

Fish and Game Commission Meeting Binder



March 23, 2017

Marine Resources Committee

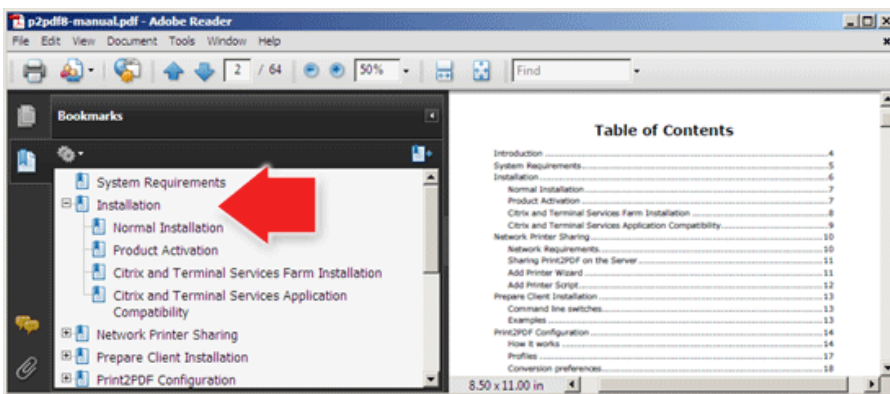
San Clemente

EASY GUIDE TO THE BINDER

1. Download and open the binder document using your Adobe Acrobat program/application.
2. Immediately click/tap on the “bookmark symbol” located near the top left-hand corner.



3. A bookmark panel should appear on either the top or the left-hand side of the screen. To make adjustments, simply use the Page Display option in the View tab. If done correctly, you should see something like:



4. We suggest leaving open the bookmark panel to help you move efficiently among the analysis sheets and supporting documents included in the binder. It's helpful to think of these bookmarks as a table of contents which allows you to go to specific points in the binder without having to scroll through hundreds of pages.
5. Resize the bars by placing the icon in the dark, vertical line located between the text boxes and using a long click/tap to move «|» in either direction. You may also adjust the sizing of the documents by adjusting the sizing preferences located on the Page Display icons found in the top toolbar or in the View tab.
6. Upon locating an analysis sheet for an agenda item that interests you, notice that you can get more information by double-clicking/tapping on any item underlined in red.
7. Return to the analysis sheet by simply re-clicking/tapping on the item in the bookmark panel.

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 are being recorded 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 _____.
- 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 and any affiliation (if any).
 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).
- To receive meeting agendas and regulatory notices about those subjects of interest to you, please visit the Commission's website, www.fgc.ca.gov, and sign up for our electronic mailing lists.
- If you are requesting the Commission to change a regulation, we ask that you submit it to the Commission via email to fgc@fgc.ca.gov, with the words "Request for Change" noted in the subject line. All requests must include the specific change you'd like to see and why you think it is necessary. (*Otherwise, we require that you make the request on a form proscribed the Commission.*)
- **Warning!** The use of a laser pointer by someone other than a speaker doing a presentation may result in arrest.

INTRODUCTIONS FOR FISH AND GAME COMMISSION MARINE RESOURCES COMMITTEE

FISH AND GAME COMMISSIONERS

Eric Sklar	Co-Chair (Saint Helena)
Peter Silva	Co-Chair (El Cajon)

COMMISSION STAFF

Valerie Termini	Executive Director
Elizabeth Pope	Acting Senior Environmental Scientist
Heather Benko	Sea Grant Fellow

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Bob Puccinelli	Captain, Law Enforcement Division
Craig Shuman	Regional Manager, Marine Region
Sonke Mastrup	Program Manager for Invertebrate Fisheries, Marine Region
Tom Barnes	State Fisheries 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
El Cajon

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 Co-Chairs: President Sklar and Commissioner Silva

Meeting Agenda
March 23, 2017, 10:00 a.m.

Holiday Inn Express
35 Via Pico Plaza
San Clemente

This meeting may be audio-recorded

NOTE: Please see important meeting procedures and deadline information at the end of the agenda. Unless otherwise indicated, the California Department of Fish and Wildlife is identified as Department. 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 to establish quorum

1. Approve agenda and order of items
2. Public forum for items not on 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
 - (A) Commission climate change policy
 - (B) Electronic reporting for commercial fishery landings (Marine Landings Data System)
 - (C) Kelp and algae harvest management tribal outreach
 - (D) Law enforcement/environmental prosecution coordination update
4. U.S. Bureau of Ocean Energy Management offshore wind stakeholder engagement

5. Nearshore fishery permit structure
 - (A) Presentation from the Department on proposed changes to permit transfer structure and fees
 - (B) Discussion and possible Committee recommendation
6. Discuss potential commercial sea cucumber regulation changes
7. Updates 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 and discussion on stakeholder engagement
8. Marine Resource Committee project updates
 - (A) Fisheries Bycatch Workgroup
 - (B) California's fishing communities
9. Future agenda items
 - (A) Review work plan, agenda topics, and timeline
 - (B) Potential new agenda topics for Commission consideration

Adjournment

CALIFORNIA FISH AND GAME COMMISSION 2017 MEETING SCHEDULE

Note: As meeting dates and locations can change, please visit www.fgc.ca.gov for the most current list of meeting dates and locations.

MEETING DATE	COMMISSION MEETING	COMMITTEE MEETING	OTHER MEETINGS
April 13	Teleconference — Arcata, Napa, Sacramento and Los Alamitos		
April 26-27	Airtel Plaza Hotel 7277 Valjean Avenue Van Nuys, CA 91406		
May 24		Wildlife Resources Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814	
June 20		Tribal Crescent City	
June 21-22	Crescent City		
July 20		Marine Resources Petaluma	
August 16-17	Resources Building Auditorium, First Floor 1416 Ninth Street Sacramento, CA 95814		
September 13		Wildlife Resources California Tower 3737 Main Street Highgrove Room 200 Riverside, CA 92501	
October 10		Tribal SpringHill Suites by Marriott 900 El Camino Real Atascadero, CA 93422	
October 11-12	SpringHill Suites by Marriott 900 El Camino Real Atascadero, CA 93422		
November 9		Marine Resources Marina	
December 6-7	Handlery Hotel 950 Hotel Circle North San Diego, CA 92108		

OTHER MEETINGS OF INTEREST

Association of Fish and Wildlife Agencies

- September 11-14, Philadelphia, PA

Pacific Fishery Management Council

- April 6-12, Sacramento, CA
- June 7-14, Spokane, WA
- September 11-18, Boise, ID
- November 13-20, Costa Mesa, CA

Pacific Flyway Council

- March 7, Spokane, WA
- September, TBD

Western Association of Fish and Wildlife Agencies

- July 6-11, Vail, CO

Wildlife Conservation Board

- May 25, Sacramento
- August 24, Sacramento
- November 30, Sacramento

IMPORTANT COMMITTEE MEETING PROCEDURES INFORMATION

Welcome to a meeting of the California Fish and Game Commission's Wildlife 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 March 10, 2017**. 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 March 20, 2017**. 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.

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 or delivered to the Commission on a USB flash drive by the 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.

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

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

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**

MRC generally receives two types of correspondence or comment under public forum: Requests for MRC to consider new topics, and informational items. As a general rule, requests for regulatory change need to be directed to FGC and submitted on the required petition form, FGC 1, *Petition to the California Fish and Game Commission for Regulation Change* (Section 662, Title 14, CCR). However, at the discretion of MRC, staff may be requested to follow up on items of potential interest to MRC and possible recommendation to FGC.

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

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

Exhibits

1. Pete Halmay presentation: *Achieving sustainable 3S fisheries*

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

3. STAFF AND AGENCY UPDATES**Today's Item****Information** ☒**Direction** ☐

Receive updates from FGC staff and 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. FGC staff will also provide an update.

- (A) FGC climate change policy: Executive Director Valerie Termini will highlight current efforts to develop a draft FGC policy on climate change.
- (B) Marine Landings Data System: Travis Tanaka, Environmental Scientist, DFW Marine Region, will provide an update on progress in electronic reporting for commercial fishery landings, and will include a proposed rulemaking schedule associated with this update. Kelp and algae harvest: Dr. Craig Shuman, Regional Manager,, DFW Marine Region, will provide an update, including on its tribal outreach for kelp and algae harvest management review.
- (C) Law enforcement/environmental prosecution: Captain Bob Puccinelli, Law Enforcement Division, DFW, will provide an update specifically addressing environmental prosecution coordination as requested by MRC at its Nov 2016 meeting.
- (D) Other: Chris Potter Environmental Scientist, from OPC and California Natural Resources Agency (CNRA), will provide a general update on marine-related CNRA activities.

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

1. DFW presentation: *Electronic Reporting for Commercial Fishery Landings-Update*

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

4. U.S. BUREAU OF OCEAN ENERGY MANAGEMENT**Today's Item****Information** ☒**Direction** ☐

Receive overview of current planning efforts for offshore renewable energy development as led by the U.S. Bureau of Ocean Energy Management (BOEM).

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

At the request of Governor Brown, BOEM established an intergovernmental task force on marine renewable energy. The task force held its inaugural meeting in Oct 2016, during which the State and BOEM committed to collaborating on a planning exercise for offshore wind energy development along the central coast. The California Energy Commission (CEC) is leading the planning effort. Concurrently, CEC, the Ocean Protection Council (OPC), and DFW are conducting substantial outreach to the public, elected officials, non-governmental organizations, tribes, industry, and fishermen. The results of the planning effort and outreach will be presented at the next BOEM task force meeting, scheduled for Jul 2017.

Today, Chris Potter, from OPC and the California Natural Resources Agency, will provide MRC with an informational presentation and update on offshore renewable energy efforts.

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

1. *Notice of Staff Workshop on Offshore Renewable Energy* (workshop held Mar 3, 2017)
2. Chris Potter presentation: *California Offshore Wind Energy Planning Process*

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

5. NEARSHORE COMMERCIAL FISHERY PERMIT STRUCTURE**Today's Item****Information** ☐**Direction** ☒

Receive presentation from DFW staff on proposed changes to the current commercial permit structure for nearshore and deeper nearshore fisheries, and present proposed transfer fees.

Summary of Previous/Future Actions

- | | |
|--|--|
| • Public petition for regulation change received | Aug 6, 2014; FGC, San Diego |
| • FGC refers petition to DFW for review | Oct 8, 2014; FGC, Mt. Shasta |
| • MRC receives DFW review and recommendation | Nov 15, 2016; MRC, Los Alamitos |
| • FGC accepts MRC recommendation | Dec 7, 2016; FGC, San Diego |
| • Today receive DFW update on fees | Mar 23, 2017; MRC, San Clemente |

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 allow transfer of NFPs on a 2-for-1 basis, while DNSFPs are non-transferable. Fishery participants across the state have expressed dissatisfaction with the permit structure, in part due to constraints on fleet flexibility and viability, leading to FGC receiving a regulation change request in 2014.

