Very low gonad index values (2015 and 2016)
 - Long recovery time (> 1 year with high food availability)
 - Limits future fishery growth
- **Ongoing starvation conditions predicted**
 - Persistent urchin barrens
 - Possible return of warm water conditions

Questions & Comments



K. Joe (CDFW)

Dr. Cynthia Catton

Marine Region

Invertebrate Management Project

Cynthia.Catton@wildlife.ca.gov



Red Abalone Catch Density and Reproduction Data

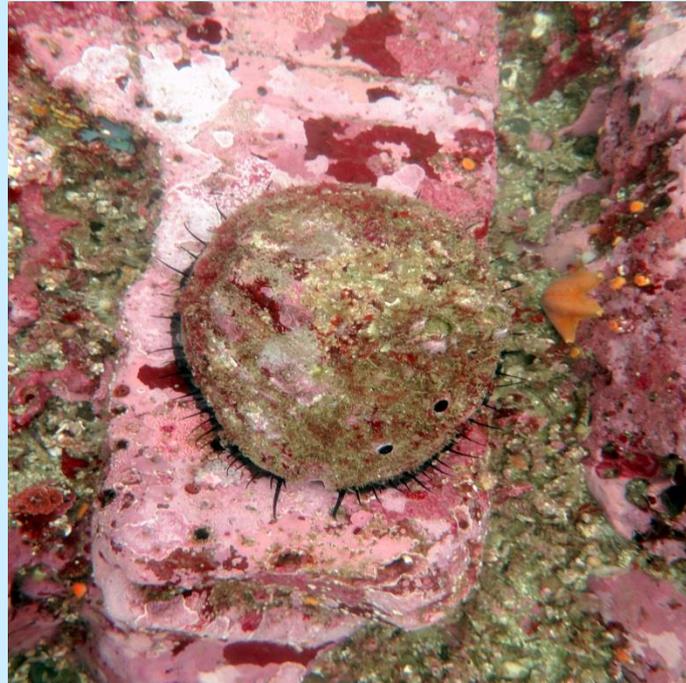


Photo: A. Maguire

Laura Rogers-Bennett
California Department of Fish and Wildlife
RAAC November 5, 2016

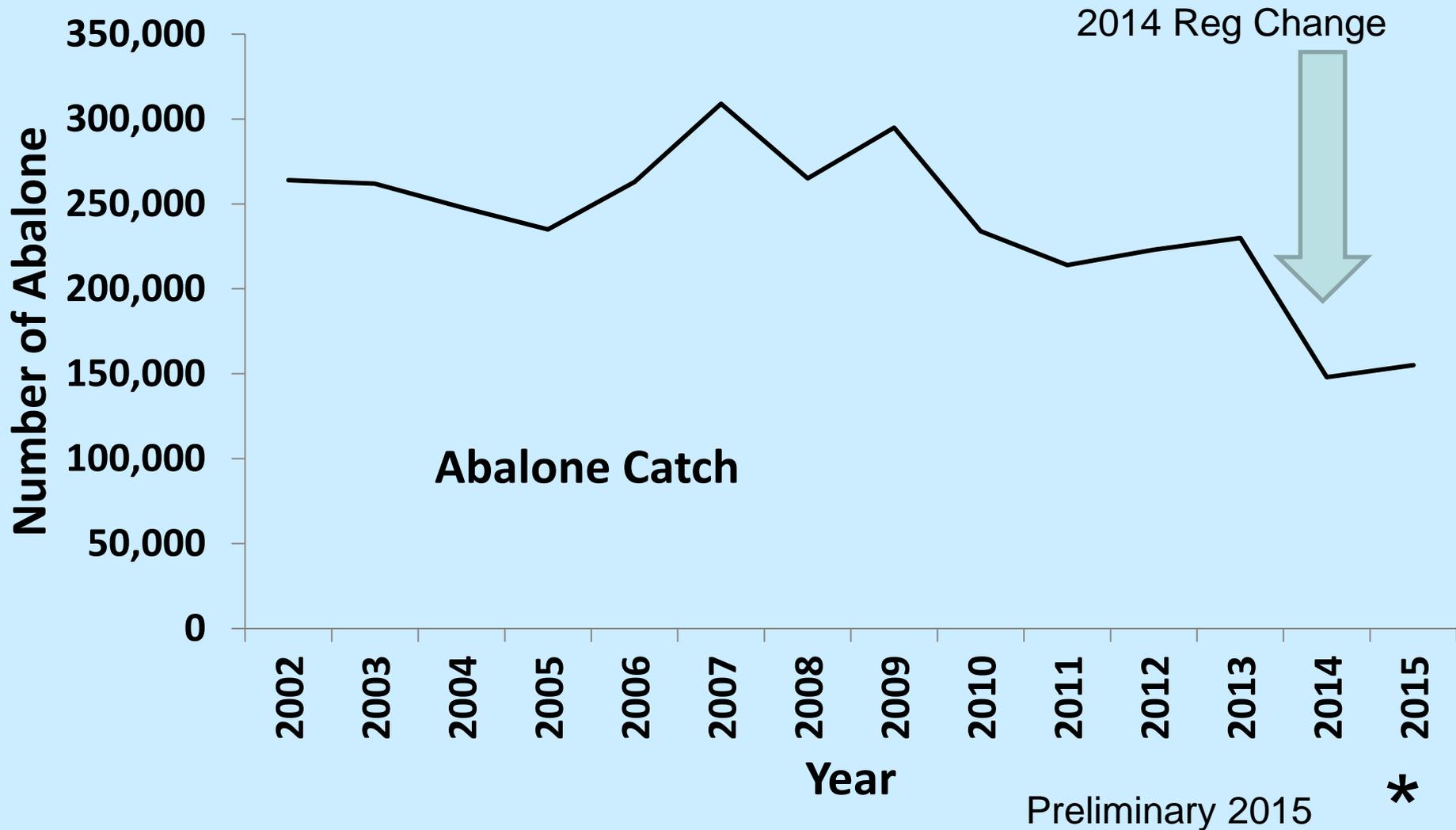


Talk Outline

- Abalone Fishery: Catch and punchcards
- Abalone Density on fishing grounds
- Deep density and ARMP
- Abalone Productivity Data
 - Larval abalone
 - Newly settled
 - Juvenile red abalone

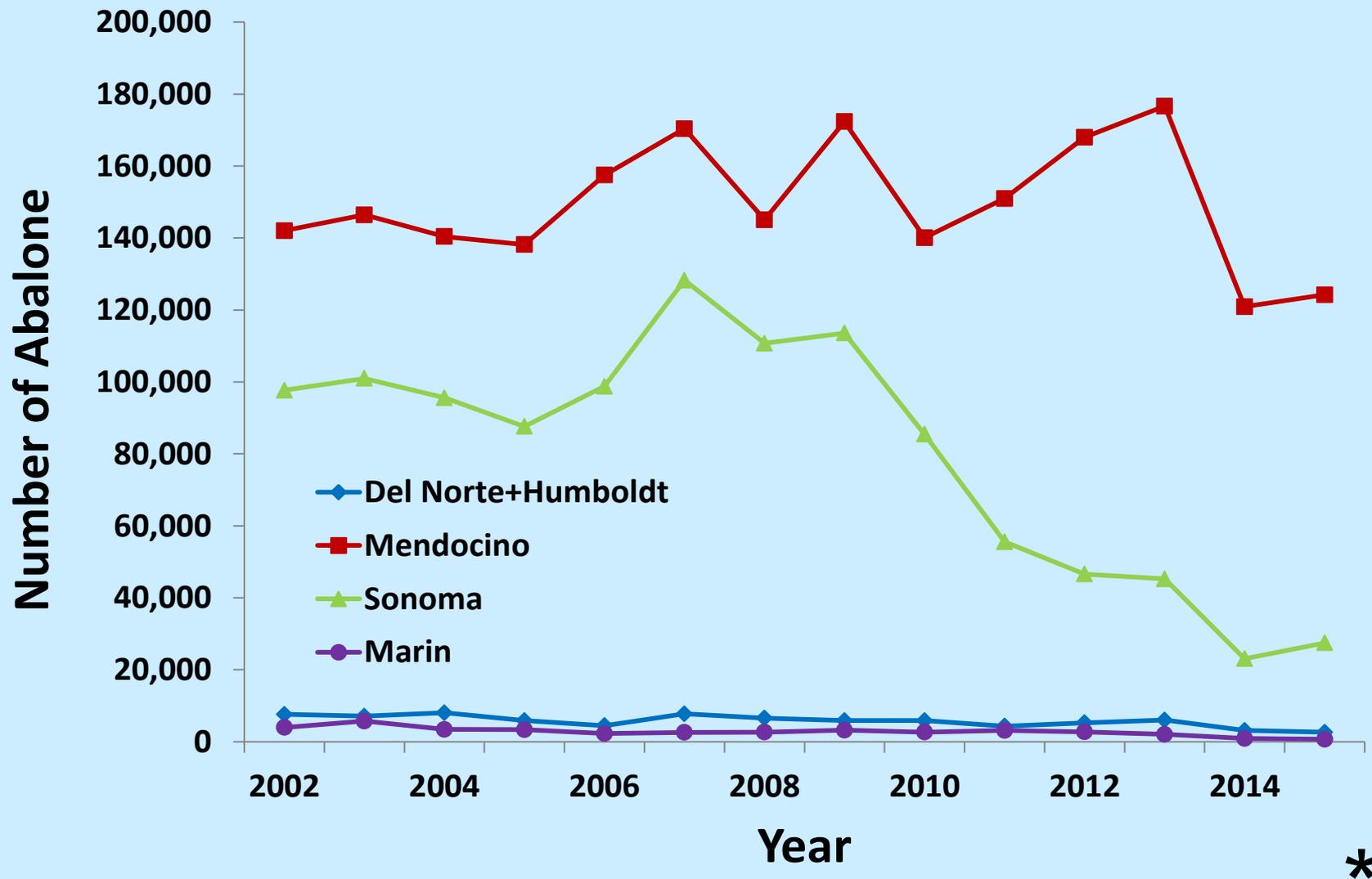


2002 – 2015* Red Abalone Catch



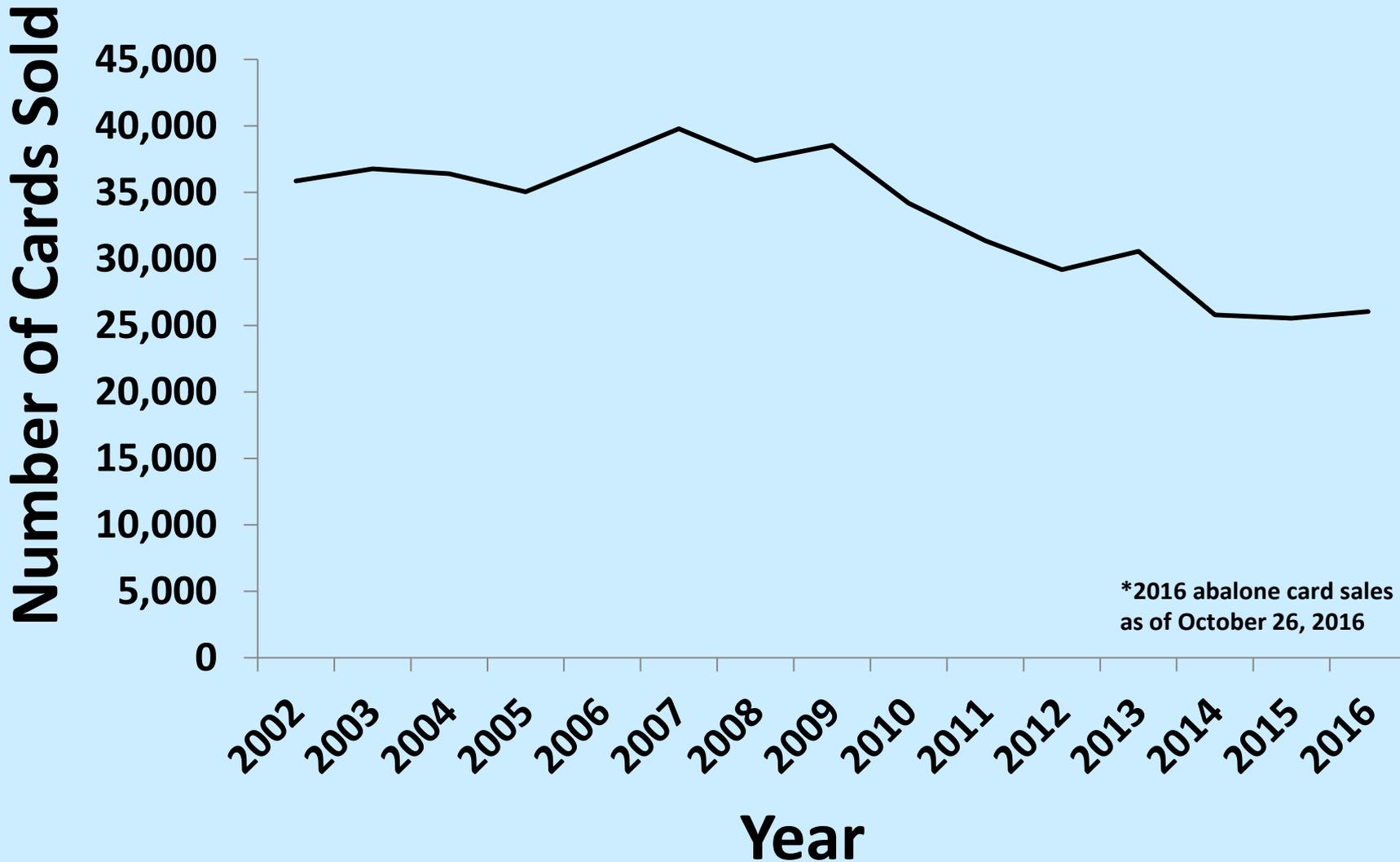


2002 – 2015* Red Abalone Catch by County





2002 – 2016* Abalone Card Sales





Abalone Card Purchase Frequency: 2011 - 2015

Years Purchased	Card Sales	Percentage of Total
1	33,482	50%
2	11,680	18%
3	7,437	11%
4	5,679	9%
5	8,078	12%
Total	66,356	100%

