

STAFF SUMMARY FOR FEBRUARY 10-11, 2016

23A. OTHER ITEMS – STAFF REPORT**Today's Item**Information Action

Receive the staff report, to include:

1. Update on Dungeness and rock crab recreational fishing closures.
2. Staff time allocations
3. Dec meeting outcomes

Summary of Previous/Future Actions

1. Adopted emergency Dungeness and rock crab recreational fishing closures Nov 5, 2015; teleconference

Background

1. ***Dungeness and rock crab closures.*** In Nov 2015, FGC adopted an emergency regulation amending section 29.85. This action delayed the start of the recreational Dungeness crab fishery and closed the recreational rock crab fishery, based on a recommendation from the Office of Environmental Health Hazard Assessment (OEHHA) that the fisheries be closed based on a significant risk to the public if consumed. OEHHA, in consultation with the California Department of Public Health (CDPH), made the determination based on domoic acid levels in crab samples at persistently high levels above the State's action level for the crabs' body meat as well as the viscera, commonly referred to as crab butter.

The emergency regulation remains in effect Nov 5, 2015 through May 3, 2016. The closures that result from the emergency regulation will remain in effect during that time unless the director of OEHHA, in consultation with the director of CDPH, determines that domoic acid levels in crab no longer pose a significant risk to public health and no longer recommends that fisheries be closed.

On Dec 31, 2015, OEHHA rescinded its closure recommendation for the southern portion of the State only, and the recreational fisheries south of Piedras Blancas in San Luis Obispo County were opened consistent with the emergency regulation. The closure recommendation remains in effect for the remainder of the State.

DFW, FGC, CDPH, OEHHA, and the Ocean Protection Council have continued to coordinate and consult on efforts to monitor toxicity levels and ensure public safety. Some samples have shown marked improvement in toxicity levels to below the action level (notably Dungeness crab in Monterey and, more recently, Dungeness crab in Half Moon Bay); however, recommendations are at the discretion of OEHHA in consultation with CDPH, based on its determination of public health risk. The most recent crab testing results were posted by CDPH on Feb 4, 2016 (Exhibit 1).

2. ***Staff time allocations.*** In an effort to help keep FGC current on its staffing and where staff is expending its time, staff has developed a report that shows the allocation of time in general categories for the previous two month, as well as highlights some of the specific activities for the previous and current months (Exhibit 2).

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3. ***Dec meeting outcomes.*** As previously requested, staff has prepared a shortened summary of meeting outcomes for the previous meeting (Exhibit 3).

Significant Public Comments (N/A)

Recommendation

1. Provide direction to staff regarding monitoring testing and coordinating with DFW, CDPH, and OEHHA.

Exhibits

1. [CDPH summary of domoic acid in crabs, dated Feb 4, 2016](#)
2. [Staff Report on Staff Time Allocation – dated Jan 27, 2016](#)
3. Staff summary of the Dec 2015 FGC meeting outcomes (this document will be distributed at the meeting)

Motion/Direction (N/A)

SUMMARY OF DOMOIC ACID LEVELS IN CRABS			FEBRUARY 4, 2016		
PORT	SAMPLE COLLECTION DATE(S) (Dungeness crab unless otherwise specified)	NUMBER OF SAMPLES	RESULTS - RANGE (FDA ACTION LEVEL - 30 PPM)	AVERAGE LEVEL (FDA ACTION LEVEL - 30 PPM)	PERCENT OF SAMPLES EXCEEDING ACTION LEVEL
Crescent City	9/23/15	6	<2.5-120 ppm	37 ppm	66%
	10/29/15	6	28-140 ppm	66 ppm	91%
	11/18/15	9	<2.5-91 ppm	40 ppm	44%
	12/1/15	10	10-69 ppm	34 ppm	40%
	12/16/15	9	9.8-39 ppm	22.7 ppm	22%
	12/30/15 (Crescent City North)	6	8.6-25 ppm	17 ppm	0%
	12/30/15 (Crescent City South)	6	15-31 ppm	23 ppm	17%
	1/10/16 (Crescent City North)	6	4.9-49 ppm	22 ppm	17%
	1/10/16 (Crescent City South)	6	12-59 ppm	32 ppm	33%
	1/24/16 (Crescent City South)	6	16-35 ppm	24 ppm	33%
	1/24/16 (Crescent City North)	6	4.9-25 ppm	14 ppm	0%
Trinidad	09/11/15	6	23-140 ppm	95 ppm	83%
	10/26/15	8	39-97 ppm	66 ppm	100%
	11/17/15	15	17-65 ppm	36 ppm	60%
	12/16/15	6	8.4-37 ppm	17.5 ppm	17%
	12/26/15 (Trinidad North)	6	<2.5-49 ppm	20.2 ppm	17%
	12/26/15 (Trinidad South)	6	7.4-38 ppm	19.4 ppm	17%
	1/23/16 (Trinidad North)	6	<2.5-31 ppm	13 ppm	17%
	1/23/16 (Trinidad South)	6	8.5-29 ppm	17 ppm	0%
Eureka	09/15/15	6	30-120 ppm	76 ppm	100%
	10/27/15	12	37-140 ppm	67 ppm	100%
	11/23/15 (Louisiana Pacific)	6	13-53 ppm	36.5 ppm	83%
	11/23/15 (Eel River)	6	13-59 ppm	34.6 ppm	50%
	12/16/15 (Eel River)	6	29-54 ppm	38.2 ppm	50%
	12/16/15 (Samoa)	6	12-63 ppm	24.7 ppm	17%
	12/30/15 (Eel River)	6	16-40 ppm	31 ppm	67%
	12/30/15 (Samoa)	6	3.7-33 ppm	17.8 ppm	17%
	1/21/16 (Eel River)	6	13-29 ppm	22.2 ppm	0%
	1/21/16 (Samoa)	6	<2.5-12 ppm	7.9 ppm	0%
Fort Bragg	10/30/15	6	<2.5-15 ppm	6.5 ppm	0%
	11/22/15	6	46-270 ppm	118 ppm	100%
	11/23/15	6	20-150 ppm	61.5 ppm	66%
	12/16/15	6	8.2-37 ppm	20.2 ppm	17%
	12/27/15 (Pt. Arena / Manchester)	6	15-39 ppm	26.8 ppm	33%
	12/30/15 (Usal)	6	7.8-64 ppm	28 ppm	33%
	1/25/16 (Usal)	6	13-81 ppm	45 ppm	67%
	1/26/16 (Pt. Arena/Manchester)	6	4.7-57 ppm	28.6 ppm	50%