At the Nov 2016 MRC meeting, DFW responded with a proposal to streamline and improve the permit structure while still maintaining fishery stability and biological capacity goals by (1) changing NFP transfers to 1-for-1; and (2) allowing DNSFPs to transfer 1-for-1. DFW identified a range for new transfer fees to accompany each permit type transfer. In Feb 2017, FGC approved the MRC recommendation to prepare a rulemaking based on DFW proposed changes. However, FGC requested DFW return to MRC with specific proposed transfer fees at the Mar 2017 MRC meeting.

Today, DFW will provide an update to MRC on the status of the proposed changes and regulatory timeline, and present a specific fee recommendation for permit transfers.

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

FGC staff: Develop an MRC recommendation for specific transfer fees for inclusion in the rulemaking.

DFW: Will present its recommendation at the MRC meeting.

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

Exhibits

1. DFW presentation: *Nearshore Fishery Permits*

Committee Direction/Recommendation

MRC recommends that FGC approve for inclusion in the proposed rulemaking currently under development a permit fee of _____ for nearshore fishery permits and _____ for deeper nearshore fishery permits, and the minor permit processing procedure changes identified by DFW.

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

6. SEA CUCUMBER**Today's Item****Information** ☒**Direction** ☐

Receive DFW overview of the sea cucumber fishery and potential commercial sea cucumber regulation changes.

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

DFW has been evaluating the sea cucumber fishery since approximately 2012 with the intent of bringing FGC a fishery status update and proposed regulations to better manage the fishery. MRC recently requested an update on the status of DFW's evaluation. At this meeting, DFW will present an update on the requested status of the fishery, and identify potential commercial sea cucumber regulation changes.

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

1. DFW presentation: *Status of the California Sea Cucumber Dive Fishery*

Committee Direction/Recommendation (N/A)

Today's Item **Information** ☒ **Direction** □

Summary of Previous/Future Actions

- FGC accepts MRC recommendation to develop red abalone FMP Oct 8, 2014; FGC, Mt. Shasta
- DFW update on FMP process and timeline 2015-2016; MRC meetings
- **Today's update on FMP process and timeline Mar 23, 2017; MRC, San Clemente**

This is a standing agenda item to receive DFW updates on the red abalone FMP, which has been under development since fall of 2014. DFW has provided updates at MRC meetings on stakeholder input and next steps in the FMP development process for MRC discussion.

Since Feb 2016, DFW abalone project staff has kept FGC and MRC updated on impacts to abalone stocks resulting from the unprecedented set of environmental conditions and subsequent biological impacts to abalone, and how those are affecting the FMP process.

Today DFW will provide an update on red abalone FMP progress.

Significant Public Comments (N/A)

Recommendation (N/A)

Exhibits (N/A)

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

7B. PACIFIC HERRING FISHERY MANAGEMENT PLAN**Today's Item****Information** ☒**Direction** ☐

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

Summary of Previous/Future Actions

- | | |
|--|--|
| • DFW update on FMP contract | Mar 21, 2016; MRC, Los Alamitos |
| • DFW update on FMP progress | Jul 21, 2016; MRC, Petaluma |
| • DFW update on FMP progress | Nov 15, 2016; MRC, Los Alamitos |
| • Today receive update on FMP process | Mar 23, 2017; MRC, San Clemente |

Background

This is a standing agenda item to receive DFW updates on development of an FMP for Pacific herring, a critically important forage species in California and along the West Coast. The commercial roe herring fishery is 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 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, has developed a vision and concept for an FMP, and provides MRC with regular updates on progress.

Today DFW will provide an update on the herring FMP process.

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

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

7C. MLMA MASTER PLAN**Today's Item****Information** ☒**Direction** ☐

Receive DFW update on progress in reviewing and amending the current FGC-adopted master plan for fisheries.

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 |
| • Update on progress | Nov 15, 2016; MRC Los Alamitos |
| • Today update on stakeholder engagement | Mar 23, 2017; MRC, San Clemente |

Background

In 2001, FGC adopted *The Master Plan: A Guide for the Development of Fishery Management Plans* (MLMA Master Plan), developed by DFW with input from stakeholders, pursuant to the Marine Life Management Act (MLMA). A DFW effort to amend the MLMA 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). The amendment process is significant and substantial enough that DFW's Marine Region has elevated its priority to one of five strategic work plan objectives.

Since Nov 2015, MRC has received overviews and updates from DFW on the MLMA Master Plan amendment process, expected timeline, and initial details on the draft framework. DFW has developed a number of information resources to engage the public (e.g., MLMA Master Plan amendment webpage, public information documents, and stakeholder engagement strategies).

Today DFW will provide an update on progress, provide an overview of the topic of stakeholder engagement as outlined in the MLMA objectives, reflect on lessons learned from engagement processes, and seek input and guidance on ideas, approaches, and tools for DFW to consider as part of an amended MLMA Master Plan.

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

1. DFW MLMA Master Plan webpage
(www.wildlife.ca.gov/Conservation/Marine/MLMA/Master-Plan)

Committee Direction/Recommendation

Solicit public input on DFW approaches and provide input where appropriate.

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

8A. FISHERIES BYCATCH WORKGROUP**Today's Item****Information** ☒**Direction** ☐

Receive an update on the progress of the Fisheries Bycatch Workgroup (BWG).

Summary of Previous/Future Actions

- | | |
|----------------------------------|--|
| • BWG meeting | May 18, 2016; BWG, Santa Barbara |
| • Update on BWG | Jul 21, 2016; MRC, Petaluma |
| • BWG teleconference meeting | Sep 7, 2016; BWG, teleconference |
| • Overview of next steps | Nov 15, 2016; MRC, Los Alamitos |
| • BWG teleconference meeting | Mar 17, 2017; BWG, teleconference |
| • Today's progress update | Mar 23, 2016; MRC, San Clemente |

Background

BWG was organized to review guidance within the *Marine Life Management Act Master Plan for Fisheries* related to fisheries bycatch in California's fisheries, and to develop recommendations. Since its formation, BWG has held one in-person meeting, where it formed several work teams, and one teleconference to clarify the work plan and discuss draft products developed by work teams.

A second BWG meeting scheduled for Sep 30, 2016 had to be cancelled due to staff illness and injury the week of the meeting. However, a revised draft work plan that incorporates comments submitted to staff by individual members was prepared for BWG review. A teleconference is scheduled for Mar 17, 2017 to discuss the revised draft work plan, product development timeline, and future meeting dates.

Today staff will provide an update on the Mar 17, 2017 teleconference outcomes, potential final work plan draft, and general timeline for MRC input.

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

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

8B. CALIFORNIA'S FISHING COMMUNITIES**Today's Item****Information** ☒**Direction** ☐

Receive staff update on plans to host meetings concerning California's fishing communities.

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 |
| • Update on planning efforts | Nov 15, 2016; MRC, Los Alamitos |
| • Today's review proposed meeting locations | Nov 15, 2016; MRC, San Clemente |

Background

Discussions in Mar and Nov 2015 between 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 MRC, a public meeting and discussion was held Jul 20, 2016 in Petaluma. Based on public feedback in support of continuing the fishing communities discussion, in Aug 2016 FGC supported an MRC recommendation for staff to schedule a series of fishing community discussions with more locally-focused meetings along the coast.

The next series of community discussions is anticipated to focus on the future fishing development needs in specific communities, and how FGC could potentially support localized efforts to foster stability in California's diverse fishing communities.

In Nov 2016, MRC discussed recommending regional fishing community meetings in spring 2017. At this MRC meeting, staff will provide an update on planning efforts, including a proposed starting point for community meeting in late spring or early summer. Potential regional meeting locations 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

Today provides an opportunity for public input and discussion on proposed locations, timeframes, and format. Considerations for scheduling include staffing availability, avoiding conflicts with active fishing seasons, and logistical planning needs.

Significant Public Comments (N/A)

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

Recommendation (N/A)

Exhibits (N/A)

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR MARCH 23, 2017

9. FUTURE AGENDA ITEMS**Today's Item****Information** ☐**Direction** ☒

- (A) Review work plan and upcoming agenda topics scheduled for the next and future MRC meetings,
- (B) Identify new items for FGC consideration.

Summary of Previous/Future Actions

- **Today's discussion**
- FGC approves draft Jul MRC topics
- Next MRC meeting

Mar 23, 2017; MRC, San Clemente
 Apr 26-27, 2017; FGC, Van Nuys
 Jul 20, 2017; MRC, Santa Rosa

Background

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

FGC-referred topics and the draft timeline for those topics are shown in Exhibit 1, which also reflects FGC action in Feb to add aquaculture best management practices as a topic for the Jul MRC meeting.

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

Significant Public Comments

1. Support for adding aquaculture best management practices (BMPs) to the Jul 20, 2017 MRC meeting agenda, and recommending that MRC consider establishing a formal working group to develop BMPs in Tomales Bay (Exhibit 3).

Recommendation

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

Exhibits

1. MRC 2017 Work Plan, updated Mar 2017
2. *Perpetual Timetable for California Fish and Game Commission Anticipated Regulatory Actions*, updated Mar 15, 2017
3. Email from West Marin Environmental Action Committee, dated Mar 10, 2017

Committee Direction/Recommendation

Identify for next FGC meeting any recommended new topics.