2015 Customers

Sales	25,536
Avid %	32%



Density Survey Data



Photo: A. Maguire



Mendocino Abalone Sites Surveys 2013-2016

Mendocino County Index Sites	Year	Transect #	Square Meters Surveyed	Abalone Counted	Abalone Density (m ⁻²)	Deep (Refuge) Density
Point Arena	2014-15	26	1560	1115	0.66	0.51
Van Damme	2016	34	2040	645	0.33	0.07
Casper Cove	2013	45	2700	1045	0.35	0.13
Todd's Point	2013	37	2220	1051	0.47	0.35
Russian Gulch	2014	32	1920	1218	0.60	0.28



Sonoma Abalone Sites Surveys 2012-2016

Sonoma County Index Sites	Year	Transect #	Square Meters Surveyed	Abalone Counted	Abalone Density (m ⁻²)	Deep (Refuge) Density
Fort Ross	2015	35	2100	951	0.44	0.2
Timber Cove	2015	36	2160	829	0.38	0.14
Ocean Cove	2016	36	2160	897	0.44	0.11
Salt Point	2016	36	2160	744	0.35	0.06
Sea Ranch	2012	34	2040	780	0.37	0.13



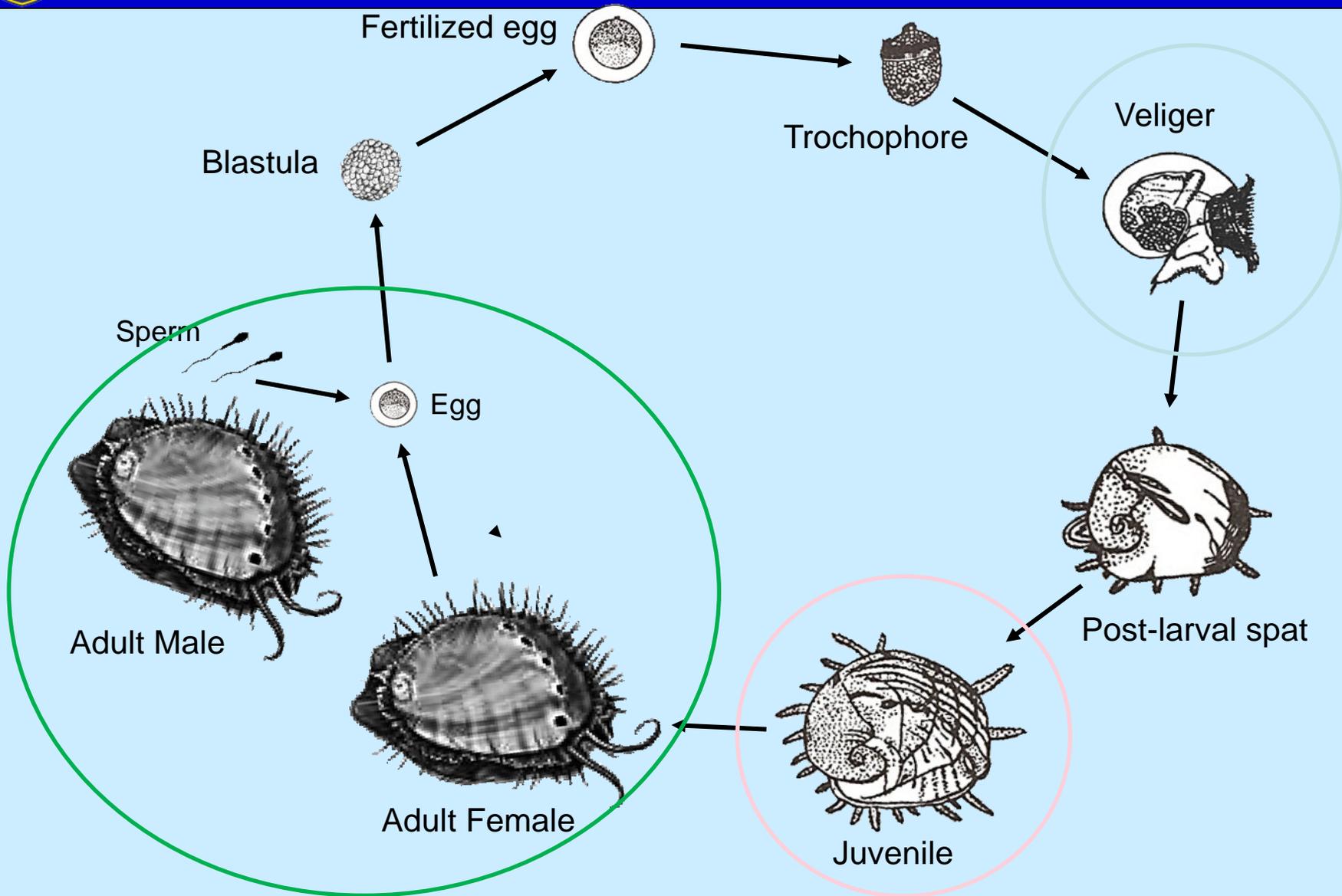
Abalone Density per m²

OVERALL AVERAGE	2012-16	Density 0.44	Deep 0.20
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ARMP Deep density trigger is < 0.25

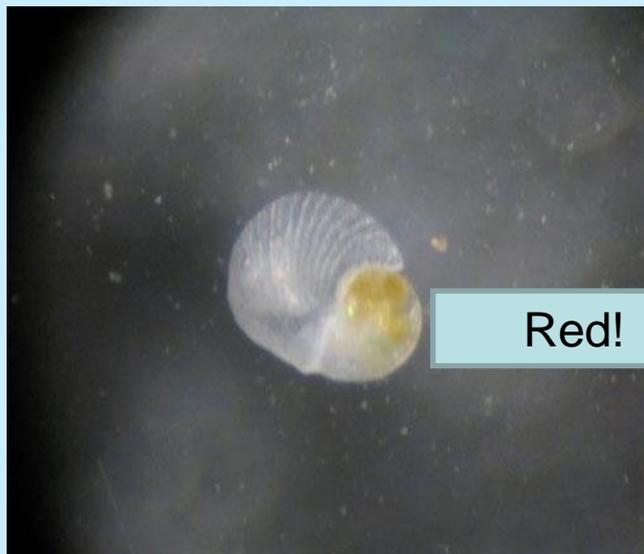


Abalone Life Cycle





Genetic ID of red abalone

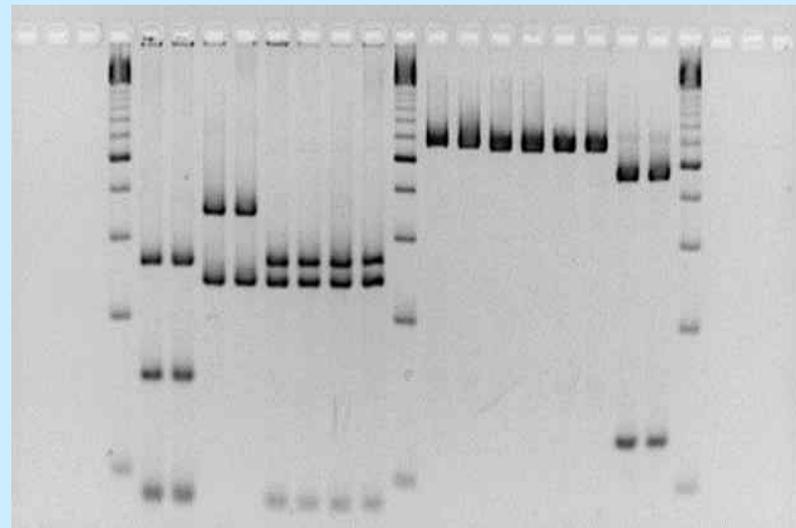


Red!



