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Fish and Game Commission



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MARINE RESOURCES COMMITTEE

Committee Chairs: Commissioner Sutton (present) and Commissioner Rogers (absent)

Staff Meeting Summary:

Meeting of March 24, 2014, 12:00 p.m.

Department of Consumer Affairs -- Hearing Room

1747 North Market Boulevard

Sacramento, CA 95834

1. INTRODUCTIONS

Chairman Sutton convened the meeting at 12:00 p.m., and indicated that Chairman Rogers was unable to attend. Members of Commission and California Department of Fish and Wildlife (Department) staff were introduced; self-introductions were made by members of the audience.

2. DISCUSSION OF COMMITTEE ORGANIZATION AND PROCEDURES

Commission Executive Director Sonke Mastrup outlined the guidelines for participating in Committee discussions, specifically noting that committee meetings would be audio-recorded and would be posted on the website along with a meeting summary. While a desire to video-record committee meetings was contemplated by the Commission at its February meeting, staff analysis concluded that audio recording was the only feasible approach within the current budget.

Commission Marine Advisor Susan Ashcraft presented the draft committee procedures advanced from the February Commission business meeting, with staff-suggested modifications. Following discussion, the MRC decided to recommend that the Commission adopt the revised committee procedures.

Chairman Sutton supported the additions; however he noted that, while in general committees do not take action on behalf of the Commission, the Commission reserves the right to place an item on the agenda for action when a quorum of the Commission would be present. The Committee gave direction for staff to add clarifying language to the proposed text for recommendation to the Commission in April.

3. SCOPING OF POSSIBLE AMENDMENTS TO OCEAN SPORT FISHING REGULATIONS FOR 2015 (SECTIONS 2.00, ET AL., TITLE 14, CCR)

Ms. Ashcraft opened the agenda item by presenting the timeline for the annual sportfishing regulations cycle for the 2015 fishing season. The public is encouraged to bring any new proposals forward well in advance of the August notice hearing; new proposals would be

discouraged after June. Mr. Mastrup highlighted that a new calendar is being exercised requiring earlier submission of requests in order to give time to meaningfully consider each.

The Department did not have any recommended changes for consideration at this time. Members of the public provided several suggestions and concerns during public comment, which will be forwarded to the Department for analysis.

4. REPORT BY OCEAN SCIENCE TRUST ON ITS TECHNICAL REVIEW OF METHODOLOGY USED BY THE DEPARTMENT TO ESTIMATE RED ABALONE DENSITY

Tom Barnes, State Fisheries Program Manager for the DFW Marine Region, gave introductory remarks on the history leading to the OST review, and expressed the Department's gratitude on the extensive work that OST and a science advisory committee (SAC) had done on its behalf.

Dr. Moose O'Donnell from the California Ocean Science Trust (OST) presented preliminary findings of the scientific review of Department density estimation methods for northern red abalone. The independent review, conducted by the SAC assembled by OST, focused on survey methods, research protocols, density results, and interpretation of results as the basis for management. OST is currently working with reviewers to produce a summary of review outcomes, which will be presented in a public webinar in late spring before being finalized for public viewing and delivery to the Department.

Discussion focused on the value of the review; fishery-dependent data use; consideration of MPAs as security to buffer against uncertainty; and the desire to elevate the science and surveys to a more robust level.

The Department committed to reviewing the report's findings when released, and return to the MRC in July to report on how it plans to incorporate the findings into abalone management. This is considered to be a first step to inform a subsequent full review of the Abalone Recovery and Management Plan (ARMP).

5. DISCUSSION OF RED ABALONE RECOVERY AND MANAGEMENT PLAN REVISION EFFORT AND NEXT STEPS

Ian Taniguchi, Senior Environmental Scientist with the Department's Abalone Project, presented an overview of an anticipated ARMP review process, including need, alternate process options, and timeline. The Department recommended an option to develop a separate fishery management plan (FMP) for the existing northern fishery, with a minimal ARMP update. Commission staff presented a draft timeline for an FMP development process, using a public workshop and peer review model followed by FGC approval.

Discussion focused on the scope of an FMP and preferred approaches to public participation, including the potential role of the Recreational Abalone Advisory Committee (RAAC) in the review process. The MRC requested that staff work with the Department to refine a draft ARMP/FMP process for further MRC review.

6. PRESENTATION AND DISCUSSION OF DRAFT LOBSTER FISHERY MANAGEMENT PLAN HARVEST CONTROL RULES AND TIMELINE

Dr. Shuman opened the agenda item by clarifying that today's focus is on lobster conservation management measures; a suite of fishery management measures were presented to the MRC in March 2013.