Achieving sustainable 3S fisheries

Small-scale

Sedentary


Spatially explicit

Peter Halmay

San Diego Sea Urchin Fisherman

peterhalmay@gmail.com





Case study of a 3-S fishery

(small-scale, sedentary, spatially explicit)

Red sea urchin fishery



Characteristics of the red sea urchin fishery (3S)

S1: Small scale fishery

- Dive fishery with many small boats
- Market success based on steady supply of high quality fresh or live product
- Domestic markets are taking the place of exports
- Transaction costs are very high under typical top-down management system



S2: Spatially explicit

- Adults are patchily distributed (e.g. ~90% of red sea urchin “stock” occupies < 10% of bottom)
- Metapopulation where resource is divided into subpopulations
- Subpopulations may be connected by larval dispersal
- Subpopulations have site-specific dynamics
- Lack of necessary site-specific (very expensive) data



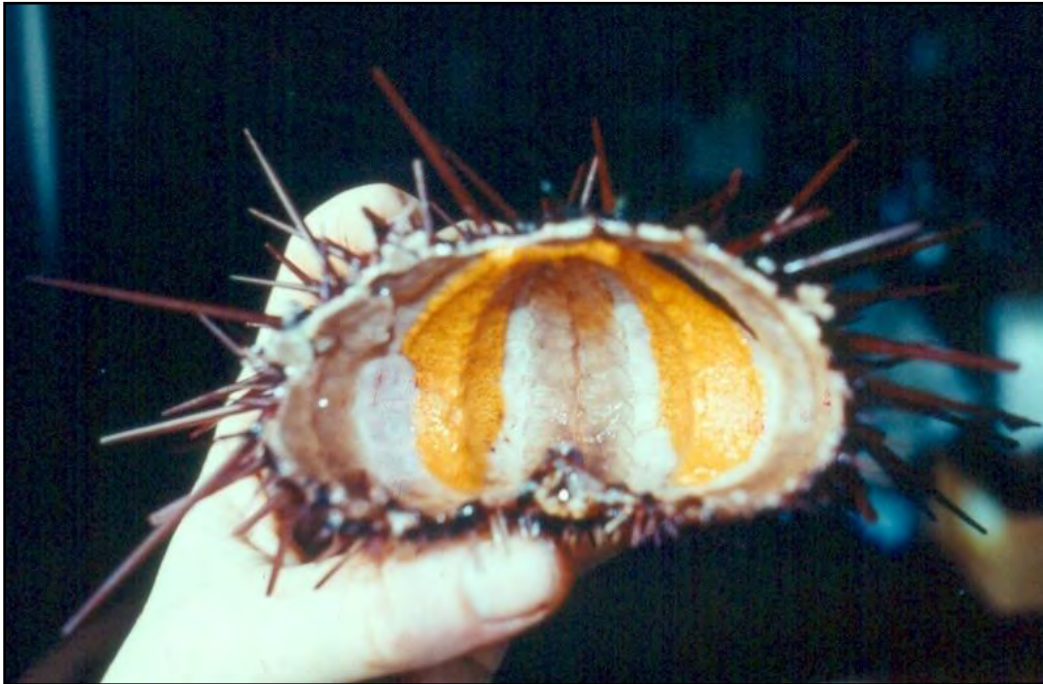
S3: Sedentary

- Adults do not migrate across subpopulations
- Harvests depend on growth, and short movements from cryptic habitat, deeper areas, or diet-related movement
- Harvest based on quality of product dependent on food supply
- Catch & CPUE are not good indices of harvestable stock size



Product: sexual organs (roe)

Quality of roe is dependent on environmental factors
(Availability of kelp, water temperature (El Niño))



Poor Quality (2%)



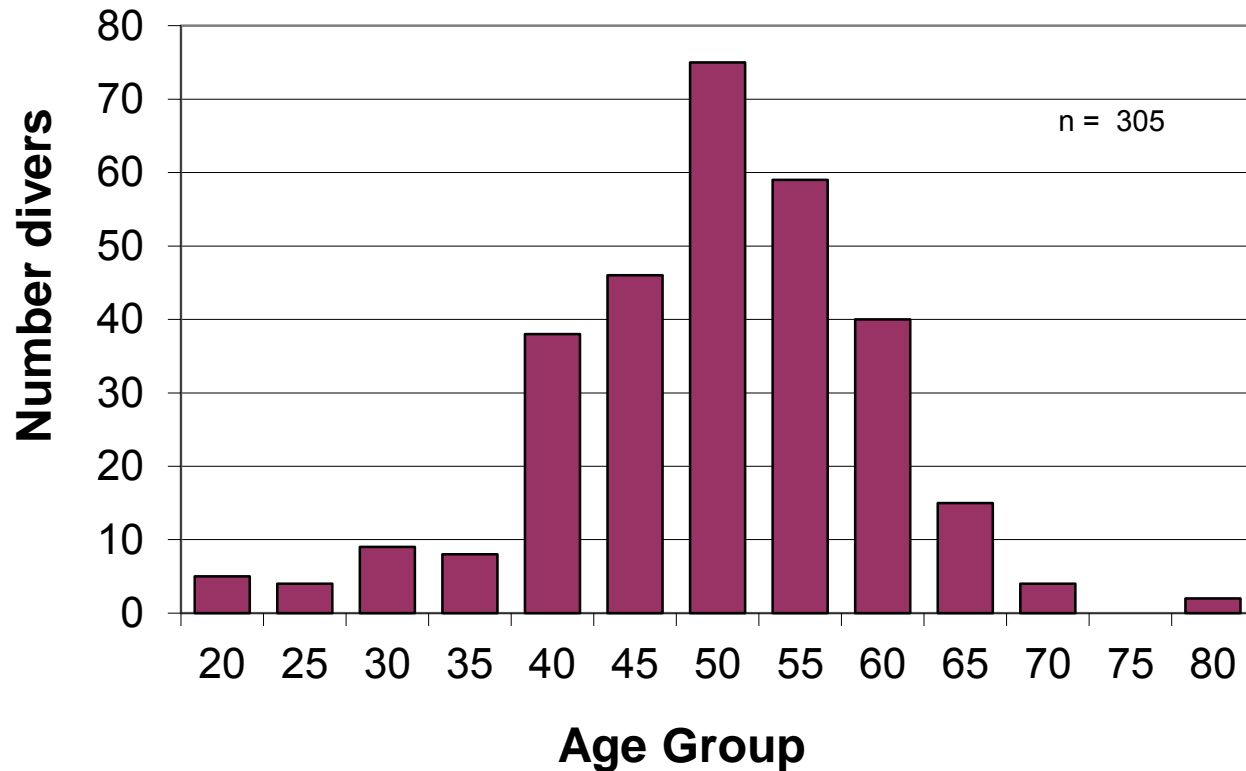
Good quality (7%)

Challenges to the sustainability of the red sea urchin fishery (3S)

- Aging fleet
- Permits tied up by older fishermen who aren't using them
- Fishing effort is becoming more concentrated over fewer fishermen
- Fisheries data collections are needed but unaffordable

An aging fleet & tied up permits

Sea Urchin Divers in 2010



- Median age in 2010 was 52 years, with 20% of divers 60 years & older.
- Sea urchins are fished by diving.
- A large portion of the divers are not active
- The main reason old divers renew their permits is the promise of being able to sell permits when they become transferable (retirement insurance)

Year	# divers* harvesting 80% of sea urchin	# divers* harvesting 95% of sea urchin	Total harvest (M)
2013	86	133	13.0
2012	86	130	11.4
2011	91	136	11.5
2010	84	128	12.2
2009	81	129	10.3
2008	88	139	11.2
2007	86	134	10.7
2006	95	142	11.3
2005	102	154	12.2
2004	115	19	
2003	138	209	* Of 300
2002	169	247	
2001	173	256	
2000	190	278	
1999	192	297	
1998	181	293	

(Kalvass 1-21-2011)

Fishing effort is becoming more concentrated

- Proportion of divers with permits who harvest the sea urchins is in decline (from 98% to 44% between 1998-2013)
- As divers age, even those harvesting are working less and less each year.

New entrants have low impact on the fishery

Year	Annual harvest of fishery (lbs)	Annual harvest by new permittees (lbs)	# new permits issued annually	# of new permittees landing
2007	51,396	?	6	2
2008	115,181	?	19	10
2009	544,282	?	5	17
2010	823,034	?	18	24
	Avg=383,473	Avg=7,989	Sum=48	Total fishing=26

- Between 2007-2010, there were 48 new entrants through the lottery
- Only 26 of 48 new permittees landed sea urchin
- New permittees harvested only 2% of the average total annual harvest for 2007-2010.

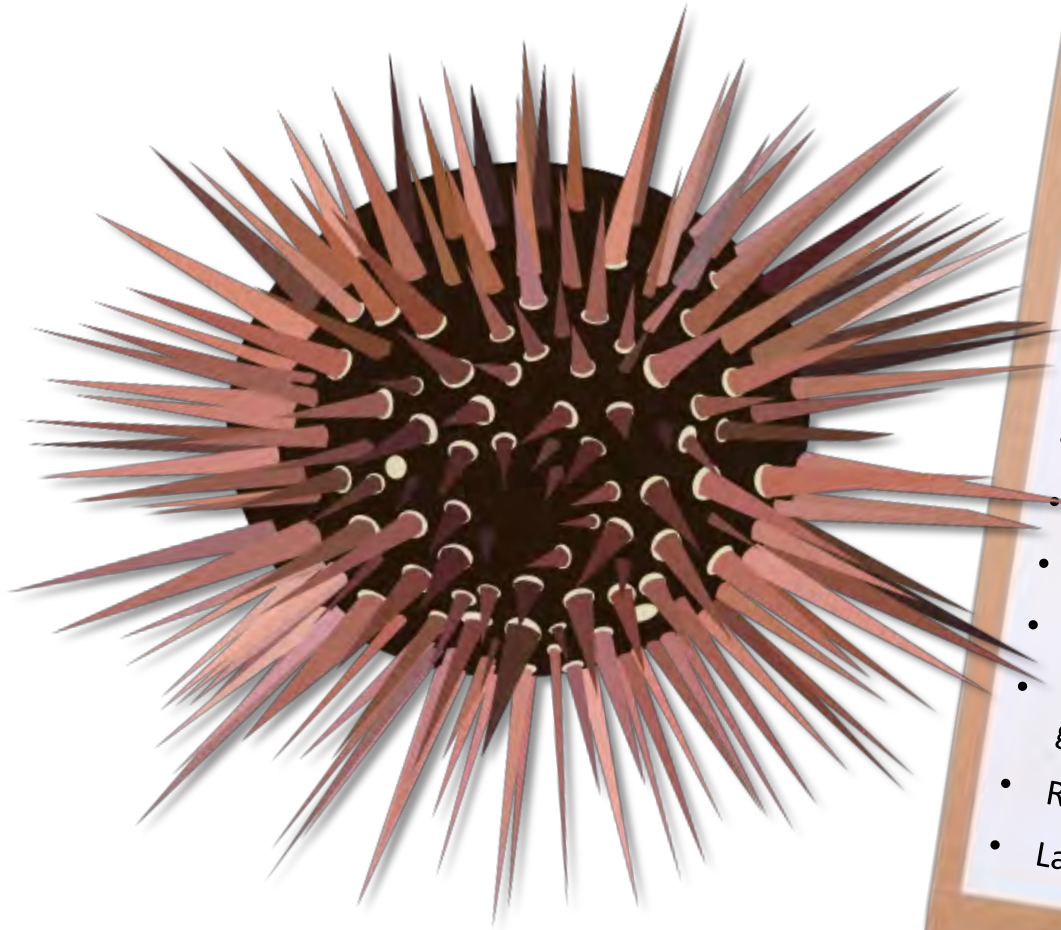
Data are needed but unaffordable

- A fine scale data collection program would help to:
 - test sustainability of harvest at the sub-population level
 - develop a local harvest plan
 - feed into a research plan that supports harvest strategy
 - develop standard stock assessment techniques for 3-S fisheries
- Data to integrate MPAs in fishery planning
- Data to assess ways to make fishery profitable, e.g., using a direct marketing strategy