Digested by Fok I

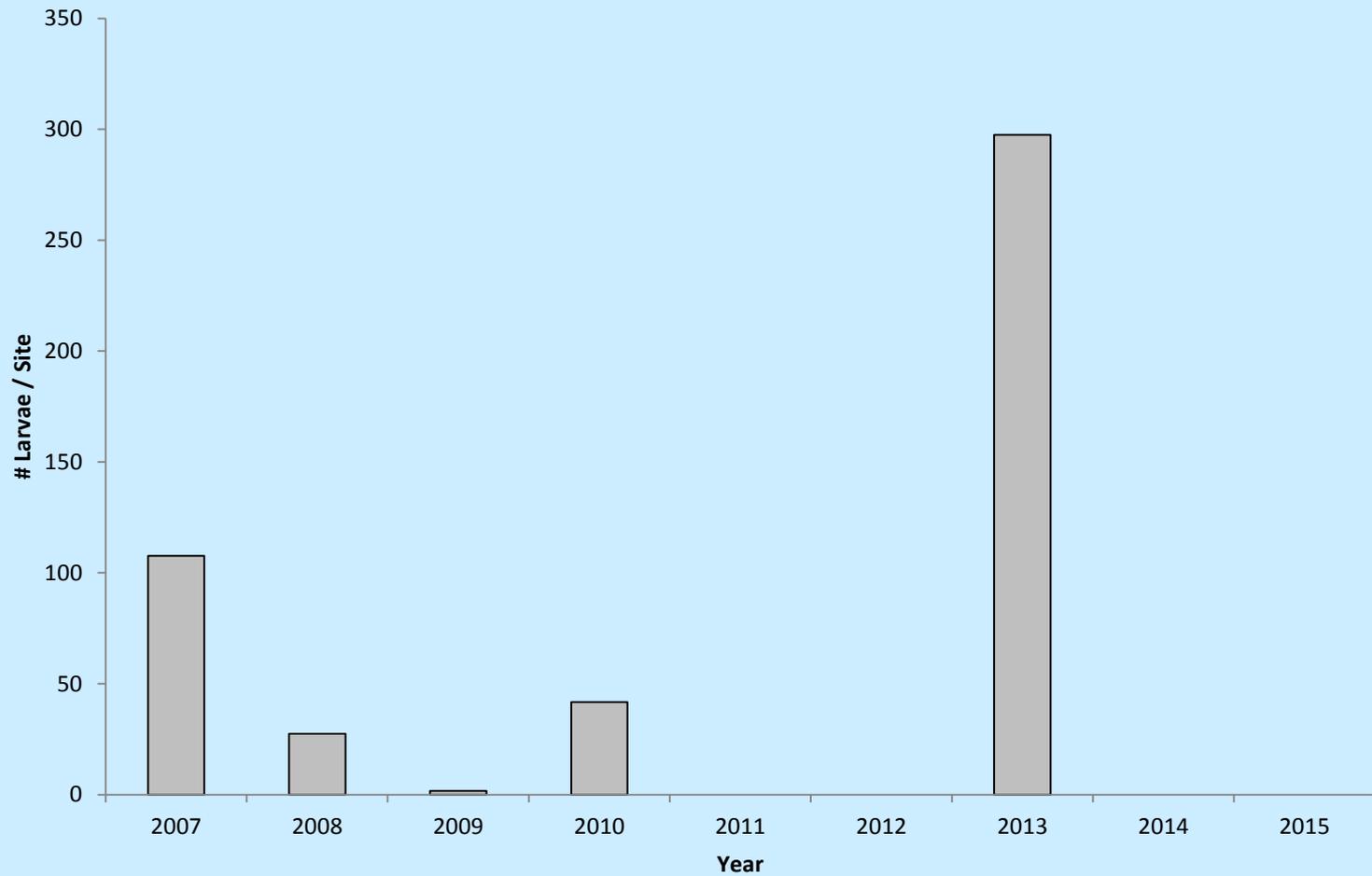
Xba I



Red Black Flat PintoRed Black Flat Pinto



Planktonic Abalone

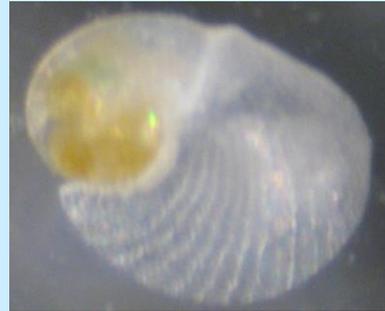




Monitoring *Tiny* Juveniles



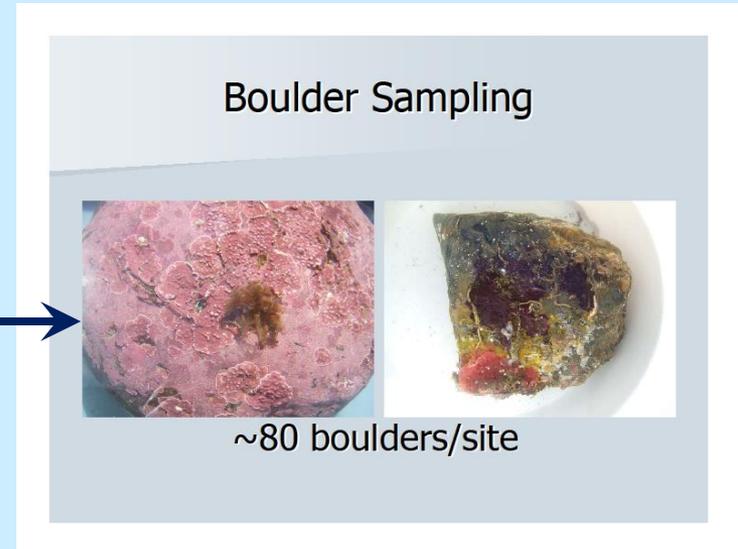
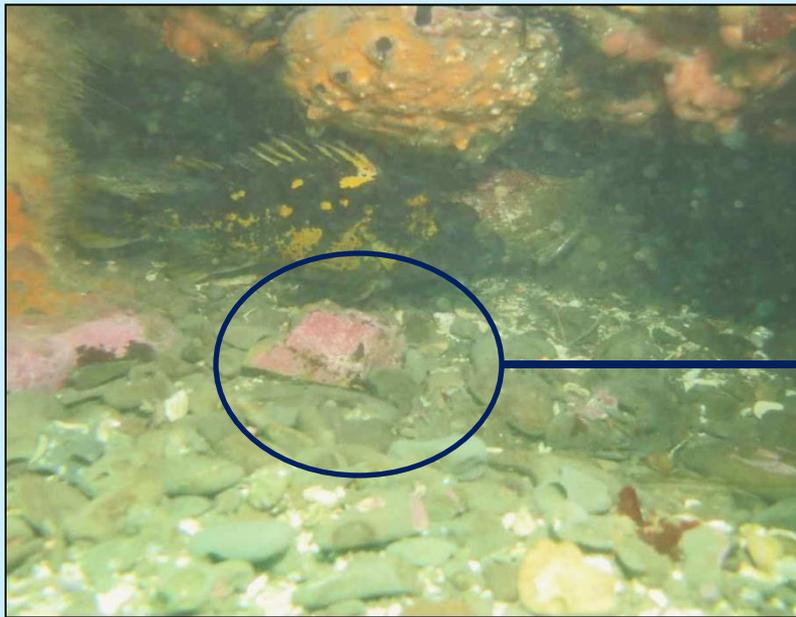
310 um



450 um

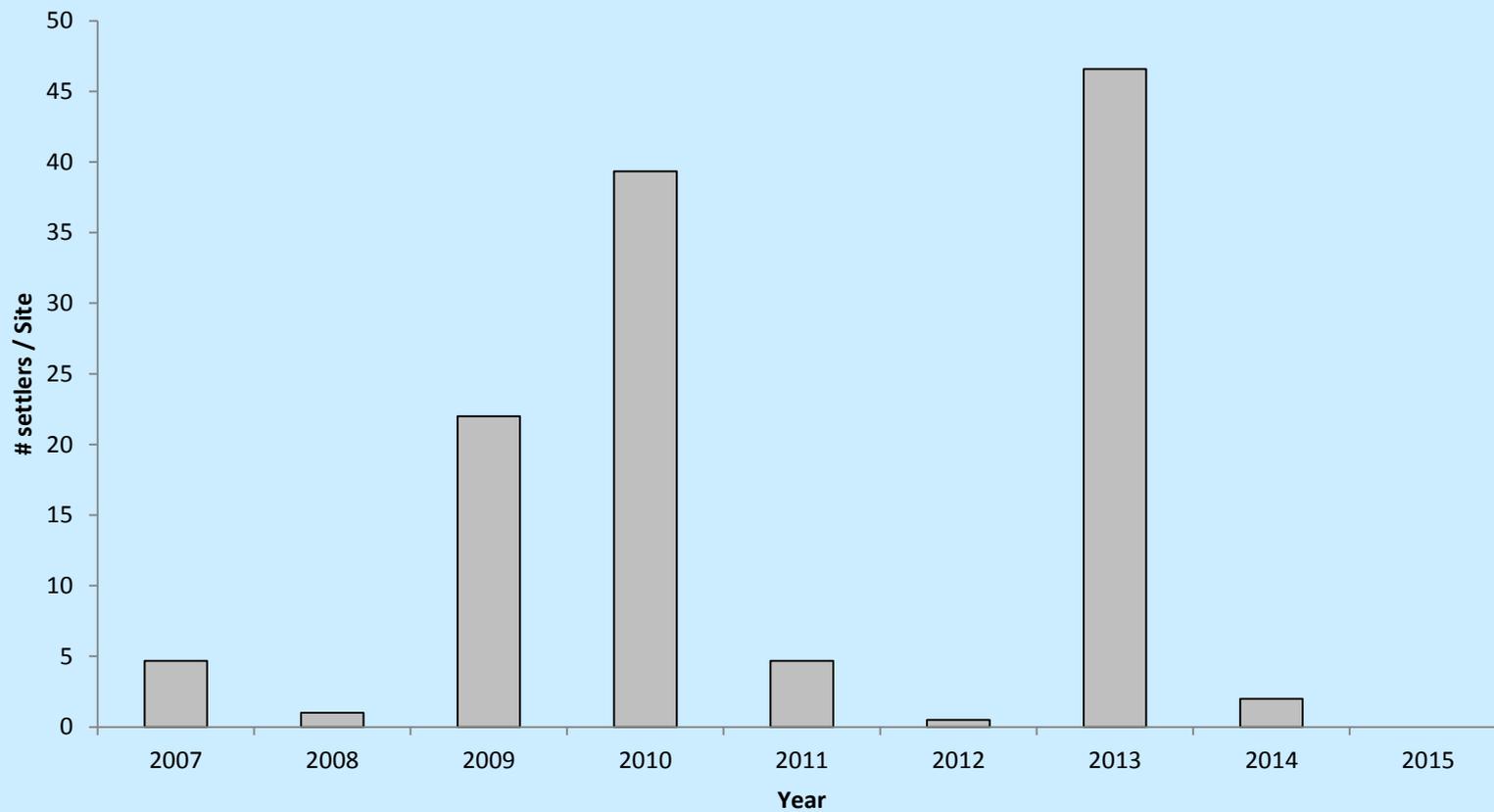


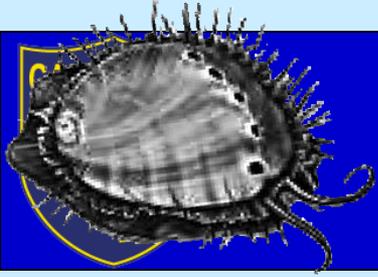
700 um





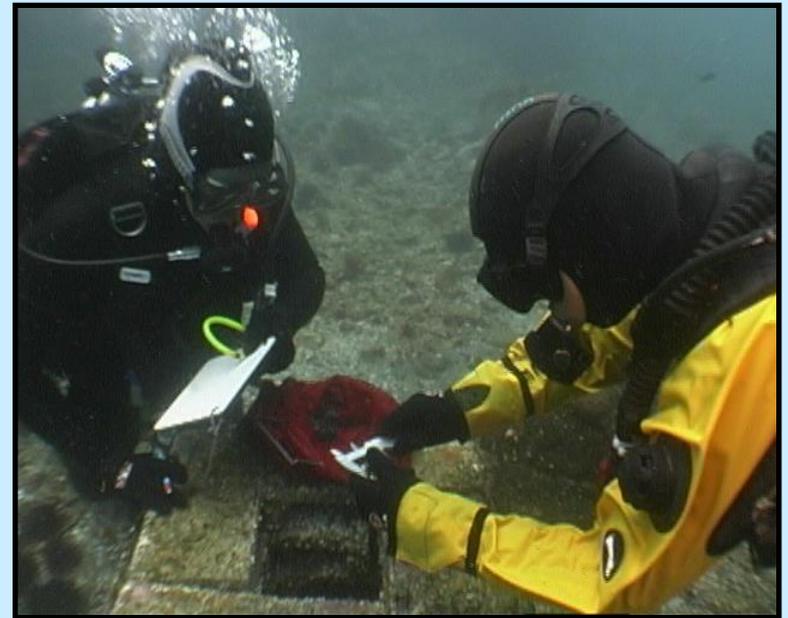
Newly Settled Abalone





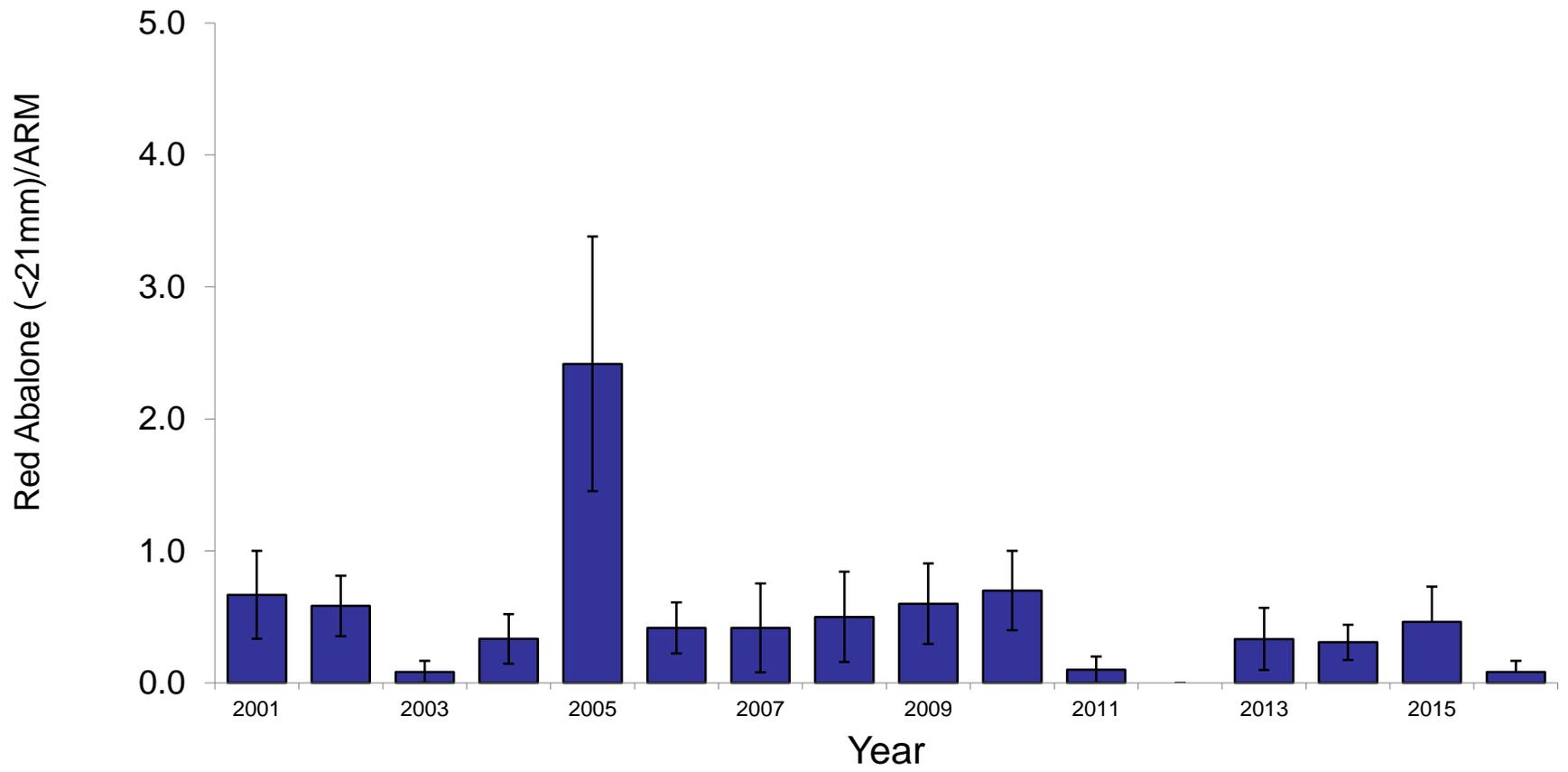
Monitoring Juveniles

ARTIFICIAL RECRUITMENT MODULES (ARMs)





