

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 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)