But regulatory culture is not receptive to fishermen collecting data for use in management



Data Collected by Sea Urchin Divers





Possible solutions for a more sustainable red sea urchin fishery (3S)



Possible solutions

- Provide the orderly entrance of active, well-trained, ethical participants
- Institute an apprenticeship program to train new entrants in data collections, ethics, business, safety, etc...
- Free up unused permits through a buy-back program for inactive permits
- Let industry contribute to data collections and co-management

from boat



to throat





Electronic Reporting for Commercial Fishery Landings-Update



Credit: T. Tanaka, CDFW



Credit: CDFW file photo

Travis Tanaka
Marine Region
Marine Resources Committee Meeting
San Clemente
March 23, 2017



Background

- CDFW reporting is paper based
- Electronic reporting is a high priority
- Electronic reporting required for all groundfish landings that contain sablefish effective January 1, 2017



Credit: CDFW file photo



Fish Business Survey

- Letter and survey were included in the Commercial Fish Business License Renewal packet
 - Of the approximate 560 businesses that submitted landing receipts in 2015, 223 survey responses were received
 - Questions were asked about internet access, reliability, and phase-in preference
 - Comments/ questions were also captured



Survey Results

■ Internet Use

93% Own internet capable device (n=210)

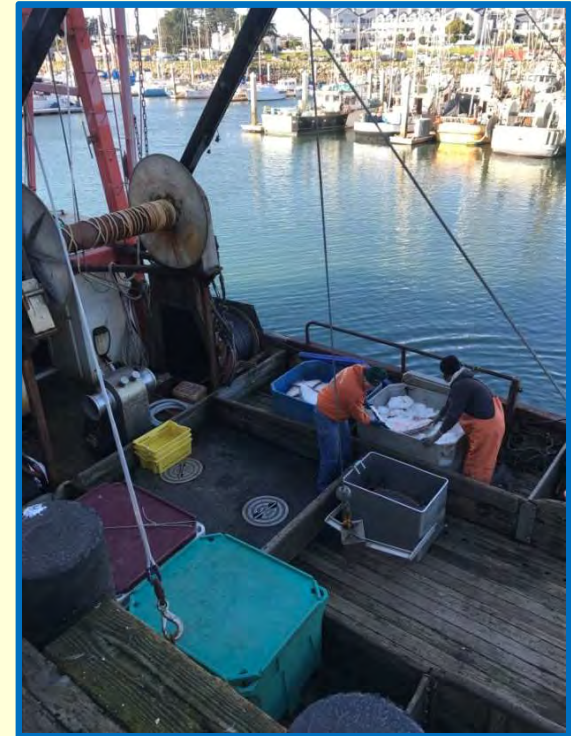
86% Available (n=223)

96% Reliable access (n=198)

86% Usage (n=207)

■ Phase in preference

74% One year or less (n=205)



Credit: K. Lesyna, CDFW



Rulemaking Schedule

June 21-22, 2017:

Notice Hearing

October 11-12, 2017:

Discussion/Adoption



Credit: T. Tanaka, CDFW



Questions ♦ Thank You



Credit: T. Tanaka, CDFW

Travis Tanaka
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831-649-2881
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DOCKETED

Docket Number:	17-MISC-01
Project Title:	California Offshore Renewable Energy
TN #:	216067
Document Title:	Notice of Staff Workshop on Offshore Renewable Energy
Description:	Friday, March 3, 2017
Filer:	Misa Milliron
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	2/16/2017 2:14:58 PM
Docketed Date:	2/16/2017

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street
Sacramento, California 95814

Main website: www.energy.ca.gov



In the matter of:)	Docket No. 17-MISC-01
)	
<i>Offshore Renewable Energy</i>)	NOTICE OF WORKSHOP
)	
_____)	RE: Offshore Renewable Energy

Notice of Staff Workshop on Offshore Renewable Energy

The California Energy Commission Staff will conduct a workshop to discuss offshore renewable energy in California.

A quorum of Commissioners from the Energy Commission may be in attendance, but no Energy Commission business will be discussed, and no votes will be taken.

Friday, March 3, 2017

9:00 a.m.

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

First Floor, Art Rosenfeld Hearing Room

Sacramento, California

(Wheelchair Accessible)

Remote Access Available by Computer or Phone via WebEx™
(Instructions Below)

Background

On October 7, 2015 Governor Brown signed the Clean Energy and Pollution Reduction Act of 2015 (De Leon, Chapter 47, Statutes of 2015), which requires electric utilities to increase retail sales of qualified renewable energy to at least 50 percent by 2030. In 2016, Senate Bill 32 (Pavley, Chapter 249, Statutes of 2016) put into law a statewide goal to reduce greenhouse gas (GHG) emissions 40 percent below 1990 levels by 2030. To help support the state's long-term GHG reduction goals, the Energy Commission held a workshop as part of the 2016 Integrated Energy Policy Report proceedings to explore the viability, potential, opportunities, and challenges of permitting renewable energy offshore California.

In a May 12, 2016 letter to Department of Interior Secretary Sally Jewell, Governor Brown requested that a federal/state government task force be formed to coordinate state and federal planning and permitting of offshore renewable energy. The Bureau of Ocean Energy Management (BOEM) - California Intergovernmental Renewable Energy Task Force (Task Force) was created, and the first meeting of the Task Force was co-convened on October 13, 2016.

At the inaugural Task Force meeting, members reviewed BOEM's competitive leasing and planning process and agreed that development of an online data portal for the collection of spatial data and information sets pertinent to offshore wind energy in California would be useful in identifying areas potentially appropriate for offshore wind energy development off the California coast.

To further the collaboration between the state and federal government, Interior Secretary Sally Jewell and Governor Brown signed a Memorandum of Understanding (MOU) on December 12, 2016 to plan for and implement GHG reduction and renewable energy goals in a cooperative, collaborative, and timely manner. The MOU directs the Task Force to "engage in planning for offshore renewable energy to advance collaborative planning and conservation through data sharing, development and utilization of common data platforms and tools, and proactive stakeholder engagement." The MOU further directs BOEM and the state to "collaborate and engage in a multi-phase process to collect data to inform planning efforts and identify possible areas offshore California that are suitable for potential offshore renewable energy programs" and to use the initial data and information gathered to "identify one or more suitable areas offshore California for BOEM to issue one or more Calls for Information and Nominations regarding wind energy leasing."

Agenda

This workshop will convene representatives of federal and state government, researchers, and energy developers to discuss data and science needs to support planning processes related to offshore renewable energy in California and discuss the development of a Data Basin Portal to be used in collecting and sharing offshore data. The event will include presentations and panels on the Task Force, recent research findings, and a discussion with the offshore wind energy industry on evaluation criteria and data used for selecting an offshore development site.

Public Comment

Oral Comments: Oral comments will be accepted during the workshop. Public comments may be limited to three minutes per speaker. Any comments will become part of the public record.

Written comments: Written comments should be submitted to the Dockets Unit by **4:00 p.m. on March, 17, 2017**. Written comments will also be accepted at the workshop; however, Commission staff may not have time to review them before the conclusion of the workshop.

Please note that your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the viewable public record. This information may become available via Google, Yahoo, and other search engines.

The Energy Commission encourages use of its electronic commenting system. Visit the website at <https://efiling.energy.ca.gov/EComment/ECommentSelectProceeding.aspx>.

This will take you to the page for adding comments to this docket. Please enter your contact information, any organization name, and a comment title describing the subject of your comments. You may include comments in the box titled "Comment Text" or attach a file in a downloadable, **searchable format** in Microsoft® Word (.doc, .docx) or Adobe® Acrobat® (.pdf). Maximum file size is 10 MB.

Written comments may also be submitted by e-mailing them (include the docket number 17-MISC-01 and Offshore Renewable Energy in the subject line) to the Docket Unit at:

docket@energy.ca.gov

If you prefer, you may send a paper copy of your comments to:

California Energy Commission
Docket Unit, MS-4
Re: Docket No. 17-MISC-01
1516 Ninth Street
Sacramento, CA 95814-5512

Public Adviser and Other Commission Contacts

The Energy Commission's Public Adviser's Office provides the public assistance in participating in Energy Commission proceedings. If you want information on how to participate in this forum, please contact the Public Adviser, Alana Mathews, at PublicAdviser@energy.ca.gov or (916) 654-4489 (toll free at (800) 822-6228).

If you have a disability and require assistance to participate, please contact Poneh Jones at poneh.jones@energy.ca.gov or (916) 654-4425 at least five days in advance.

Media inquiries should be sent to the Media and Public Communications Office at mediaoffice@energy.ca.gov or (916) 654-4989.

If you have questions on the subject matter of this workshop, please contact Scott Flint, Scott.Flint@energy.ca.gov or (916) 651-3774.

Remote Attendance

You may participate in this workshop through WebEx, the Energy Commission's online meeting service. Presentations will appear on your computer screen, and you may listen to audio via your computer or telephone. Please be aware that the workshop may be recorded.

To join a meeting:

VIA COMPUTER: Go to <https://energy.webex.com> and enter the unique meeting number: **921 374 978**. When prompted, enter your name. This meeting does not have a password.

The “Join Conference” menu will offer you a choice of audio connections:

1. To call into the meeting: Select "I will call in" and follow the on-screen directions.
2. International Attendees: Click on the "Global call-in number" link.
3. To have WebEx call you: Enter your phone number and click "Call Me." If you are on an extension, use option 1, above.
4. To listen over the computer: If you have a broadband connection, and a headset or a computer microphone and speakers, you may use VoIP (Internet audio) by going to the Audio menu, clicking on “Use Computer Headset,” then “Call Using Computer.”

VIA TELEPHONE ONLY (no visual presentation): Call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the unique meeting number: **921 374 978**. International callers may select their number from <https://energy.webex.com/energy/globalcallin.php>

VIA MOBILE DEVICES: Access to WebEx meetings is now available from your mobile device. To download an app, go to www.webex.com/products/web-conferencing/mobile.html.

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239.

Availability of Documents

Documents and presentations for this workshop will be available online at: <http://www.energy.ca.gov/siting/>.