Young-of-the-Year Reds (<21mm) 2001-2016





Abalone Productivity

2013-2016	Few Larvae 2014-15	Few Newly Settled 2014-15	Few Juveniles 2016
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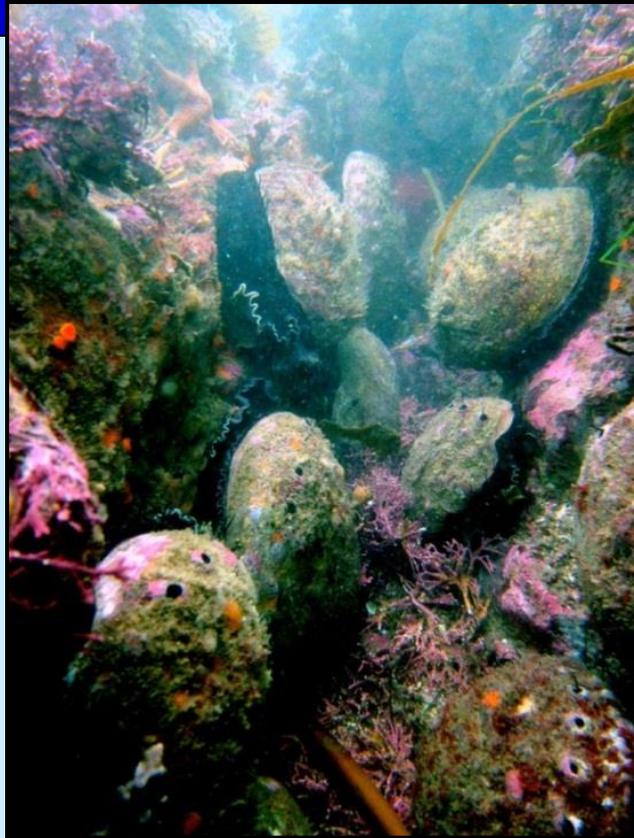


Conclusions

- Catch is lower following 2014 regulation
- ARMP calls for examining 2016 catch
- Density Overall has not improved
- Deep density below trigger $<0.25 \text{ m}^2$
- Abalone Productivity is low
 - Larvae are low density
 - Newly settled abalone are at low density
 - Juveniles are at low densities



Thank You



Drs. Laura Rogers-Bennett
Laura.Rogers-Bennett@wildlife.ca.gov



Discussion of Red Abalone Emergency Regulations



Sonke Mastrup

Environmental Program Manager, Marine Region



Presentation Outline

- **So Now What? Recent timeline and ARMP Guidance**
- **Proposed Changes**
- **Next Steps and Timeline**





Recent Fishery Timeline

- 2013 - FGC adjusted the TAC to 190,000 (-32%) and adopted regulation changes
- 2014 - Catch 148,000 (-36% from 2013)
- 2015 - Catch 155,000* (-31% from 2013)
- 2016 - Decline in population triggers action
- 2017 – Uncertain ongoing environmental conditions



Density Data

County	Site Name	Year	Average Density	Deep Density
Sonoma	Fort Ross	2015	0.44	0.20
	Timber Cove	2015	0.38	0.14
	Ocean Cove	2016	0.44	0.11
	Salt Point	2016	0.34	0.06
	Sea Ranch	2012	0.37	0.13
Mendocino	Point Arena	2014-2015	0.66	0.51
	Van Damme	2016	0.33	0.07
	Russian Gulch	2014	0.60	0.28
	Caspar Cove	2013	0.35	0.13
	Todds Point	2013	0.47	0.35
OVERALL AVERAGE		2012-16	0.44	0.20



ARMP Guidance

- Existing TAC = 190,000 (amended 2013)
- Deep trigger resets TAC = 142,500 (-25%)
- Continuing avg. density decline – 2nd trigger – resets the TAC = 106,875 (-25%)
- Considerable uncertainty exists:
 - Response of fishers
 - Future environmental conditions
 - Response of abalone population



Possible Solutions

Target TAC = 107,000 Daily Bag Limit = 3	Annual Limit (% reduction in take)				
	6	9	12	15	18
Estimated Catch	93,000 (-40%)	119,000 (-23%)	136,000 (-12%)	149,000 (-4%)	155,000 (0%)
Estimated Catch with November Closure	91,000 (-41%)	118,000 (-24%)	135,000 (-13%)	147,000 (-5%)	155,000 (0%)
Estimated Catch with November and April Closures	80,000 (-48%)	104,000 (-33%)	119,000 (-23%)	129,000 (17%)	136,000 (-12%)



Proposed Changes

- Option 1 – Balancing Uncertainty and Risk with Impacts
 - Reduce annual limit to 9
 - Close November
- Option 2 – Full ARMP Solution
 - Reduce annual limit to 9
 - Close November and April



The Conundrum

- All indicators are negative
- Previous reductions appear ineffectual
- Precaution warranted
- Consequence of failure could be generational
- Changes only affect 1/3 of fishers
- Fishing not the cause, but too much fishing could make it much worse



Next Steps and Timeline

- **Discussion at MRC on November 15 in Los Alamitos**
- **Discussion at CV Starr Center on December 3 in Ft. Bragg**
- **Possible action at FGC meeting on December 7 in San Diego**
- **Possible changes effective for 2017 season**
- **Please send public comments to FGC@FGC.CA.GOV**



So Lets Talk



October 26, 2016

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
fgc@fgc.ca.gov

RE: Abalone survey results and Abalone FMP

Dear President Sklar and Commissioners,

My name is Brandi Easter and I am a recreational diver. It was requested that I provide my public comments from the recent October 2016 DFG Commission meeting in writing regarding the recent abalone survey results and the Red Abalone Fishery Management Plan.

Encourage conversational opportunities for public to be participatory in emergency action discussions.

Rationale: Recreational license holders recognize this is a Mother Nature issue, not a human take issue.

PRO: Public engagement and exchange of ideas, better understanding from all concerned, inclusivity will help diminish the 'us – them' syndrome.

CON: Time is not on our side prior to the December 7-8 meeting, scheduling could prove to be problematic.

Consider Regional Management with Red Abalone Fishery Management Plan

Rationale: Population densities vary with different accesses throughout the fishery.

PRO: Potential easy transition, currently using regional management – Ft Ross, sub-limits, MPAs, can utilize codes already on report card or by county, potential balance of human impacts throughout fishery.

CON: Change is always difficult, potential confusion by recreational license holders with potential enforcement complexities, Mother Nature has no boundaries.

Consider Citizen Science as supplemental data collection going forward. Rationale: People want to learn more and be involved, inclusivity will help diminish the 'us – them' syndrome.

PRO: Gets public engagement in the process, potential cost savings to the Department, volunteers dive under Department Fish and Wildlife protocols, volunteers would able to dive when ocean allows instead of budget & staff availability, would provide better ongoing data collection throughout the entire fishery, volunteers would input collected data into common data base.

CON: Volunteer dive protocol or database not yet established and may take time and money to design and implement, long term volunteer retention may be challenging.

Consider the ENTIRE North Coast Abalone Fishery; Marin, Sonoma, Mendocino, Humboldt and Del Norte Counties when determining FMP.

Rationale: Currently, majority of conversations are focused on Sonoma and Mendocino Counties primarily due to the current transect areas where data comes from, the FMP is about the entire fishery.

PRO: Addresses the entire fishery - not just two counties, opportunity to re-write Abalone Report Management Plan (ARMP) to accommodate population density variances and environmental changes throughout fishery, can implement a volunteer program .

CON: There is underlying fear from people that we will always be beholden to the current ARMP as currently written. Population densities vary throughout the fishery and there is fear that if other areas are explored, the entire fishery will be closed down per ARMP.

Please let me know if you have any questions, I would be happy to answer them.

Thank you for your consideration,
Brandi Easter
TheGWTC@yahoo.com

CC: Craig Shuman Regional Manager of the Marine Region Craig.Shuman@wildlife.ca.gov
Sonke Mastrup sonke.mastrup@wildlife.ca.gov

COMMITTEE STAFF SUMMARY FOR MARCH 21, 2016

6. MLMA MASTER PLAN**Today's Item****Information** **Direction**

Receive DFW update on progress in efforts to review and amend the current FGC-adopted master plan for fisheries pursuant to the Marine Life Management Act (MLMA).

Summary of Previous/Future Actions

- Received overview of plan and timeline Nov 4, 2015; MRC, Ventura
- **Today's update on progress** Mar 21, 2016; MRC, Los Alamitos

Background

The MLMA, enacted in 1998, directs DFW and FGC to manage state fisheries sustainably through an ecosystem-based approach (§ 7050 et seq., Fish and Game Code). To help achieve its goals, the MLMA calls for developing a master plan that specifies the process and resources needed to prepare, adopt and implement fishery management plans (FMPs) for fisheries managed by the state (§ 7073, Fish and Game Code). The master plan is intended to help focus management effort on the highest priority species and to describe the specific tools and approaches to be applied in achieving the goals of the MLMA.

The current Master Plan was developed by DFW with input from stakeholders and adopted by FGC in 2001 (see <https://www.wildlife.ca.gov/Conservation/Marine/Master-Plan>). Since then, priorities have evolved and new issues have arisen. New tools and approaches have become available that have the potential to significantly improve fisheries management. Given that the MLMA calls for the master plan to be periodically reviewed and amended, these new tools and approaches can be incorporated into an amended master plan with the potential to broaden the policy scope of the document and facilitate moving more fisheries under active management and FMPs, as envisioned in the MLMA. A master plan amendment is significant and substantial enough that DFW's Marine Region has elevated its priority to one of five strategic work plan objectives (Exhibit 1).

In Nov 2015, DFW provided an overview of the background, scope, and proposed approach to amend the MLMA master plan for fisheries (exhibits 2-4). Today, DFW will provide an update on progress made in support of the current information-gathering stage.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. DFW Marine Region Strategic Work Plan - Summary, dated Oct 21, 2015
2. Master Plan for Fisheries Top Ten Frequently Asked Questions, dated Oct 22, 2015
3. DFW Draft Proposed Approach to Amend the Marine Life Management Act Master Plan, dated Oct 22, 2015
4. Draft Ongoing and Proposed Analyses Supporting the Development and Implementation of an Amended Master Plan for Fisheries, dated Oct 22, 2015

Committee Direction/Recommendation (N/A)

Overview of a Draft Amended Framework for MLMA-based Management

October 2016

The Marine Life Management Act (MLMA) is the guiding statute for ocean fisheries management in California. Enacted in 1999, this progressive law moved the state towards ecosystem-based management of its marine resources. This overview details some of the challenges with the current management approach, and the opportunity that revising the MLMA's work plan, the Master Plan for Fisheries, offers. It lays out a draft framework for prioritizing and scaling the intensity of management to the risks and potential benefits for each fishery, enabling more strategic allocation of limited funds and staff capacity to the fisheries that are in greatest need of management intervention. It also describes how this approach can be used to bring all fisheries in California up to a standardized level of management consistent with the MLMA. It is intended to serve as a road map, linking various information gathering projects that are underway together into a cohesive strategy and vision for the Master Plan amendment.

Before the MLMA, ocean fisheries were managed through adjustments in legislation or in regulation adopted by the Fish and Game Commission (Commission) as problems became evident. However, the MLMA called for comprehensive, proactive management of the state's ocean fisheries to achieve a set of common objectives and to meet certain standards. Since passage of the MLMA, implementation has focused largely on targeted rulemakings and on the preparation of fishery management plans (FMPs) for a few fisheries, often in response to legislative action. Controversy and complexity in these fisheries increased the intensity of FMP efforts and the demands on the California Department of Fish and Wildlife's (the Department) capacity. As a result, most of the state's fisheries have not fully benefited from the provisions of the MLMA.

The draft "Amended Framework for MLMA-based Management" proposed here addresses three needs: I) a process for prioritizing future management actions both among and within fisheries; II) a process for scaling those management actions to reflect the needs, risks, and values of each fishery together with the Department's capacity; and III) a means of conveying up-to-date fisheries information in a way that's easy for stakeholders, researchers, and the public to navigate and digest. This framework is depicted on Page 5. Projects on climate change, partnerships, stakeholder engagement, and peer review are underway and are anticipated to apply across the framework as appropriate. It is important to note that all components of the framework are still being developed and tested for relevance and feasibility and will be the focus of workshops and other discussions with stakeholders.

I. Prioritization Component

The prioritization component is intended to assess the need for management action in individual fisheries in a transparent and consistent fashion by conducting three types of analyses. Besides grouping fisheries as high, medium, or low need for management action, these analyses can also identify high priority actions that can be taken to improve management. These three analyses can be distilled into the following questions: 1) where are there risks?; 2) how well is current management addressing those risks?; and 3) where would confronting those unaddressed risks have the most biological, economic, social, or administrative benefit?