Kai Lampson, Environmental Scientist with the Department Lobster Project, presented an overview of harvest control rules designed for use within the lobster FMP, developed in consultation with the Spiny Lobster Fishery Advisory Committee; these include data reference points, a "control rule matrix" to assist with data interpretation, and a "control rule toolbox", providing regulatory options for responding if threshold reference points are exceeded. Such guidance tools introduce new management and regulatory flexibility into lobster management under the FMP.

The current lobster FMP development timeline includes scientific peer review this summer; the Department anticipates that the review will be completed in time to report at the November MRC meeting.

Discussion focused on the value of a flexible series of management options should control rules be reached, with emphasis on establishing a process in the FMP to involve the fishing industry and stakeholders if a threshold reference point is exceeded. Several comments were made in support of a lobster lessons learned process.

7. FUTURE AGENDA ITEMS

Chairman Sutton provided an overview of the process generally undertaken by the MRC to set priorities. The MRC generally revisits its work plan annually to ensure that it is focused on the highest priorities for the year, recognizing that there is flexibility to accommodate the unforeseen when urgent issues arise. A work plan review was last completed in March 2013, and today is a new opportunity for scoping potential MRC priorities with input from stakeholders and Department.

Ms. Ashcraft reviewed existing MRC commitments associated with the FGC rulemaking calendar, reviewed items previously identified and prioritized for the MRC to address, and noted that the Department had also been developing a priority list in response to an MRC request last year.

Dr. Shuman presented marine work priorities from the Department's perspective. The Department would appreciate some focus within the list, ideally where Commissioners, Commission staff, and stakeholders could all agree to the same list. The Department faces challenges with accommodating unforeseen items such as new mandates, petitions, or emergencies, while trying to balance the existing workload.

A robust discussion ensued, with several recommendations from members of the public, including interest in California halibut and squid. Two overarching concepts centered on:

1. A desire to address both urgent resource/fishery management issues, while concurrently visioning and laying the foundation for a new way of doing business.

2. Reconciling the limitations that current resources (funding, staffing) have on the magnitude of work that can be undertaken. How to bring in additional resources?
 - a. Funding: Exploring outside funding opportunities (OPC funding commitment and potential matching private foundation funds for state fisheries management) that can pay for projects such as FMP development.
 - b. Workload: Engaging external work groups (stakeholders, industry, academia) to “do the heaving lifting” to develop materials and bring back to the MRC.
3. Taking on new, streamlined approaches (e.g., FMP “lite”, CEQA equivalents, legislation to reduce burden).

The MRC came back to this topic following Agenda Item 8. Commissioner Sutton directed staff to work with the MRC Chairs on priorities, and to develop a general MRC work plan to recommend to the Commission.

8. REPORT BY OCEANA ON ITS IMPLEMENTATION OF THE COMMISSION’S FORAGE SPECIES POLICY

Ms. Ashcraft reviewed the background of forage policy development and MRC support of identifying ways to implement the policy. Chairman Sutton reinforced that he considers the approach used to develop the policy to be a good model for future work. The approach involved forming a work group of diverse, interested parties and Department/Commission representatives, under the guidance of the Commission, to draft policy language and bring it back to the MRC to debate/refine the content for Commission adoption.

Dr. Geoff Shester, of Oceana, provided introductory remarks regarding the collaborative efforts to date, which cover two focal areas of policy application: Existing fisheries (Pacific herring), which was presented by Anna Weinstein of Audubon California, and unmanaged or undeveloped fisheries, presented by Greg Helms of Ocean Conservancy. Each focal area applies a collaborative working group approach at different stages of development. A herring working group involving non-governmental organizations (NGOs), Department staff, and herring industry representatives, has explored how to apply the policy to the existing Pacific herring fishery, recommending that an FMP be developed. A second working group of NGOs with initial industry involvement is exploring a multi-step process to apply the Commission’s forage policy to undeveloped fisheries by utilizing the Commission’s emerging fisheries policy. This is an informational update to keep the MRC informed, and to request Department review of the process concept. A more robust working group would be required to refine the concept before bringing it as a petition to the Commission.

Following discussion, Chairman Sutton recommended that staff add a herring FMP into a future rulemaking calendar. The herring FMP provides a unique opportunity of convergence between interest, willingness, and external funding.

9. PUBLIC COMMENT

No public comments were provided on items not on the agenda.

10. ADJOURN

The meeting adjourned at 3:50 p.m.