Date: February 16, 2017

Listserves: energypolicy, renewable, research, wind, siting

California Offshore Wind Energy Planning Process

Meeting with Marine Resources Committee

March 23, 2017

Presentation Topics

- Provide information about:
 - BOEM California Intergovernmental Renewable Energy Task Force
 - Offshore Wind Energy Data Gathering and Outreach Effort
- Discuss information, seek feedback from MRC

Task Force – Background

- **Inception:** Formed by request of Governor Jerry Brown – May 2016
 - First meeting in October 2016; next meeting in July 2017
- **Purpose:** Partnership to coordinate and collaborate renewable activities on the outer continental shelf offshore California
- **Membership:** Relevant state, local and tribal governments and federal agencies
- **Authority:** Does not expand or alter scope of each member's authority
- Serves as a Forum to:
 - Discuss stakeholder issues and concerns
 - Exchange data and information about biological and physical resources, ocean uses and priorities
 - Facilitate early and continual dialogue and collaboration opportunities

Current Engagement Effort

February – June 2017

- **Purposes**

- Inform stakeholders about goals and activities of the Task Force
- Inform stakeholders about offshore wind planning effort
- Involve stakeholders in data gathering to inform offshore wind energy planning
- Solicit stakeholder feedback more broadly about offshore wind energy development off California
- Use data/information gathered to inform July 2017 Task Force recommendations about “Call Areas” for offshore wind energy off CA

- **Stakeholders**

- Statewide outreach to spatial data providers
- Coast-wide outreach to fishers
- Emphasis on outreach to coastal communities (including NGOs, elected officials) in the central coast

Why the Central Coast?

- Strong wind resources
- Existing transmission infrastructure
- Expressions of interest from wind energy developers
 - Trident Wind LLC's unsolicited lease request
 - Statoil expression of interest in Trident Wind proposed location



Map of offshore wind reference areas used to perform physical site and economic analysis of floating offshore wind in California, NREL 2016

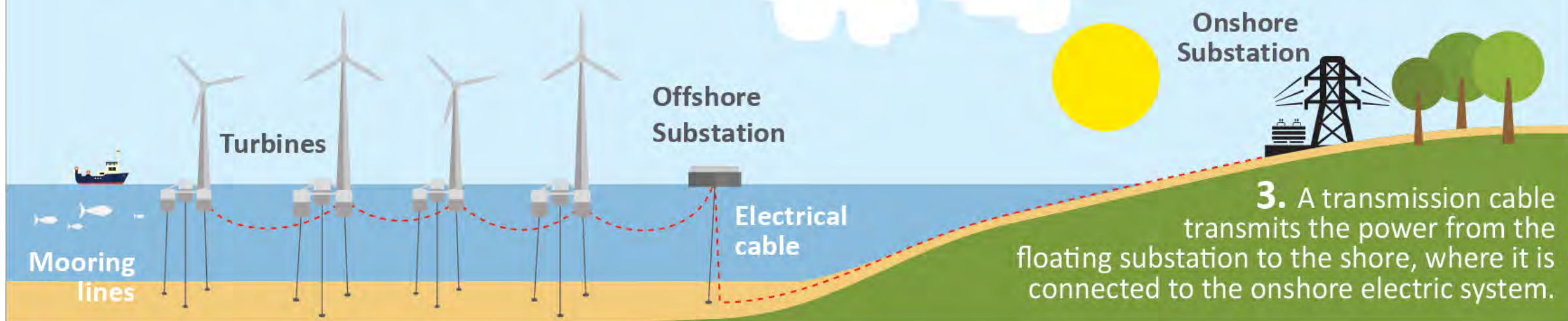
About Floating Offshore Wind

How Offshore Floating Wind Farms Work


1. Floating wind turbines are configured in an array to optimize the capture of wind energy.

2. Energy captured by the turbines is conveyed through a transmission line to a floating substation.

3. A transmission cable transmits the power from the floating substation to the shore, where it is connected to the onshore electric system.



Data Basin Gateway


California Offshore Wind Gateway

powered by **DATA BASIN**


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Featured Items




Dataset
Marine Protected Areas Inventory, March 2012



Dataset
NOAA California Ocean Uses Atlas - Non-consumptive (dominant areas)




Dataset
NOAA California Ocean Uses Atlas - Industrial (dominant areas)




Dataset
NOAA California Ocean Uses Atlas - Fishing (dominant areas)

California Off-Shore Wind Resources



Galleries



Coastal Management



Coastal and Marine Resources



California Offshore Energy

Marine Communities Engagement

- Outreach/engagement activities:
 - Solicited relevant data from CDFW
 - Meeting with ports and fishing communities in the central coast
 - Presenting to state- and coast-wide fishing/fisheries organizations (e.g., PFMC Habitat Committee, PCFFA)
- Relevance to the Marine Resources Committee:
 - Fish & Game Commission-managed fisheries may be affected by offshore wind energy development
 - Any offshore wind projects developed will have transmission cables running through state waters, under jurisdiction of CDFW

Contact Information

<https://www.boem.gov/california/>

Chris Potter

California Ocean Protection Council
California Natural Resources Agency

Chris.Potter@resources.ca.gov

Task Force Contact: Jean.Thurston@boem.gov

Nearshore Fishery Permits



DFW file photos



Traci Larinto

Senior Environmental Specialist

Department of Fish and Wildlife, Marine Region

Marine Resources Committee Meeting

March 23, 2017



Overview

- * Background
 - ❖ Previous Discussions
 - ❖ Describe nearshore permits
- * Proposed changes to nearshore permits
- * Recommended permit transfer fees
- * Additional minor changes
- * Regulatory timeline



Previous Discussions

- * **MRC meeting, November 2016**

- Support for 1-for-1 transfer for both shallow and deeper nearshore permits
- Not limit the number of deeper permit transfers
- Department to come back in March 2017 with transfer fee recommendation

- * **Commission meeting, December 2016**

- Voted to move forward with nearshore permit transfers
- Expressed support for 1-for-1 transfers without limits



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



Deeper Nearshore Species Fishery Permit aka Deeper Permit

- * Permit moratorium
- * Statewide permit
- * No gear restrictions
- * Permit fee \$180.25

Transfer requirements

- Not transferable

Species

* Rockfishes:

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



Proposed Changes to Nearshore Permits

- * Change Shallow Permit transfers to 1-for-1
- * Allow Deeper Permits to transfer 1-for-1
- * Transfer paperwork changes
 - notarized letters to notarized form



Recommended Permit Transfer Fees

- * **Current transfer fees**

- \$500 for shallow permits
- No transfer fee for deeper permits

- * **Proposed transfer fees**

- \$1,000-2,000 for shallow permits
- \$1,000-2,000 for deeper permits



Minor Technical Changes

- * Allow two years for transferable permits to transfer when permittee dies
- * Delay transfer if action pending against permit holder
- * Require that nontransferable permits are surrendered to LRB when permittee dies



Other Minor Changes

- * **Change Section 150.02 title for clarification**
- * **Clarify one shallow permit per person regardless of the region**
- * **Streamline appeals process**



Regulatory Timeline

- * **MRC March 2017-Oceanside**
- * **Notice June 2017-Crescent City/Fortuna**
- * **Discussion August 2017-Sacramento**
- * **Adoption October 2017-Morro Bay/San Luis Obispo**



Thank You

Traci Larinto
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Status of the California Sea Cucumber Dive Fishery



Carlos Mireles
Marine Region
Marine Resources Committee Meeting
23-March-2017

Species Fished in California



Giant Red Sea Cucumber
(*Apostichopus californicus*)
Subtidal-300 ft
Alaska to Baja



Warty Sea Cucumber
(*Apostichopus parvimensis*)
Subtidal-150 ft
Monterey to Baja



Dive Fishery



- 81 total dive permit holders

Regulations:

- Requirement to complete a daily dive logbook
- Restrictions on the number of permittees



Market and Processing



Cut/Slit Drained, Boiled, Dried (Shipped to China)



Live Whole (Domestic Market)