Analysis 1. Risk Assessment

Under the draft prioritization section of the framework, all fisheries go through a risk assessment to identify and evaluate any ecological and/or biological risks posed by fishing. This assessment is composed of two assessments: a Productivity Susceptibility Analysis (PSA), which assesses the risks to a particular stock, and an Ecological Risk Assessment (ERA), which assesses the risk a fishery poses to the ecosystem. California Ocean Science Trust (OST) is currently conducting a PSA on 45 of the state's most significant fisheries in terms of commercial value

and recreational participation. OST will also be adapting an ERA framework for California and applying it to five fisheries as an initial pilot.

The draft prioritization section of the framework would use the results of the Risk Assessment to classify fisheries as being of low, medium, or high concern. Those fisheries classified as medium or high-risk move on to the next steps of the prioritization framework, while those classified as posing a low risk are not an initial priority for additional management.

Analysis 2. Assessing Management Effectiveness - MLMA-based Assessment

The next analysis evaluates a fishery's level of consistency with the MLMA. The first step in this analysis is an assessment of the degree to which management is consistent with the full range of the MLMA's objectives. The second step is a specific assessment of the degree to which risks identified in the Risk Assessment are being addressed by current management. The Center for Ocean Solutions is currently developing the draft MLMA-based assessment framework. If the Department determines the tool is effective, those fisheries that are classified as having low or medium consistency with the MLMA, particularly in relation to the risk areas identified in the Risk Assessment step, would be candidates for additional analysis described below. Those fisheries where management is determined to have high consistency with the MLMA require no additional management actions, although triggers for reconsidering this assessment might be identified.

Analysis 3. Economic Value/Opportunity

All of the fisheries that have achieved this stage of analysis have been deemed to pose medium to high ecological and/or biological risks, and may have related deficiencies in terms of consistency with the MLMA. As a result, these fisheries will likely require additional management actions to address these risks and improve consistency with the MLMA. The last step in the prioritization framework assesses the relative tradeoffs to socio-economic impacts from more active management. Approaches to conducting such an analysis are being discussed, however relevant data are relatively limited.

Prioritization results

Under the draft prioritization section of the framework, fisheries would be categorized into three classes of concern, high, medium, and low. Generally, fisheries classified as high priorities for management would be the first to be considered for management action. In the absence of extenuating circumstances, additional management action, beyond preparation of the Enhanced Status Report described below, would be deferred on fisheries classified as medium or low priority.

II. Management Scaling Component

The fisheries that fall under the scope of the MLMA range widely in complexity, biological characteristics, number of participants, geographic extent, availability of data, management need, and other factors. The process described below is intended to incorporate this variability in the range of approaches to applying MLMA-based management, from expanded and better structured Status Reports to traditional, resource intensive FMPs. The draft management scaling component of the framework seeks to match the scope and intensity of management effort with the needs and complexity of a given fishery.

Defining the Management Continuum

Fisheries vary significantly regarding the appropriate level of management effort. For example, a small single sector fishery with low ecological and/or biological risk, that is largely consistent with the MLMA, and for which expected benefits from additional management are likely to be low may justify a lower level of response. Alternately, a large-scale, multi-sector fishery with conservation concerns and a high degree of controversy will likely demand a more intensive

effort. This may lead to implementation of the MLMA taking place along a continuum ranging from a basic level represented by an Enhanced Status Report, to an intensive, complex FMP process.

Low – Enhanced Status Report Alone

All fisheries would be the subject of an Enhanced Status Report. Building off current Status Reports, Enhanced Status Reports would be structured around the requirements of the MLMA itself, helping to ensure that included information is relevant to management under the MLMA. These reports would have sections on the history and socio-economics of the fishery, the biology and status of target stocks, ecosystem aspects of the fishery, past and current conservation measures, essential fisheries information (EFI), and monitoring. This revised format would ensure a basic standard of MLMA-based management is applied across all fisheries in a consistent and transparent fashion. It would summarize all of the available EFI for each fishery, and make it readily apparent what is not available. This structure is envisioned to assist the Department in planning both short and long-term research activities and inform external parties about research opportunities that may benefit management. Enhanced Status Reports can serve as a repository of information documenting the consistency of a fishery's management with the MLMA and the results of the analyses described above. They can also serve as sources of information for future analyses and FMP development.

Medium low - Status Reports Plus Focused Rulemakings

A second group of fisheries may need relatively simple adjustments in management to address specific risks or concerns identified in the prioritization analyses. These might include a modification to an existing regulation, or the creation of a new one, where the available science is sufficient to warrant the change and there is broad stakeholder support behind the change. Any rulemakings made in this context should be relatively non-controversial, easily enforceable, and applied to the entire fishery with relative ease. An Enhanced Status Report plus a tailored rulemaking to address relatively simple issues may be an effective combination for many lower risk fisheries. Similar to the revised approach to Enhanced Status Report, the content of these limited rulemakings could more explicitly track with the areas of concern identified in the MLMA.

Medium high to high - Scaled Fishery Management Plans

In cases where the degree of management change, fishery complexity, controversy, and information needs are high, an FMP may be required. The MLMA specifies what information must be included in an FMP, but does not specifically describe the process required to achieve that outcome. Rather than considering FMPs as having a process recipe in which there is a list of requirements to be checked off, it may be helpful to view the FMP as a graduated process, with increasing levels of intensity as required.

The resource demands on the Department and Commission may be reduced through several means, including process design, partnerships, and efficient stakeholder engagement, among other things. For example, creating Enhanced Status Reports early can help the Department to flag missing EFI in fisheries that have been prioritized for additional management action in the medium term.

Identifying where along the continuum of management a fishery belongs depends on, 1) the degree of management change required to address risk and improve MLMA consistency, 2) the complexity of the fishery and, 3) the type and amount of information needed. The level of management change has two essential components, the impact on the fleet from the anticipated changes, and the administrative difficulty for managers to implement them. A change in decision-making framework or from input to output based controls may constitute a major change. Examples of minor changes in the degree of management might include a modification to the gear used to prosecute the fishery. In addition to the anticipated degree of management change, the level of complexity of the fishery will influence the intensity of the public process as

well as the scope and scale of the resulting management document. Complexity criteria include the number of gear types, sector use and allocation, geographic distribution, and number of participants. Another key factor in determining the need for an FMP is whether existing statutes might conflict with the necessary changes to the fishery. By adopting an FMP, any conflicting statutes can be rendered inoperative for that particular fishery, allowing a great deal of management flexibility.

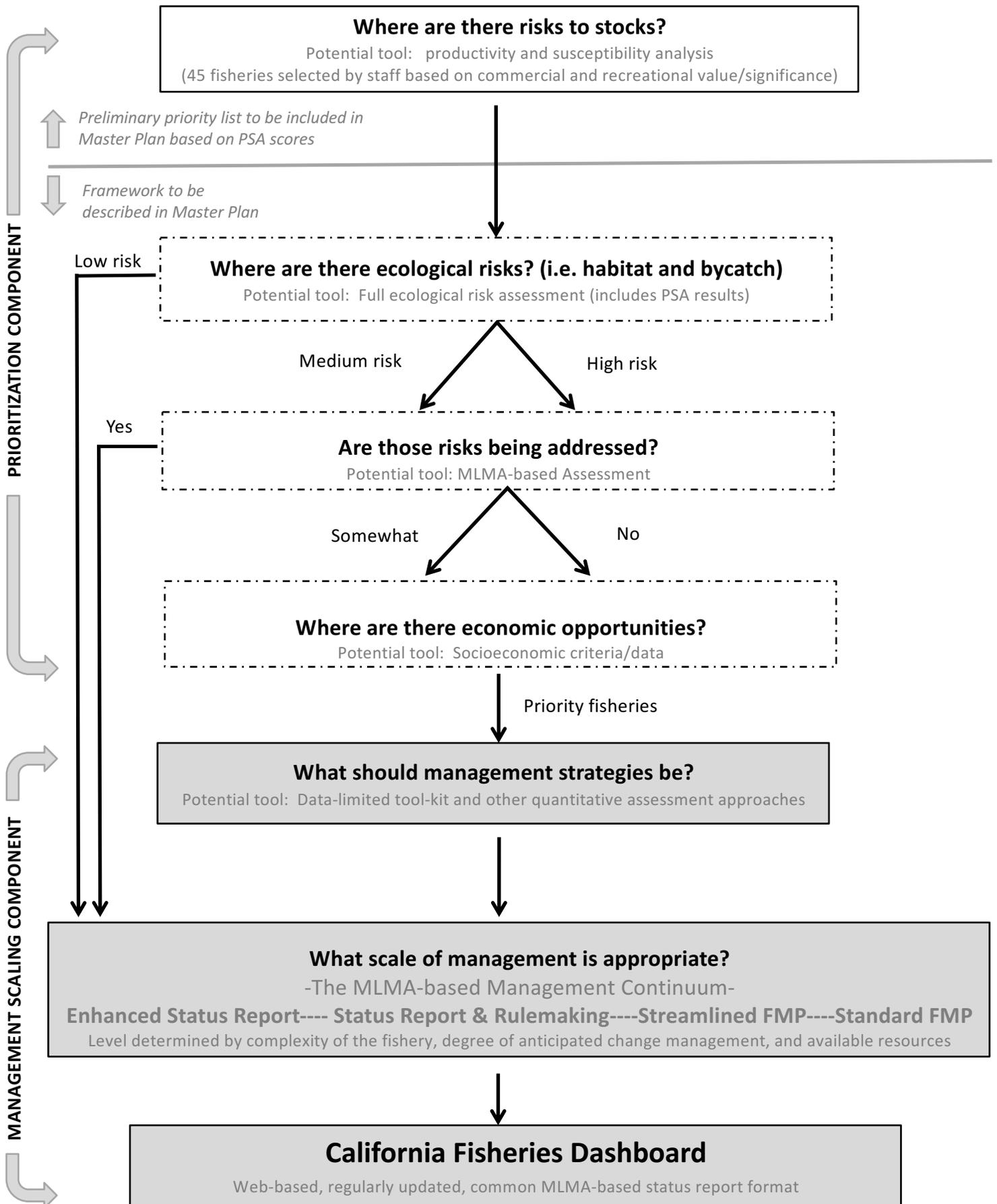
While the first component of the framework is designed to help focus limited Department capacity on fisheries of greatest concern, this management scaling component is intended to match the level of management effort and resources to the characteristics and needs of a given fishery. In many ways this provides an explicit framework around what is an intuitive approach and seeks to identify important criteria for managers and stakeholders to consider when scaling management efforts.

III. The Web-based Fishery Dashboard

The information gathered throughout the prioritization and management processes could be housed and regularly updated on a web-based dashboard. The dashboard would be a user interface that organizes and presents information from status reports in a way that is easy to understand at a glance. At its core would be a front page where users could choose among the state's fisheries and learn basic information, with more details nested within specific categories. The tabbed page format would be common to all fisheries, and would break the information from each Enhanced Status Report into its major component parts, including tabs for "at-a-glance", "natural history", "the fishery", "ecosystem considerations", "management issues", and "research and monitoring". While substantial time and cost will be required upfront to develop the dashboard and its underlying database, once established it should be designed to be relatively simple to maintain and update. The web-based dashboard is envisioned to help promote transparency in fisheries management, foster public engagement, and focus academic research on areas of management relevance.

DRAFT- Amended Framework for MLMA-based Management

Development and implementation of this framework is contingent upon sufficient resources and capacity Projects on climate change, partnerships, stakeholder engagement, and peer review apply across the framework



Marine Life Management Act Master Plan Amendment Process

Overview: Information Gathering Projects

October 2016

The California Department of Fish and Wildlife (CDFW) is preparing to amend the Marine Life Management Act (MLMA) Master Plan. To help inform this process, CDFW is overseeing a number of Information Gathering Projects to consider new tools for updating California's state-managed fisheries management framework. These projects are being conducted in cooperation with a number of investigators and researchers from outside CDFW. With input from stakeholders, CDFW will review and consider the tools and products from each project before formal consideration for inclusion in the amended Master Plan.

A brief summary of each project is listed below, along with links to available resources. A summary of project descriptions was previously shared with the Marine Resources Committee in November 2015 (http://www.fgc.ca.gov/meetings/2015/Nov/Exhibits/TS7_MarineLifeManagementAct.pdf). The list below has been updated and streamlined from that summary document. For more information about the MLMA Master Plan Amendment Process, visit <https://www.wildlife.ca.gov/Conservation/Marine/MLMA/Master-Plan> or contact MLMA@wildlife.ca.gov.

Approach to MLMA-based Management

CDFW Lead: Paul Reilly

Contractor: Fathom Consulting

A proposed framework will be developed based on the objectives of the MLMA, which may serve to help focus CDFW's management efforts on fisheries with the greatest management need. This framework will organize the results from the Information Gathering Projects' products and recommendations into a comprehensive management system that is designed to fully implement the principles of the MLMA. Development of the framework will also consider lessons learned from existing Fisheries Management Plans (FMPs) and the 2010 document, *Lessons Learned from California's Marine Life Management Act* (<http://www.fgc.ca.gov/public/reports/FinalMLMALessonsLearnedReport051810.pdf>).