PORT	SAMPLE COLLECTION DATE(S) (Dungeness crab unless otherwise specified)	NUMBER OF SAMPLES	RESULTS - RANGE (FDA ACTION LEVEL - 30 PPM)	AVERAGE LEVEL (FDA ACTION LEVEL - 30 PPM)	PERCENT OF SAMPLES EXCEEDING ACTION LEVEL
Bodega Bay	10/20/15	6	21-40 ppm	30 ppm	50%
	10/31 - 11/1/15	6	28-91 ppm	45 ppm	83%
	11/16/15 (Point Reyes)	6	14-81 ppm	51 ppm	66%
	11/16/15 (Russian River)	6	11-34 ppm	25.8 ppm	50%
	12/1/15 (Russian River)	6	6-69 ppm	22 ppm	17%
	12/1/15 (Point Reyes)	6	<2.5-40 ppm	15 ppm	17%
	12/8/15 (Russian River)	6	6.5-100 ppm	43.6 ppm	83%
	12/8/15 (Point Reyes)	6	9.6-27 ppm	16.4 ppm	0%
	12/17/15 (Russian River)	6	7-38 ppm	17.5 ppm	17%
	12/17/15 (Point Reyes)	5	<2.5-20 ppm	10.4 ppm	0%
	12/17/15 (Bodega Bay)	6	18-120 ppm	47.7 ppm	67%
	12/27/15 (Bodega Bay)	6	<2.5-54 ppm	20 ppm	17%
	12/30/15 (Russian River)	6	3.1-30 ppm	13.4 ppm	17%
	12/30/15 (Salt Point)	6	11-29 ppm	20.8 ppm	0%
	1/25/16 (Bodega Bay)	6	<2.5-19 ppm	8 ppm	0%
	1/25/16 (Russian River)	6	3.6-13 ppm	9 ppm	0%
1/25/16 (Salt Point)	6	<2.5-34 ppm	19 ppm	33%	
Half Moon Bay/SF	10/26/15	12	16-130 ppm	56 ppm	83%
	11/16/15 (HMB)	6	<2.5-22 ppm	11 ppm	0%
	11/16/15 (SF)	6	<2.5-21 ppm	10.7 ppm	0%
	12/1/15 (SF)	6	<2.5-19 ppm	8.8 ppm	0%
	12/1/15 (HMB)	10	<2.5-39 ppm	8.9 ppm	10%
	12/8/15 (HMB)	9	<2.5-49 ppm	20.7 ppm	33%
	12/15/15 (HMB South)	17	<2.5-130 ppm	33.0 ppm	53%
	12/27/15 (HMB North)	6	<2.5-29 ppm	9 ppm	0%
	12/27/15 (SF South)	6	6.2-25 ppm	17 ppm	0%
	1/10/16 (HMB North)	7	6.2-54 ppm	20 ppm	14%
	1/15/16 (HMB South)	6	<2.5-25 ppm	10 ppm	0%
	1/25/16 (SF South)	6	<2.5-23 ppm	12 ppm	0%
	1/25/16 (HMB North)	6	<2.5-18 ppm	4 ppm	0%
1/25/16 (HMB South)	6	<2.5-24 ppm	5 ppm	0%	
Monterey	9/16/15 (Red Rock Crab)	4	16-86 ppm	45 ppm	75%
	9/16/15 (Yellow Rock Crab)	1	190 ppm	190 ppm	100%
	9/16/15 (Dungeness)	2	6.8-74 ppm	40 ppm	50%
	10/31-11/1/15 (Dungeness)	11	<2.5-83 ppm	17 ppm	9%
	11/12/15 (Dungeness)	7	9.7-50 ppm	21 ppm	14%
	11/12/15 (Rock Crab)	6	7.9-94 ppm	41 ppm	50%
	11/29/15 (Dungeness)	6	3.6-11 ppm	7 ppm	0%
	12/2/15 (Rock Crab)	8	3.4-100 ppm	23.7 ppm	12.5%
	12/6/15 (Dungeness)	6	<2.5-10 ppm	5 ppm	0%
	12/10/15 (Rock Crab)	6	<2.5-100 ppm	36 ppm	50%
	12/19/15 (Rock Crab)	3	31-100 ppm	69.6 ppm	100%
	1/3/16 (Rock Crab)	6	<2.5 -47 ppm	13.2 ppm	17%
	1/10/16 (Rock Crab)	5	<2.5-25 ppm	8.4 ppm	0%
	1/12/16 (Dungeness)	6	<2.5-3.8 ppm	1.1 ppm	0%
1/21/16 (Rock Crab)	6	<2.5-67 ppm	12.5 ppm	17%	