* Condition unknown when landed

Global Sea Cucumber Market

\$209/lb USD

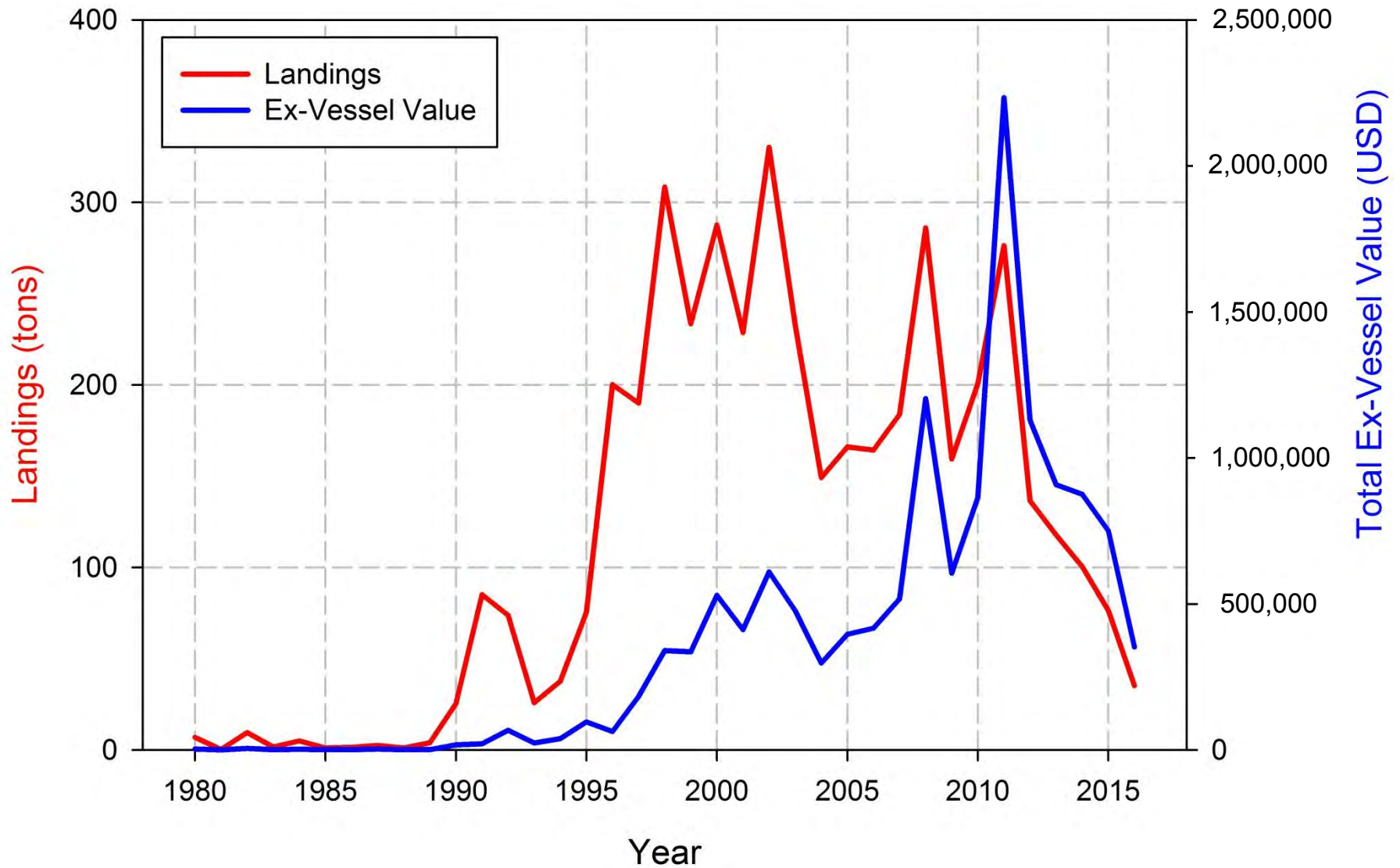
\$195/lb

\$181/lb

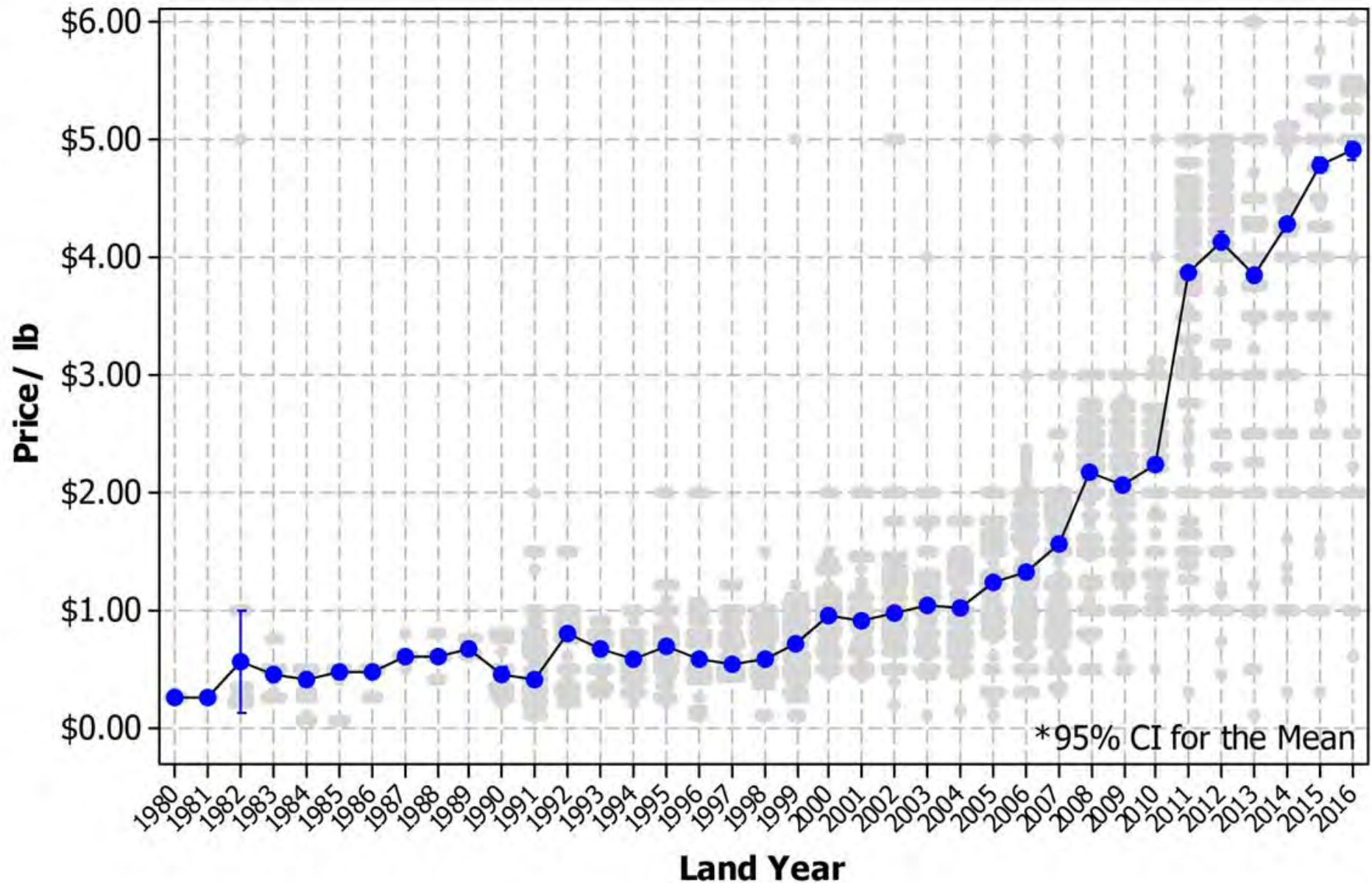
\$949/lb



Landings and Value

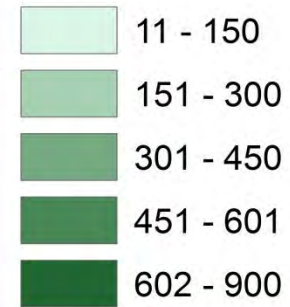


Value (price/lb)



Landings by Area

Dive Landings (tons)
Grand Total 1980_2016



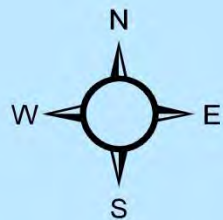
Santa Barbara

Ventura

Los Angeles

Orange

San Diego



0 15 30 60 Miles



Department Concerns/Questions



- Fishery shows signs of not being sustainable
 - Current landings are trending down as value goes up
 - Independent monitoring data show downward trend
- Are changes in seasonal commercial landings due to biological or fishery drivers? Both?
- Are sexually immature individuals being harvested?
- Data poor species with limited biological information

Dive Fishery Mail Survey



Fishery Surveys (2014):

- Q's related fishery/market dynamics, biology, management
- Mailed to 86 dive permittees
- 30 returned, 35% return rate
- Divers provided valuable feedback

California Department of Fish and Wildlife
Commercial Sea Cucumber Diver Survey

*Please return pages 3-6 by mail no later than January 15, 2014 or fax to (805) 568-1235

Dear Sea Cucumber Dive Fishery License Holder,

The California Department of Fish and Wildlife (Department) is currently analyzing landing receipts and logbook data in an effort to better understand trends in the dive and trawl fisheries for sea cucumbers. Currently, we are the only state in the US to have both an established dive and trawl fishery. In 2011, we set state records in the total number of landing receipts reporting sea cucumber (Figure 1, pg. 2), ex-vessel value (Figure 2), and tons landed (Figure 3). There was a large increase in both landings and effort in 2011, likely due to the considerable increase in average price per pound (\$1.16 in 2005 vs. \$3.80 in 2011)(Figure 4). This increase was then followed by a significant decline in landings a year later (2012), despite an even higher average price per pound (\$4.22). The amount of dive hours reported on logbooks targeting sea cucumber has also increased significantly over the past several years, resulting in decreased CPUE. In addition, fisheries independent monitoring data demonstrate a decrease in the number of sea cucumber observed.

These findings raise concerns both within and outside the Department regarding the sustainability of the sea cucumber fishery. To better understand the fishery and current trends we want to start a dialog between Department fishery managers and sea cucumber permit holders about ideas and solutions for managing this important resource. Included is a short survey designed to help fill critical data gaps about fishing behavior, processing, and landings data. Central to this effort is the evaluation of our current management strategies and our ability to promote sustainable populations of warty and giant red sea cucumbers in order to maintain a long term, high value fishery.

The Department greatly appreciates your much valued feedback and insight when taking the time to answer the following questions. This survey should take approximately 15-30 minutes to complete. Please provide any additional comments/questions/concerns in the space provide or add extra pages if your response requires additional space. Your responses are confidential; however, the aggregated results of this survey will be shared with the industry. We are planning a similar questionnaire for the trawl fishery.

We look forward to receiving your comments.

Sincerely,

Craig Shuman, D. Env.
Marine Region Manager

Page 1 of 1

Dive Fishery Mail Survey Key Results



Biology

- Aggregation (March-July), spawning behavior (April-July)

Fishery

- 68% of divers cut 100% of their product
- 32% of divers land some portion of catch whole (1-100%)
- Hookah only (57%), Scuba only (17%), both (26%)