Productivity and Susceptibility Analysis (PSA) & Ecological Risk Assessment (ERA)

CDFW Lead: Paul Reilly

Contractor: California Ocean Science Trust

Existing scientific tools are being explored as a systematic way to determine the biological risk posed to fishery resources due to key factors. Key factors considered in the analyses include the effects of fishing on target and non-target species and habitat and other ecosystem characteristics. Results from this type of analysis may help prioritize fisheries for FMP development, for prioritizing management actions in individual fisheries, and inform plans for future data collection and monitoring activities. Based on the results of a productivity and susceptibility analysis (PSA) of 45 commercial and recreational fisheries, several frameworks will be tested on five fisheries (to-be-determined) to evaluate which tool(s) show the greatest potential in evaluating and addressing the ecological aspects of each fishery.

MLMA-based Assessment Framework

CDFW Lead: Tom Mason

Contractor: Center for Ocean Solutions

A tool is being developed and tested to help assess the management of individual fisheries against the provisions of the MLMA. The results from analyzing California's fisheries are intended to inform the setting of priorities among fisheries for management attention, and can aid in identifying priority research and management actions in individual fisheries.

Socioeconomic Value and Opportunity

CDFW Leads: Debbie Aseltine-Neilson & Ryan Bartling

Contractor: California Sea Grant

This project will identify needs and opportunities for analyzing and assembling socioeconomic and human dimension information to guide fishery management efforts consistent with the MLMA. This information can help inform management decisions to reduce community and socioeconomic impacts and prioritize data collection efforts.

California Fisheries Data Limited Tool-kit

CDFW Leads: Pete Kalvass & Chuck Valle

Contacting: Natural Resources Defense Council, University of British Columbia

A new software tool is being customized and tested for California fisheries using Management Strategy Evaluation (MSE) to simultaneously compare the performance of a number of stock-assessment approaches for data-limited fisheries. An MSE is a simulation of a real world fishery that tests alternative management strategies against a set of performance criteria under realistic conditions of variability and uncertainty. Using four test fisheries, the software will test and identify appropriate options for stock assessment and management approaches for these fisheries, and prioritize data collection efforts. Additional information can be found at <http://www.datalimitedtoolkit.org/>.

Streamlined Fishery Management

CDFW Lead: Ian Taniguchi

Contractor: Fathom Consulting

This project seeks to provide guidance on how to scale the individual management efforts for each fishery based on the size and complexity of that fishery. The goal is to develop options for a cost-effective, flexible, and streamlined approach to meeting the goals of the MLMA through an MLMA-based management continuum that ranges from enhanced status reports to FMPs.

Status of the Fisheries Reports and Web-based Dashboard

CDFW Lead: Tom Mason

Contractor: Fathom Consulting

A regularly updated, user-friendly, web-based "California Fishery Dashboard" is being considered as part of the Master Plan Amendment to serve as a library for fisheries information in California. Status of the Fisheries Reports will be transformed from a static paper or digital document to a dynamic website structure. The dashboard would be available to the public, fisheries managers, scientists, and others to learn about the state of knowledge about a fishery, management issues and current research needs.

Climate Change and Fisheries

CDFW Lead: Debbie Aseltine-Neilson

Contractor: California Ocean Science Trust

This project, which will draw upon the expertise of the Ocean Protection Council's Science Advisory Team, will consider the issue of climate change in the sustainable management of California fisheries, provide an evaluation of the effects of changing climate and ocean chemistry on fisheries (including social, ecological and governance dimensions), and explore ways of building resilience to buffer against potential effects. Opportunities for new or expanded fisheries resulting from climate change may also be explored.

Bycatch

CDFW/FGC Lead: Elizabeth Pope

Contractor: N/A

A working group composed of state agencies, fishermen and non-governmental organizations has been convened by the Fish and Game Commission (Commission) to review bycatch and associated issues in California's fisheries. It is anticipated that the working group will help inform the amendments to the Master Plan through their review of bycatch language and definitions and/or action items within the scope of Commission authority.

Data Review

CDFW Lead: Kirsten Ramey

Contractors: MRAG Americas and Kate Wing Consulting

In the first two phases of this project, CDFW's current data collection activities were inventoried and their use and relevance to management evaluated. The third phase will produce recommendations for adapting CDFW's fishery dependent data collection activities to more closely meet management needs. This last phase will also produce recommendations for improving fishery data collection efforts that leverage existing monitoring programs while also considering trade-offs between costs, coverage, timeframes for implementation, and potential strategies and partners.

Fisheries Partnerships

CDFW Leads: Elizabeth Pope & Ian Taniguchi

Contractor: The Nature Conservancy

A report will outline the opportunities, benefits, and limitations that partnerships between CDFW and fishery stakeholders can play in securing effective and efficient fisheries management. The project will also explore necessary elements of effective partnerships and the requirements for collaboration on different types of fisheries management activities.

Stakeholder Engagement Toolkit

CDFW Leads: Toby Carpenter & Elizabeth Pope

Contractors: Center for Ocean Solutions, Kearns & West

This project will survey best practices regarding engagement of stakeholders in fisheries management in California and beyond. The goal is to develop tools to help managers foster targeted and meaningful stakeholder involvement in fisheries management by assembling information on a range of stakeholder engagement methods, including costs, necessary expertise, benefits, and challenges.

Peer Review

CDFW Lead: Pete Kalvass

Contractors: Ocean Science Trust

Utilizing lessons learned from previous peer reviews under the MLMA (e.g., FMP processes) as well as from best practices of other agencies and scientific organizations, this project will develop recommendations to help inform CDFW's approach to peer review for FMPs. The upcoming red abalone and herring FMPs may be utilized as pilot cases.

MEETING SUMMARY AND KEY OUTCOMES

Marine Resources Committee Bycatch Workgroup Kickoff Meeting

May 18, 2016 11:00 a.m. – 3:00 p.m.
Santa Barbara Harbor Community Room
107 Harbor Way
Santa Barbara, CA

Meeting Overview:

The kick-off meeting was intended to provide a common background and understanding, lay an operational foundation for the Bycatch Workgroup (BWG), identify common themes, set work group goals, discuss possible work products, and identify next steps. BWG members agreed on ground rules for communication and participation without modification. Fish and Game Commission (Commission) staff provided a “refresher” overview of Marine Resources Committee (MRC) bycatch discussions including previously identified areas of concern, possible mechanisms for addressing concerns, and identified potential direction or product outcomes for the BWG relative to Commission authority using existing regulatory language and frameworks.

Group discussion yielded outcomes that can be categorized by core themes and areas of agreement across BWG membership, work groups, work products, and next steps (*outlined in Part I below*). Key outcomes by agenda topic are provided in Part II.

PART I

Core Themes:

- Communication standard: establish open e-mail list and file sharing site
- Recommendations should be made on sound scientific principles
- Recognize the BWG as an opportunity to increase public understanding of bycatch and bycatch issues (i.e., not all bycatch are dead discards)
- Ensure the development of work products is transparent and inclusive
- Clearly identify when consensus or dissent exist
- How to build capacity to collect bycatch data and increase data streams
- Explore what tools currently exist for addressing bycatch issues and reducing discard mortality
- Incorporate input from Tribes early and effectively
- There are many different understandings of what bycatch is or is not
- Identify areas of uncertainty (e.g., is a species considered bycatch if the target species changes or is in multi-target fishery)
- Many ideas for areas of BWG focus and work products offered (e.g., update Master Plan bycatch section, reevaluate how multi-species fisheries are defined or characterized relative to “incidental” marketable take, review available data, develop a bycatch reduction work plan)

Areas of Agreement:

- Need to identify clear and specific goals for the BWG
- Goals will help to inform product development
- Supports having Commission staff provide a DRAFT work plan for the BWG
 - Use BWG-suggested goals as starting point
 - Intent to have a draft ready for the July MRC meeting
- Utilize DFW staff and data sets to help inform products
- Establish a common set of working definitions of bycatch, target, incidental, and unacceptable
- Identify and build upon areas of overlap with Federal and Pacific state efforts
- Any products developed through a subgroup of the BWG will be brought to the entire BWG for discussion and input

Action Items

- DRAFT work plan (Commission Staff)
- Develop initial definitions for bycatch, target, incidental, and unacceptable (Christopher Voss, Diane Pleschner-Steele, Mick Kronman).
- Identify areas of overlap for federal and pacific state efforts on bycatch issues (Mike Conroy)
- Seek funding to off-set participation costs (volunteers??)
- Scientific literature background research (Geoff Shester)

Next Steps:

- Schedule check in phone meeting for status report on product development
- Set next meeting date (possibly early July in order to report to MRC on July 21)
- Solicit and coordinate input time-frame for identified work products

PART II

Meeting Agenda Outcomes

1. Welcome, introductions, and agenda review

Commission staff welcomed attendees, round-table introductions and sign-in sheet distributed.

2. Establish basic operating rules, procedures, and guiding principles

Presentation by Commission staff to solicit feedback on suggested ground rules for participation and communication; ground rules were accepted by the group without modification.

3. Understanding the role of the BWG: Review background and workgroup scope

Commission staff provided an overview of previous MRC guidance that the BWG adhere to relevant State legislation (Marine Life Management Act) and

regulations (Title 14 and Fish and Game Code), and focus on State-managed fisheries under direct Commission authority as top priority, followed by State fisheries under State legislative authority, for considering bycatch issues.

LUNCH

4. Brainstorming: What are the desired outcomes for you and for the BWG

Round table where each participant identified desired specific goals for individual constituency and the BWG specifically.

5. Discussion: Setting objectives and priorities for the BWG

Priorities identified for work products and next steps based on the brainstorming discussion. Common goal to increase the understanding of bycatch to improve public understanding on bycatch related issues.

6. Discuss next meeting dates

No formal meeting date set. A variety of options for the venue for the next meeting were discussed. Some emphasized exploring “low carbon footprint” options (webinar, teleconference, email), while others highlighted the value of in-person meetings. Appropriate venue may vary at different project stages.

7. Meeting wrap-up and next steps

Establish sub-groups to: begin working on common definitions for terms associated with bycatch but not defined in state law, compile status of parallel bycatch efforts by the Federal and pacific states, and explore scientific literature and background. Sub groups to bring products back to group via e-mail and in hard copy at next meeting. Commission staff to distribute a DRAFT work plan to the BWG for comment with the intent that it be provided to the MRC at the July 21 meeting in Petaluma.

Adjourn

Fisheries Bycatch Workgroup (BWG)
Agenda - Teleconference Meeting
September 7, 2016
10:00 a.m.-11:30 a.m.
Call in number **877-336-1831**; participation code **940535**

Meeting Summary: The following is a summary of the teleconference meeting prepared by staff.

Desired outcomes:

- Updates since May 18, 2016 BWG meeting
- Confirm direction received from Marine Resources Committee (MRC) to the BWG (BWG "Charge")
- Distribute work products received to date from subgroups, and discuss review process
- Confirm logistic and planning for September 30, 2016 meeting

Agenda:

1. Introductions, welcome new members and participants

Call participants were introduced, recognizing that not all BWG members were able to join the call, and that a few new people had joined the BWG list. Call participants included:

Fish and Game Commission staff:

- Susan Ashcraft
- Elizabeth Pope

Department of Fish and Wildlife staff:

- Sonke Mastrup

BWG Participants:

- Ken Beer
- Gary Burke
- Mike Conroy
- Joe Exline
- Wayne Kotow
- Mike McCorkle
- Huff McGonagal
- Elizabeth Murdock
- Dana Murray
- Bob Osborn
- George Osborn
- Debra Quick-Jones
- Geoff Shester

2. Updates since May 18 BWG meeting

a. Meeting summary distributed

Anyone who needs a copy of the meeting summary can email Elizabeth (elizabeth.pope@wildlife.ca.gov).

b. Updates from MRC (July 21) and FGC (Aug 24) meetings

Elizabeth summarized the MRC discussion concerning the BWG meeting and concepts discussed for a work plan (which staff was still working on). The MRC recommended that the BWG work plan emphasize review of and recommended changes to the bycatch section of the Master Plan for Fisheries, including clarified or expanded definitions, and identify possible action items within FGC authority. Staff indicated that the MRC audio was available online; Joe Exline provided comment that the audio was not accessible. Staff has confirmed that MRC audio is now posted (9/9/16).

FGC approved the MRC recommendation concerning the focus of the BWG work plan.

c. Recap of subgroups

An overview of the subgroups formed at May BWG meeting was given, including definitions subgroup, 'incidental take' versus bycatch species/gears group. These provided materials to staff as distributed today.

Discussion:

Concern expressed over breaking out into subgroups without agreement on the work plan. First order of business is to get a draft work plan circulated and get it generally agreed upon. There was buy-in to make progress on the definitions piece before the work plan is finalized. And the workgroup has submitted good information to clarify and compile to inform what we're going to do. (Geoff Shester)

3. Review of subgroup efforts and draft products

a. Draft materials submitted to date (see handouts)

Three DRAFT items were submitted to staff, these were included as meeting materials for the group

b. Updates to participants in subgroups

- Merit McCrea was added to the subgroup that contributed to the report submitted by Diane Pleschner Steele.
- Joe Exline provided input to Mike Conroy's submission

- These are highlighted because they are additions/changes from what was identified at May 18 meeting and included in the meeting summary.