Management

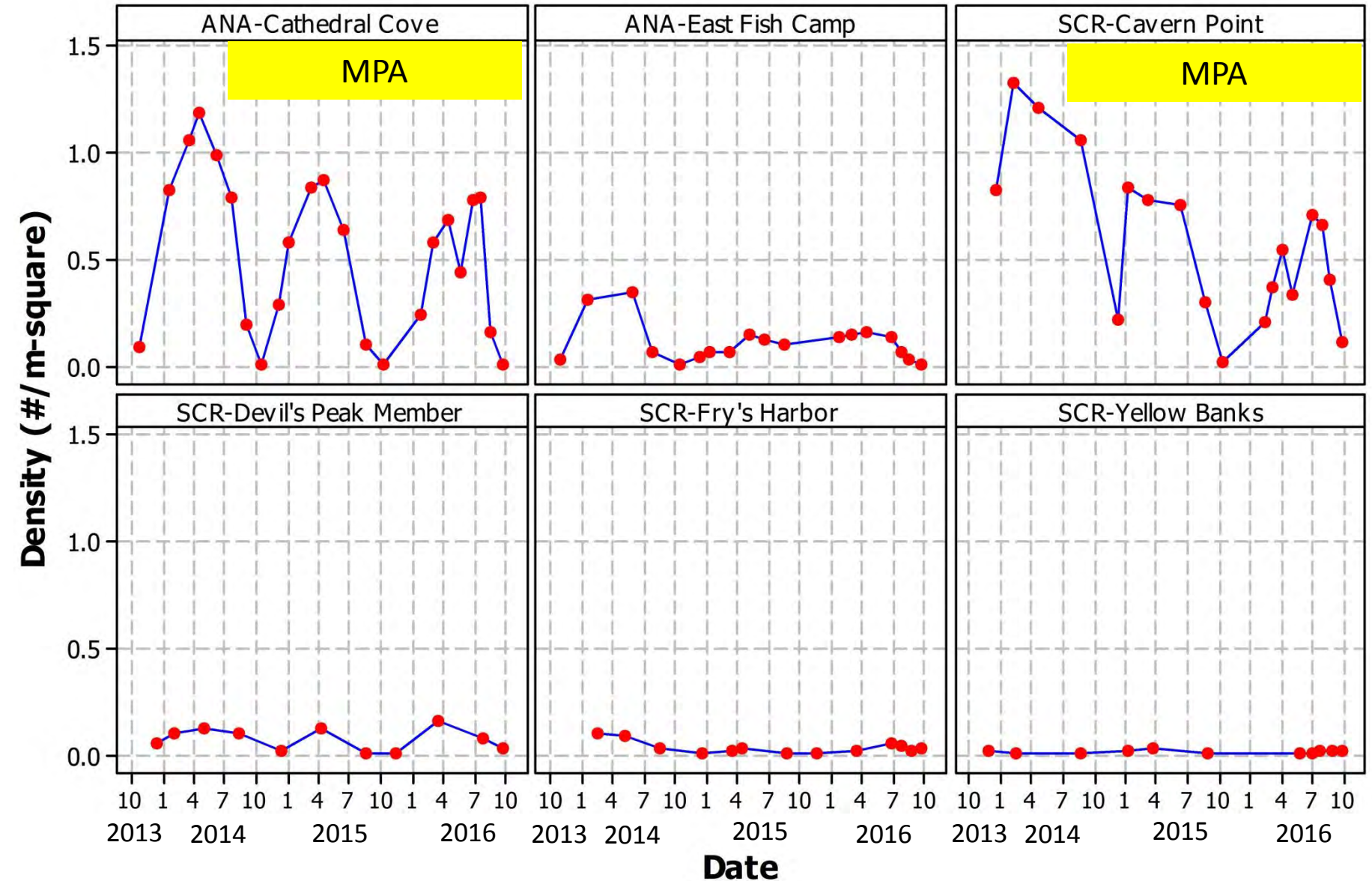
- 74% (20/27) of divers felt current regulations are not sufficient
- Seasonal closure (55%), banning scuba (26%), size limit (19%)

CDFW Dive Surveys

- 3 years (2013-2015)
- 100 m transects (1x1 m) (all existing KFM sites)
- Counted and measured (Length x Width x Height)



CDFW Dive Survey Results



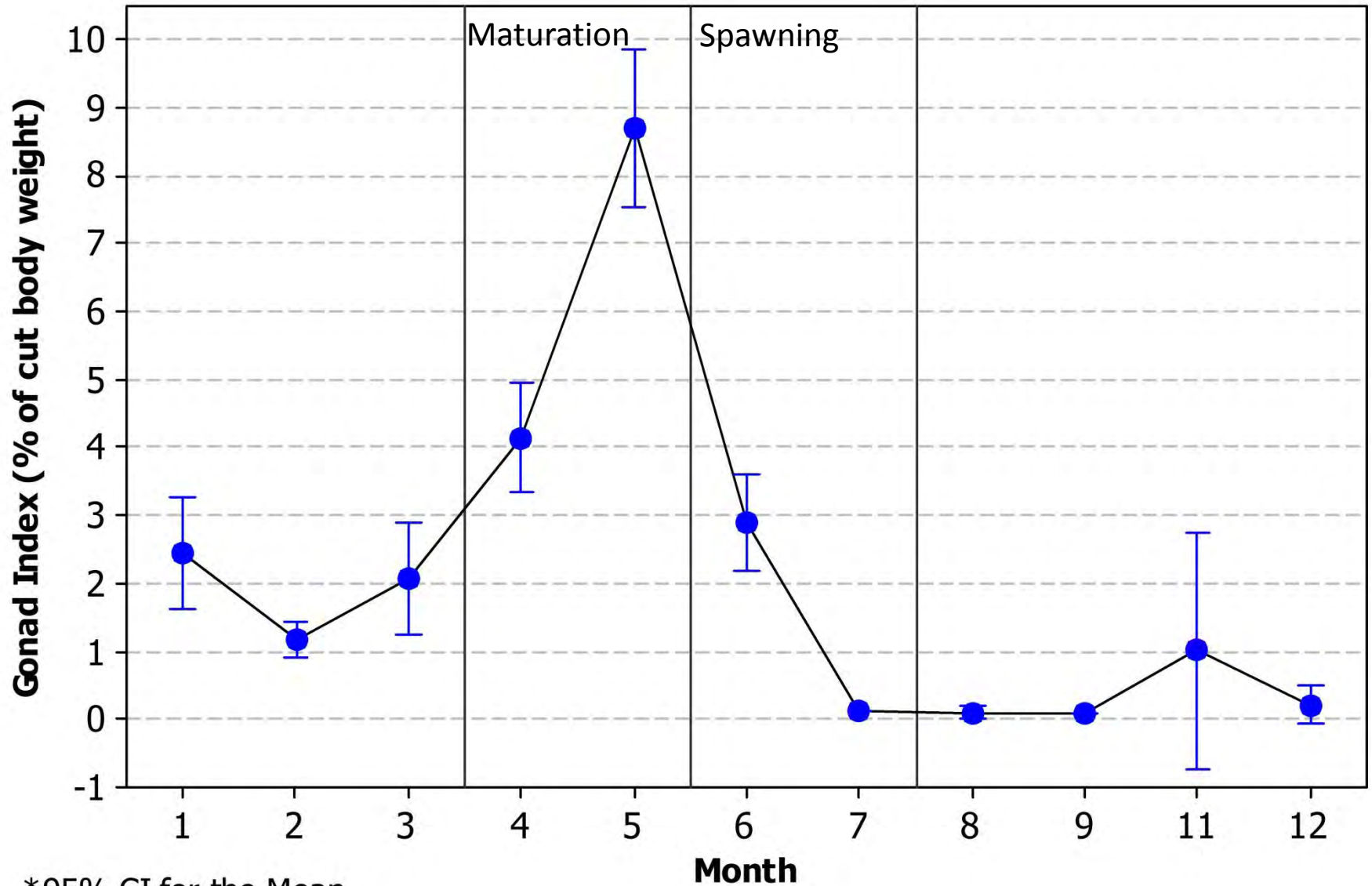
Laboratory Research



- Individuals dissected seasonally/monthly to determine:
 - size relationships
 - reproductive condition
 - fecundity
 - size at 1st sexual maturity

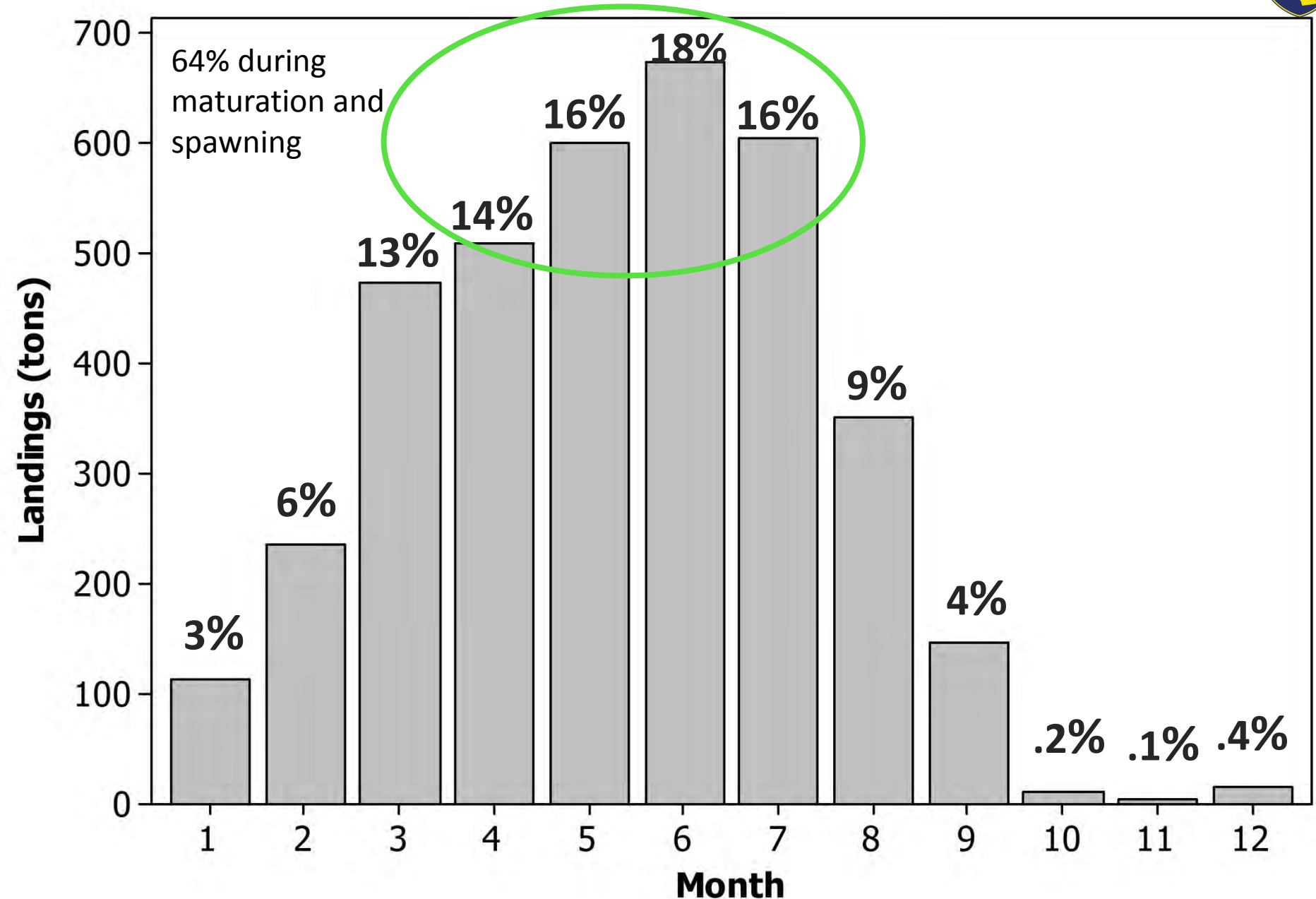


Lab Results: Reproductive Condition



*95% CI for the Mean

Monthly Landings (1997-2015)



Key Findings



- Landings and CDFW data indicate management measures are necessary
- Reporting of landing condition essential to landings data
 - weight reduced by ~50% when processed at sea
- Management challenge: Peaks in population densities and commercial landings coincide with peaks in spawning
- MPAs provide important habitat to allow for undisturbed spawning and provide a critical tool for monitoring wary sea cucumber populations

Next Steps



- Work with the divers and processors to develop regulatory options to ensure sustainability
- Early communications with the fishery suggest a seasonal closure is preferred
- Create landing codes for whole vs cut
- Determine data gaps that need to be filled to inform potential management options
- Determine regulatory scope and timeline

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

Topic	Type	2017		
		MAR 23	JUL 20	NOV 9
		San Clemente	Petaluma	Marina
Management Plans				
Update to MLMA Master Plan- Fisheries	MP update (MLMA)	X	X	X
Abalone FMP / ARMP update	FMP development	X	X	X
Herring FMP Updates	FMP development	X		
Regulatory				
Marine Landings Data System	DFW project	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	X		
Aquaculture - Best Management Practices	DFW project		X/R	
Emerging Management Issues				
California’s Fishing Communities	MRC project	X		
Offshore Wind Stakeholder Engagement	FGC Participation	X		
Informational / Special Topics				
Marine Debris and Plastic Pollution	Informational			
Special Projects				
Fisheries Bycatch Workgroup	MRC workgroup	X	X	

KEY: X Discussion scheduled R Recommendation to FGC anticipated

California Fish and Game Commission – Perpetual Timetable for Anticipated Regulatory Actions

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

Updated: 3/15/17

Updated: 3/15/17					FEB	MAR	MAR	APR	APR	MAY	JUN	2017								2018	
For FGC Staff Use					8 9	15	23	13	26 27	24	20	JUN 21 22	JUL 20	AUG 16 17	SEP 13	OCT 10	OCT 11 12	NOV 9	DEC 6 7	JAN TBD	
QUARTERLY EFFECTIVE	DFW RU ANALYST	FGC ANALYST	LEAD	REGULATORY CHANGE CATEGORY	ACTION DATE, TYPE AND LOCATION	FGC ROHNERT PARK	FGC TELECONFERENCE	MRC SAN CLEMENTE	FGC TELECONFERENCE	FGC VAN NUYS	WRC SACRAMENTO	TC CRESCENT CITY	FGC CRESCENT CITY	MRC SANTA ROSA	FGC SACRAMENTO	WRC RIVERSIDE	TC ATASCADERO	FGC ATASCADERO	MRC MARINA	FGC SAN DIEGO	WRC TBD
						File Notice w/OAL by	12/13/16	01/17/17	02/14/17	02/28/17			04/25/17	06/20/17			8/15/17	10/10/17			
						Notice Published	12/23/16	01/27/17	02/24/17	03/10/17			05/05/17	06/30/17			8/25/17	10/20/17			
					Title 14 Section(s)																
	SB	JS	FB	Sport Fishing (Annual)	1.05 et al.		E 3/1				R				N			D		A	
*	SB	MMH	WLB	DFW Lands Pass	550 et al.	Resubmitted		E 3/17													
*	MR	JS	LED	Upland Game Bird Special Hunt Drawing	702, 715 (new)			E 3/15													
*	SB	ST	MR	Spiny Lobster, Sport and Commercial	29.80 et al.				E 4/1												
*	SB	MMH	LED	Enhance Penalties for Game Illegal Take	748.6 (new)				E 4/1												
*	CM	ST	HC	Livermore Tarplant	670.2	A								E 7/1							
*	SF	FGC		Tribal Take in MPAs	632				E 4/1												
*	MR	JS	WLB	Falconry Clean-up	670									E 7/1							
	SB	SF	MR	Recreational Groundfish (2017-2018)	27.20 et al.	E 2/7															
	CM	JS	FGC	Use of Dogs for Pursuit/Take of Mammals or for Dog Training	265	D	D		D	A				E 7/1							
	SB	SF	FB	Klamath River Sport Fishing (Annual)	7.50(b)(91.1)	D			A		V				E 8/1	R				N	
	SB	MMH	FB	Central Valley Salmon Sport Fishing (Annual)	7.50(b)	D			A		V				E 8/1	R				N	
	SB	SF	MR	Ocean Salmon Sport Fishing (April 2017) (Annual)	27.80(c)		D	A	E 4/1 X												N
	SB	SF	MR	Ocean Salmon Sport Fishing (May - November 2017) (Annual)	27.80(d)		D		A		E 5/1 X										N
	SB	SF	MR	Pacific Halibut Sport Fishing (2017 season)	28.20		D		A		E 5/1 X										
	MR	JS	WLB	Mammal Hunting (Annual)	360 et al.	D				A	V			E 7/1		R				N	
	MR	JS	WLB	Deer Tag Reporting Requirements	708.5	D				A				E 7/1							
	MR	JS	WLB	Waterfowl (Annual)	502	D				A	V			E 7/1		R				N	
	MR	JS	WLB	Upland (Resident) Game Bird (Annual)	300	N				D			A			E 9/1 V					R
*	SB	ST	MR	Dungeness Crab and Lobster Recreational Gear Marking and Commercial Lobster Harbor Restricted Fishing Areas	29.80, 122		N				D		A					E 10/1			
	ST	WB		Tricolored Blackbird Emergency - 180 Day	749.9	EM									EE 8/17						
*	ST	WB		Tricolored Blackbird - Compliance	749.9																
	SB	ST	MR	Abalone Emergency - 180 DAY	29.15				EM 4/1							EE 9/28					
	SB	ST	MR	Abalone - Compliance	29.15																
	SB	SF		Process for Automatic Conformance to Federal Recreational Fishing Regulations	27.53					N			D		A				E 11/1		
*	SB	ST	FB	Commercial Take of Rattlesnakes	TBD								N				D/A				E 1/1
	MR	JS	WLB	Big Game Tag Quota Reporting Process	360, 361, 362, 363, 364								N		D			A			E 1/1
*	SB	SA/ST	MR	Nearshore and Deeper Nearshore Fishing Permits	150,150.01,150.02,705			V, R							D				A		
*	MR	ST	MR	Commercial Fisheries Electronic Reporting	TBD								N					D/A			E 1/1
*	MR	SF	MR	Commercial Herring (Annual)	163, 164										N			D/A		E 12/26 X	

RULEMAKING SCHEDULE TO BE DETERMINED

*		MR	Kelp and Algae Harvest Management	165, 165.5, 704										V						V	
*		MR	Commercial Sea Cucumber	128			V														
*	MR	ST	MR	Commercial Sea Urchin (Phase II)	120.7																
*				Possess Game / Process Into Food	TBD																
*			OGC	AZA / ZAA	671.1																
				Night Hunting in Gray Wolf Range	474																
				Shellfish Best Management Practices	TBD									V							
			WB	Trapping Fees	TBD																
*		SF	FGC	Tribal Take in MPAs	632																

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



March 10 2017

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Fish and Game Commission
Attention: Marine Resources Committee
1416 Ninth Street, Room 1320
Sacramento, CA 95814
Electronic mail: fgc@fgc.ca.gov

Re: EAC Comments re. Aquaculture Best Management Practices
(BMPs), Commission Agenda Item #9: Future Agenda Items

Dear Commissioners:

The Environmental Action Committee of West Marin (EAC) was established in 1971 and is based in Point Reyes Station. EAC is an environmental advocacy group, which focuses on environmental issues in Tomales Bay and greater West Marin. Tomales Bay is listed as a wetland of international importance, is part of the Greater Farallones National Marine Sanctuary, and is recognized for protection by the California Enclosed Bays and Estuaries Policy. The unique Bay is home to many species, including harbor seals, eelgrass, and sea birds.

Staff and Consultants

Morgan Patton
Executive Director

Ashley Eagle-Gibbs, Esq.
Conservation Director

Jessica Reynolds Taylor
Membership Director

Catherine Caufield
Tomales Dunes Consultant

At the February 9, 2017 Commission meeting, EAC submitted written comments, as well as provided testimony regarding Tomales Bay and the formalization of Best Management Practices (BMPs) for aquaculture growers. It is our understanding that because these written comments were submitted the day of the meeting, they have not been made publicly available. It is EAC's position that all public comments submitted should be made publicly available.

As a follow up, EAC submits comments on Agenda Item #9: *future agenda items* to reiterate our request that the Marine Resources Committee include aquaculture BMPs on their July 2017 agenda. The meeting documents for Agenda Item 28 on the February 9, 2017 Commission meeting included a "*Marine Resources Committee (MRC) 2016-17 Draft Work Plan*" which listed Aquaculture Best Management Practices as a topic to be recommended and discussed at the July 20, 2017 Marine Resources Committee meeting. According to the

Commission's website, the July 20 meeting is to be held in Santa Rosa, which is a preferable location to discuss aquaculture BMPs for Tomales Bay due to its proximity to West Marin.

Background

EAC first introduced draft BMPs for aquaculture growers to the Commission on April 8, 2015. At this meeting, the Commission expressed concern over the marine debris issues and expressed its willingness to actively work with groups like EAC. EAC has consistently advocated to the Commission for the formalization of aquaculture BMPs. At the December 9, 2015 Commission meeting, Amanda Winchell, California Coastal Policy Coordinator for the Surfrider Foundation, testified on behalf of EAC in support of aquaculture BMPs. In our June 21, 2016 letter to the Commission, we expressed concerns regarding a lease renewal, because BMPs were not yet in place, as is required by Fish & Game Code Section 15400(b)(4).

Current Status

We appreciate that Randy Lovell, State Aquaculture Coordinator, Department of Fish and Wildlife, has taken the lead on the creation of a formal working group to develop aquaculture BMPs. However, no dates have been presented for when these BMPs will be developed, finalized, or adopted. EAC is pleased that Mr. Lovell is accepting additional interested parties for addition to this working group, since it is in the public's interest that a more formal working group be established, which is inclusive of the multiple stakeholders in Tomales Bay (including environmental groups, aquaculture growers, and all of the involved agencies).

Recommendations

It is our recommendation that the Fish and Wildlife Department continues to move forward to establish a formal working group to develop enforceable BMPs for Tomales Bay, including setting an initial meeting date. In addition, EAC recommends that the Marine Resources Committee consider aquaculture BMPs at their next meeting in July at a local Northern California location.

A sustainable aquaculture industry and a healthy Tomales Bay are in the community's best interest. Thank you for consideration of these comments.

Respectfully,



Ashley Eagle-Gibbs
Conservation Director

cc (*via electronic mail*):

Susan Ashcraft, Marine Advisor, Fish and Game Commission
Elizabeth Pope, Acting Marine Advisor, Fish and Game Commission
Kirsten Ramey, Marine Aquaculture Coordinator, Department of Fish & Wildlife
Randy Lovell, State Aquaculture Coordinator, Department of Fish & Wildlife