The group confirmed the expectation that:

- When subgroups are formed, everyone who volunteers gets to participate
- Draft internal documents are prepared by the subgroups
- A review period for the people not on the subgroup needs to be set (comments/edits)
- Second round of revisions based on input from the entire BWG
- The documents must have full buy-off (and/or identify specific areas of divergence) from the BWG before being considered final.
- The documents submitted would help contribute to a workgroup work product to the MRC, but need to be within the scope of the work plan.

There was some question about how much leeway the BWG has to recommend changes to statute or to use new definitions for bycatch that may be different from statute. (Gary Burke)

In response, another member stated that FGC has drawn the line – the task is simply to clarify definitions already defined in the law and agree on a common set of language. Not to propose alternative language in MLMA. Given the language and guidance in FGC authority under existing law, how do we have a common language? (Geoff Shester) FGC staff confirmed this is correct and offered to talk off-sides with anyone needing to better understand this. (Susan Ashcraft)

4. Next steps in review of subgroup draft products

a. Recap of groundrules for sharing draft BWG materials (approved at the May 18 BWG meeting)

DRAFT materials are to be reviewed by the BWG before distribution outside the BWG or submission to the MRC.

b. Process to review and comment on draft products: BWG member discussion

Staff can be the facilitator of distributing DRAFT materials to BWG. But we need to clarify if this happens immediately upon receipt by staff, or all together 2 weeks (or earlier) before a meeting. Staff requests that materials submitted to staff include header information (authors, date, and document title) as well as a clear statement of approval to distribute to the BWG on behalf of authors and what draft stage (initial, revised, final, etc.).

Members noted that they prefer at least 2 weeks to digest and review draft documents before BWG meetings. Comments, feedback, and suggested changes can be provided to BWG members in the way that makes it easiest for you. This includes submitted in writing to staff, for redistribution with meeting materials, or can bring comments and ideas for discussion at the in person meeting.

Group agreed to review materials provided for the call and to a DEADLINE OF SEPTEMBER 23 for written comments to staff, who would send these out with meeting materials on September 24. For those who could not provide written comments by the 23rd, comments and ideas can be brought to the September 30 meeting.

Wayne Kotow and Joe Exline had specific questions and input about file sharing/ document editing programs or websites to help facilitate workgroup review of materials. FGC staff to work with Wayne and Joe to develop suggestions that will work within agency information technology constraints (This can be further discussed at the September 30 meeting).

c. Additions? New Volunteers?

At the May meeting, the importance of founding BWG recommendations and products on sound science was emphasized. A small group on the phone offered to provide an outline of key science literature needed for this process to serve as “foundation” for group decisions on recommendations (including Elizabeth Murdock, Debra Quick-Jones, and Geoff Shester).

Preparation for September 30 BWG meeting

d. Decide on location (Santa Barbara or Los Alamitos)

- A healthy discussion occurred regarding the recognition that most participants are from Southern CA, and many fishermen from Santa Barbara, while noting the challenge of others getting to Southern California, notably Santa Barbara.
- Strong desire to be fair to all members, possibly through rotating in-person meeting locations (Los Alamitos, Santa Barbara, somewhere northward as well).
- All agreed that a call-in option was very important.
- **Sep 30 will be held in Los Alamitos with a call-in line option.**

e. Overview of upcoming meeting goals

i. Work day – progress on draft work products

Sept 30 meeting is intended to be a work day (less talking/more working); please come prepared and able to participate in the

development and refinement of materials to make the most of the opportunity. Participants conveyed a preference for more frequent meetings, and to clarify the expectations for how long the BWG would be convening. Susan Ashcraft suggested that the BWG think about identifying co-leads to facilitate more frequent communication and progress regardless of Commission staff resource availability. Participants are asked to bring calendars to assist with meeting planning.

Discuss DRAFT Workplan (Commission staff will distribute in advance) Suggestion that the draft work plan include some sort of bullet points and decision tree for their input (Joe Exline), within the framework of the MLPA and State fisheries. Staff will send out draft work plan as meeting materials in advance of in person meeting (no later than Sep 23) with packet of material (in addition to any comments on DRAFT workgroup products that are submitted).

Attachments/Handouts:

- a. BWG Contact List
- b. Subgroup DRAFT products for BWG review
 - a. Definitions Subgroup DRAFT Products:
 - i. Draft list of State and Federal Definitions and Guidance (prepared by Mike Conroy with input from Joe Exline)
 - ii. Preliminary Report from Definitions Subgroup (Prepared by Diane Pleschner-Steele with input from Mick Kronman, Mike McCorkle, and Merit McCrea, and Mike Conroy Draft List).
 - b. Other Member DRAFT Products (Incidental take): Initial list of commercial gear types and associated multi-species targets (prepared by Mike McCorkle)

Marine Resources Committee
Bycatch Workgroup
Draft Proposed Work Plan
September 2016

With suggested edits received to date (11/1/16) in track changes

The Bycatch Workgroup (BWG) is a workgroup formed by the Marine Resources Committee (MRC) to help inform and support the evaluation of bycatch management in State-managed fisheries within California Fish and Game Commission (Commission) authority under existing California statute and regulations. The BWG is comprised of approximately 20 volunteers who represent a cross-range of interests including commercial fishermen, recreational anglers, and NGOs, with participation of DFW staff.

The Marine Resources Committee (MRC) and California Fish and Game Commission (Commission) have identified a primary goal of basing assessment and management of fisheries bycatch in a comprehensive approach founded on MLMA principles, guided by the MLMA master plan for fisheries, and supported by principles, best management practices and other available tools.

In support of this goal, the focus of the BWG is to develop a final recommendations report to the MRC highlighting key areas for consideration, specific recommendations, and rationale. To assist the BWG, the following draft Work Plan outlines the project goal, scope, objectives, tasks, and deliverables. While some tasks will be completed in a full BWG setting, other tasks may be initially drafted through a subgroup process intended to inform the larger efforts of the BWG. All documents, whether drafted through a subgroup process or the full BWG meeting, will have an open review and comment period. A final recommendations report will be provided to the MRC for consideration and possible recommendations to the Commission.

WORK PLAN:

Project Scope

- **Purpose:** To provide input, ideas, and recommendations to support development of a comprehensive approach to assessing and managing bycatch in State-managed fisheries under the Marine Life Management Act.
- **Breadth:**
 - **Level of Governance:** Project will focus on State-level governance including Commission policies (Master Plan for fisheries) and regulations (California Code of Regulations (CCR) Title 14) governing State fisheries under Commission authority and consistent with existing State statutes, as well as reviewing overlaps with Federal regulations or policy.
 - **Priority Elements:** Project will focus on evaluating, and possibly clarifying or expanding, guidance contained in the Marine Life Management Act (MLMA) Master Plan for fisheries bycatch section (currently section 2.5.2),

understanding how that might impact the future development of fishery management plans, fisheries under different levels of management structure, and consider existing bycatch data limitations. Identify potential areas of improvement and/or specific action items to address any priority concerns related to bycatch, notably retained versus discarded bycatch and criteria for determining “unacceptable levels of bycatch”.

Deliverable: A final report with BWG recommendations for bycatch language revisions to the “Bycatch” Section of the MLMA Master Plan for Fisheries and a proposal for an independently conducted California state fishery Bycatch Data Assessment, for consideration by the MRC.

Project Objectives, Tasks, and Deliverables (**note: Tasks to be fleshed out at 9/30 meeting)

- **Objective 1: Compile existing statutes, policies, and regulations related to bycatch and identify terms, clarify terms and definitions consistent with such statutes, policies, and regulations. ~~and for potential clarification or revision standards~~**

Objective 1 Deliverable: Clarified and/or expanded definitions list (“terms of reference”) for California fisheries proposed for use through BWG process (including comparison of similarities and differences with Federal and/or other state terms and definitions)

- **Objective 2: Review and evaluate existing Commission policy within the Master Plan for Fisheries as it pertains to Bycatch and draft options for revisions or additions to “Bycatch” section of Master Plan. Specifically, the BWG would address and further flesh out the following topics:**

- ~~related to future management efforts (for consideration: regulations)~~
 - Definitions
 - Unacceptable bycatch
 - Special status species
 - Incidental catch vs. target species
 - Prioritizing bycatch issues
 - Overview of management approaches/BMPs

Objective 2 Deliverable: **Report containing recommendations (with options) for revisions to the Master Plan for Fisheries for consideration by the MRC.**

Objective 3: Develop a proposed scope of work for an independently-conducted Bycatch Data Assessment. This could include data collection and summary of all available catch and bycatch data across all state-managed fisheries, direction on the metrics for which bycatch would be assessed, as well as identification of data gaps for all fisheries for which data does not exist.

Bycatch Workgroup Draft Work Plan
Draft version September 26, 2016
With suggested edits as of November 1, 2016

Based on the criteria established by the BWG in Objective 2, the Assessment could prioritize known bycatch concerns and data gaps for further data collection. The scope of work could then be used to identify external resources and appropriate entities to conduct the assessment.

Objective 3 Deliverable: Proposed scope of work for bycatch assessment for consideration by the MRC.

Upon completion of the bycatch assessment, the Commission/MRC would consider the results of the assessment to inform next steps, including adoption of priorities and an action plan for additional data collection and potential regulatory changes. The Commission would, at its discretion, determine whether to task the BWG with additional work products or identify other means to accomplish an action plan.

From: [Posting-OceanPublic](#)
To: CNRA_OCEANS_PUBLIC@LISTSERV.STATE.CA.GOV
Subject: Highlights from the October 17, 2016 Ocean Protection Council meeting
Date: Wednesday, October 19, 2016 1:37:37 PM



CALIFORNIA OCEAN PROTECTION COUNCIL

John Laird, Secretary for Natural Resources, Council Chair
 Matt Rodriguez, Secretary for Environmental Protection
 Betty Yee, State Controller, State Lands Commission Chair
 Fran Pavley, State Senator
 Bill Quirk, State Assemblymember
 Geraldine Knatz, Public Member
 Michael Brown, Public Member

To: California Ocean and Coastal Community
From: John Laird, Secretary for Natural Resources and Chair, California Ocean Protection Council
Date: October 19, 2016
Subject: Highlights from the October 17, 2016 Ocean Protection Council meeting

The Ocean Protection Council (OPC) held a meeting on Monday, October 17, 2016 in Sacramento. Topics of discussion included consideration of funding under Proposition 84 for 16 projects totaling just over \$6 million. Additionally, the Council unanimously adopted a resolution supporting Proposition 67 as on the November 8, 2016 ballot, which upholds the statewide single-use plastic bag ban. Below are highlights from the meeting. I look forward to seeing you at the next OPC meeting.

The Council unanimously approved the following 16 projects for funding under Proposition 84 (Laird-aye; Rodriguez-aye; Baker-aye; Knatz-aye; Brown-aye). Additional information can be found in the [Summary of Proposed Projects](#) or by accessing the staff recommendations for the individual projects on the [OPC's website](#).

Item	Description
4a-f	<p>Ocean Acidification and Hypoxia.</p> <p>The six ocean acidification and hypoxia projects enhance our understanding and employ strategies and tools to best prepare for, mitigate and adapt to ocean acidification and hypoxia across California. All the projects were recommended next steps by the West Coast Ocean Acidification and Hypoxia Science Panel, convened at the request of OPC, in its spring 2016 “Major Findings, Recommendations, and Actions” report.</p>
4g-4h	<p>Sea-level Rise.</p> <p>OPC approved two projects to ensure that the State of California is prepared for and successfully adapts to the impacts of sea-level rise and storms. One project supports the U.S. Geological Survey to expand the Coastal Storm Modeling System (CoSMoS) to cover the Central Coast, and to update shoreline change rates statewide. This project also supports Point Blue Conservation Science in making the sea-level rise and coastal hazard maps from the CoSMoS model more accessible through extending the “Our Coast, Our Future” (OCOF) web tool to the Central Coast. The second project will provide the scientific underpinning for an</p>

	<p>update to the State of California Sea-level Rise Guidance Document. California Ocean Science Trust will convene a working group of the OPC-Science Advisory Team to summarize the best available science on sea-level rise, particularly with respect to recent studies on ice melt.</p>
4i-4j	<p>Sediment Management.</p> <p>These two projects—beach restoration at Surfer’s Beach in San Mateo County and an assessment of the extent, location, and physical properties of sand resources-- aim to 1). improve the policies and regulatory practices in ways that restore natural sediment processes, while increasing opportunities for sediment reuse and 2). increase the availability of data and tools that can influence sediment-related planning decisions.</p>
4k-4l	<p>Marine Protected Areas.</p> <p>The two MPA projects complete priority tasks laid out in the MPA Statewide Leadership Team Work Plan. The MPA Signage Project - Round 2 builds on previous investments that resulted in the installation of 195 regulatory and interpretive signs across the MPA Network. Round 2 will address and build on priority sign needs identified in Round 1 by working with local stakeholders to design and install 150 - 160 signs that will improve the enjoyment and regulation compliance of visitors to the MPA Network. The MPA Collaborative Network Small Grants Program will continue to build and formalize an active partnership with the MPA Collaborative Network. The project will result in a ratified Collaborative Network Charter and a first round of funding at \$10,000 to each of the 14 MPA Collaboratives that are part of the Network to complete projects that address the priority needs identified in the MPA Statewide Leadership Work Plan.</p>
4m-4o	<p>Marine Pollution.</p> <p>The three marine pollution projects approved address urgent high-priority needs while laying the groundwork to build out the marine pollution program in a strategic, inclusive, and effective way. The update of the OPC Implementation Strategy to Reduce and Prevent Ocean Litter (Strategy) will use a collaborative process to develop new priorities and projects for the marine pollution program to pursue. The Dungeness Crab Fishing Gear Working Group project will provide funding for urgent collaborative research projects to reduce and prevent whale entanglement. The Unpackaged Community project will reduce a community’s reliance on single-use disposable packaging and will demonstrate an innovative method to address high-priority sources of litter.</p>
4p	<p>Sustainable Fisheries.</p> <p>The fisheries project approved provides guidance on the socioeconomic questions and information needs that are most important for fishery managers to address and a framework for building that information and integrating it into management, specifically the MLMA Master Plan Amendment. This project will result in a guidance document for fisheries managers that details how to incorporate socioeconomic and human dimensions information into California fisheries management.</p>

Additionally, the Council unanimously adopted a resolution supporting Proposition 67 as on the

November 8, 2016 ballot, which upholds the statewide single-use plastic bag ban (Laird-aye; Rodriguez-aye; Baker-aye; Knatz-aye; Brown-aye)

Item	Description
5	Single-use Plastic Bags. The Council unanimously adopted a resolution stating that the statewide bag ban in Senate Bill 270 is consistent with the Ocean Protection Council’s 2008 Implementation Strategy; local bag bans have been shown to be effective at reducing plastic bag pollution, such that a statewide ban is a prudent next step towards reducing marine plastic pollution; that given the existing evidence, the statewide bag ban is likely to reduce impacts that otherwise compromise the health of the ocean, and prevent pollution of the State’s waterways at the source; and supports Proposition 67 as on the November 8, 2016 ballot, which upholds the statewide bag ban.

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COMMITTEE AGENDA ANALYSIS NOVEMBER 5, 2014

5. PIER FISHING CONCERNS

Est. Time: 60 min

Today's Item:

Information Direction

Review background, precipitating events, and issues associated with pier fishing and actions taken at the city level. Discuss a process to evaluate concerns associated with pier fishing regulations. We may see representatives from the Cities of Manhattan Beach or Hermosa Beach, who should be acknowledged.

Summary of Previous/Future Actions: N/A

Background:

The issue of regulations governing fishing from piers has been elevated in light of an incident occurring off the Manhattan Beach Pier between a fisherman, white shark, and swimmer. While this was an unusual precipitating event, the actions taken or contemplated by the City of Manhattan Beach, and subsequently the City of Hermosa Beach, highlight that pier fishing regulations and user conflicts warrant a review.

Actions taken by the City Council included a 90-day emergency closure to pier fishing, and development of a draft city ordinance to modify fishing regulations it described as necessary for public safety. Based on joint efforts of OPC, FGC, CDFW, and California Coastal Commission, the City Council postponed action to adopt the final city ordinance (Exhibits 5.1, 5.2). Instead, the group offered the opportunity for the city to present their concerns and proposed solutions, for consideration by the California Fish and Game Commission, following discussion at the MRC. The City of Manhattan Beach responded to request additional time to manage their concerns through non-regulatory means (Exhibit 5.3). However, the City of Hermosa Beach submitted a formal petition for regulatory change and request to discuss their concerns and draft options at the November MRC meeting (Exhibit 5.4).

This meeting provides an opportunity for the MRC to review the actions to date, hear concerns from the perspective of the cities, and discuss an appropriate process to investigate this issue further.

Significant Public Recommendations/Comments:

Email from Eileen Neill, in support of pier fishing closure

Letter from Marko Mlikotin, California Sportfishing League, opposing pier closure

Staff Recommendation:

Staff recommends that any review of issues or concerns be considered in the full context of user groups in the area surrounding public piers. A review of Fish and Game regulations governing pier fishing, followed by a review of city ordinances relevant to pier fishing and other users of piers or adjacent waters may help set the context. Provide direction to staff on next steps.

Exhibit(s):

1. Letter from FGC to Manhattan Beach City Council, 8/11/14

Author: Susan Ashcraft

COMMITTEE AGENDA ANALYSIS NOVEMBER 5, 2014

2. Letter from CNRA Legal Counsel to City of Manhattan Beach, 8/18/14
3. Letter from City of Manhattan Beach to CNRA, 9/25/14
4. Letter from City of Hermosa Beach to FGC, 9/11/14
5. Email from Eileen Neill, in support of pier fishing closure
6. Letter from Marko Mlikotin, California Sportfishing League, opposing pier closure

Committee Direction: Provide guidance to staff regarding process to evaluate pier fishing regulations, user conflicts, and associated concerns.

COMMITTEE STAFF SUMMARY FOR JULY 21, 2016

12B. UPDATES: PIER AND JETTY FISHING**Today's Item**Information Direction

Receive update on pier and jetty fishing review, a topic previously before the Committee

Summary of Previous/Future Actions

- Discuss pier fishing incident and restrictions Nov 5, 2014; MRC, Los Alamitos
- Update on pier fishing follow-up/outreach Nov 4, 2015; MRC, Ventura

Background

This topic originated from an incident in summer 2014 that led to actions taken or proposed by cities of Manhattan Beach and Hermosa Beach, respectively, to close or restrict fishing on their public piers. FGC and other State agencies responded directly to the city managers and councils that these taken or proposed actions were found by to be solely within the authority of the State (see Exhibit 1 for background).

Following discussion at the Nov 2014 MRC meeting, FGC supported a staff review of pier and jetty fishing concerns as well as municipal codes and rules governing fishing from individual piers in Southern California, beginning with hotspot piers in Los Angeles County.

Following that time, a combination of public outreach efforts related to fishing on piers in LA county, such as public forum roundtables with city managers and councils, sport fishing organizations and NGOs (including a joint workshop between Heal the Bay and FGC staff), reflected the potential effectiveness of outreach and education efforts in lieu of State regulatory action.

Today's update was prompted by public comment at the Apr 2016 FGC meeting identifying potential concerns regarding pier fishing restrictions on several "hotspot" piers in Southern California. Staff will provide an update on recent review of fishing restrictions at the identified hotspot piers.

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. Staff summary with additional subject background from Nov 2014 MRC meeting

Committee Direction/Recommendation (N/A)

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 Nov 2016 MRC 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/R	
Herring FMP Updates	FMP development	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		
Sea cucumber fishery status and update	Referral for review				
Aquaculture - Best Management Practices	DFW project				
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

PERPETUAL TIMETABLE FOR CALIFORNIA FISH AND GAME COMMISSION ANTICIPATED REGULATORY ACTIONS

(Dates shown reflect the date intended for the subject regulatory action.)

Updated: 10/25/16

For FGC Staff Use				REGULATORY CHANGE CATEGORY	ACTION DATE, TYPE AND LOCATION	2016				2017													
QUARTERLY EFFECTIVE	DFW RU ANALYST	FGC ANALYST	LEAD			SEP	OCT	NOV	DEC	JAN	FEB	FEB	MAR	MAR	APR	APR	MAY	JUN	JUN	JUL	AUG	SEP	OCT
						21	19 20	15	7 8	18	7	8 9	15	23	13	26 27	24	20	21 22	20	16 17	13	11 12
				WRC WOODLAND	FGC EUREKA	MRC LOS ALAMITOS	FGC SAN DIEGO	WRC REDDING	TC SANTA ROSA	FGC SANTA ROSA	FGC TELECONFERENCE	MRC SAN CLEMETE/OCEANSIDE	FGC TELECONFERENCE	FGC LOS ANGELES	WRC SACRAMENTO	TC FORTUNA	FGC FORTUNA	MRC PETALUMA	FGC SACRAMENTO	WRC RIVERSIDE	FGC VENTURA		
				File Notice w/OAL by Notice Published	8/11/15 8/21/15		10/13/15 10/23/15			12/13/16 12/23/16	01/17/17 01/27/17		02/14/17 02/24/17	02/28/17 03/10/17			04/25/17 05/05/17		06/20/17 06/30/17		8/16/15 8/26/15		

				Title 14 Section(s)																						
SB	JS	FB	SPORT FISHING (2017 season)	1.05 et al.		D		A	V					E 3/1							N			D		
MR	SF	MR	RECREATIONAL GROUND FISH (2017-2018)	27.20 et al.		D		A	X 1/1																	
CM	JS	FGC	GPS COLLARS FOR DOGS	265			N		D					A												
SB	CW	FB	KLAMATH RIVER SPORT FISHING (2017 season)	7.50(b)(91.1)	R				N					D							V			E 8/1	R	
MR	CW	FB	CENTRAL VALLEY SALMON SPORT FISHING (2017 season)	7.50(b)					N					D											E 8/1	
SB	CW	MR	OCEAN SALMON SPORT FISHING (PHASE I) (2017 season)	27.80(c)					N					D	A											
SB	CW	MR	OCEAN SALMON SPORT FISHING (PHASE II) (2017 season)	27.80(d)					N					D											E 5/1	
SB	SF	MR	PACIFIC HALIBUT SPORT FISHING (2017 season)	28.20					N					D											E 5/1	
MR	JS	WLB	MAMMAL HUNTING (2017-2018 season)	265 et al.	R				N					D							A			V	E 7/1	R
MR	JS	WLB	DEER TAG REPORTING REQUIREMENTS	708.5					N					D											E 7/1	
MR	JS	WLB	WATERFOWL (2017-2018 season)	502	R				N					D							A			V	E 7/1	R
MR	CW	WLB	UPLAND (RESIDENT) GAME BIRD (2017-2018 season)	300, 311, 745.5				X 11/11		R				N											A	E 9/1
	ST	MR	RAZOR CLAM EMERGENCY - 180 DAY E 4/26	29.45				EE 10/25																		
	ST	MR	RAZOR CLAM EMERGENCY - 90 DAY E 10/19	29.45						EE 1/17																
	ST	MR	RECREATIONAL CRAB FISH - 90 DAY E 8/1					EE 10/30																		
*	ST	OGC	TRICOLORED BLACKBIRD - 2084 EMERGENCY	749	EE 9/6																					
*	SF	FGC	COMMISSION MEETING PROCEDURES	665						E 1/7																
*	SB	ST	SPINY LOBSTER, SPORT AND COMMERCIAL	29.80 et al.						WITHDRAWN																
*	SB	CW	NONLEAD AMMUNITION COUPON PROGRAM	250.2						E 1/1																
	SB	JS	TIDAL WATERS SF/SAN PABLO BAY	1.53 27.00 28.65(a)						E 1/1																
*	SB	CW	DFW LANDS PASS	550 et al.						E 1/1																
*		CW	CONFLICT OF INTEREST CODE	782.1			D/A			E 1/1																
*	MR	SF	COMMERCIAL HAGFISH BARREL TRAPS	180.6(b)						E 1/1																
*	MR	CW	NONGAME ANIMALS - GENERAL PROVISIONS	472			A			E 1/1																
*	MR	CW	UPLAND GAME BIRD SPECIAL HUNT DRAWING	702, 715 (new)			A			E 1/1															E 4/1	
	SF	FGC	TRIBAL TAKE IN MPAs	632		D		A																	E 4/1	
*	SB	CW	ENHANCE PENALTIES FOR GAME ILLEGAL TAKE	748.6 (new)					A																E 4/1	
*	MR	JS	FALCONRY CLEAN-UP	670			D		A																E 4/1	
*	tbd	tbd	COMMERCIAL TAKE OF RATTLESNAKES	TBD																					D/A	
	MR	JS	BIG GAME TAG QUOTA REPORTING PROCESS (2018-2019 season)	360, 361, 362, 363, 364																				N	D	A
*	tbd	tbd	COMMERCIAL FISHERIES ELECTRONIC REPORTING	TBD																					N	D/A
*			KELP AND ALGAE HARVEST MANAGEMENT	165, 165.5, 704				V																		
*			COMMERCIAL SEA CUCUMBER [2016]	128									V													
*		ST	COMMERCIAL SEA URCHIN (PHASE II) [TBD]	120.7																						
*			POSSESS GAME / PROCESS INTO FOOD [TBD]	TBD																						
*			AZA/ZZA [TBD]	671.1																						

EM = Emergency, EE = Emergency Expires, E = Anticipated Effective Date (RED "X" = expedited OAL review), N = Notice Hearing, D = Discussion Hearing, A = Adoption Hearing, V =Vetting, R = Committee Recommendation, WRC = Wildlife Resources Committee, MRC = Marine Resources Committee, TC = Tribal Committee