PORT	SAMPLE COLLECTION DATE(S) (Dungeness crab unless otherwise specified)	NUMBER OF SAMPLES	RESULTS - RANGE (FDA ACTION LEVEL - 30 PPM)	AVERAGE LEVEL (FDA ACTION LEVEL - 30 PPM)	PERCENT OF SAMPLES EXCEEDING ACTION LEVEL
Morro Bay	10/28/15 (Dungeness)	1	10 ppm	10 ppm	0%
	10/28/15 (Sheep Crab)	5	<2.5-3.9 ppm	3 ppm	0%
	10/28/15 (Red Rock Crab)	5	3.0-12 ppm	6 ppm	0%
	11/16/15 (Dungeness)	5	<2.5-9 ppm	5.7 ppm	0%
	11/16/15 (Rock Crab)	5	<2.5-4.5 ppm	0.9 ppm	0%
	11/16/15 (Spider Crab)	2	<2.5 ppm	Non-detectable	0%
	11/21/15 (Dungeness)	6	<2.5-8.1 ppm	2.6 ppm	0%
	11/21/15 (Rock Crab)	5	<2.5-7.7 ppm	3.7 ppm	0%
Santa Barbara	11/3/15 (Rock Crab)	6	<2.5-64 ppm	36 ppm	50%
	11/1/15 (Rock Crab-South Side Santa Rosa Island; Block #711)	6	<2.5-10 ppm	4 ppm	0%
	11/4/15 (Rock Crab-Coast; Block #656)	6	<2.5-240 ppm	49.5 ppm	17%
	11/6/15 (Rock Crab-North Side San Miguel Island; Block #690)	7	<2.5-110 ppm	38 ppm	29%
	11/13/15 (Rock Crab-North Side San Miguel Island; Block #690)	6	<2.5-170 ppm	53.5 ppm	50%
	11/11/15 (Rock Crab-Block #710)	6	<2.5-160 ppm	36 ppm	16%
	11/11/15 (Rock Crab-North Side Santa Cruz Island; Block #687)	6	<2.5-130 ppm	36 ppm	33%
	11/22/15 (Rock Crab- South Side Santa Rosa Island; Block #711)	6	<2.5-10 ppm	1.7 ppm	0%
	11/22/15 (Rock Crab-North Side Santa Cruz Island; Block #686)	6	<2.5-8.4 ppm	4.3 ppm	0%
	11/23/15 (Rock Crab-North Side San Miguel Island; Block #690)	6	4.2-1,000 ppm	235 ppm	33%
	11/23/15 (Rock Crab-Coast; Block #656)	6	<2.5-3.6 ppm	0.6 ppm	0%
	12/2/15 (Rock Crab-Coast; Block #656)	6	<2.5-14 ppm	6 ppm	0%
	12/2/15 (Rock Crab-North Side Santa Cruz Island; Block #687)	6	4.5-190 ppm	79 ppm	50%
	12/2/15 (Rock Crab-South Side Santa Rosa Island; Block #711)	6	3-120 ppm	36 ppm	50%
	12/3/15 (Rock Crab-North Side San Miguel Island; Block #690)	6	<2.5-93 ppm	46 ppm	50%
	12/9/15 (Rock Crab-North Side San Miguel Island; Block #690)	6	<2.5-4.4 ppm	0.7 ppm	0%
	12/10/15 (Rock Crab-Coast; Block #656)	6	<2.5 ppm	<2.5 ppm	0%
	12/10/15 (Rock Crab-South Side Santa Rosa Island; Block #711)	6	2.8-170 ppm	61 ppm	67%

PORT	SAMPLE COLLECTION DATE(S) (Dungeness crab unless otherwise specified)	NUMBER OF SAMPLES	RESULTS - RANGE (FDA ACTION LEVEL - 30 PPM)	AVERAGE LEVEL (FDA ACTION LEVEL - 30 PPM)	PERCENT OF SAMPLES EXCEEDING ACTION LEVEL
Santa Barbara	12/10/15 (Rock Crab-North Side Santa Cruz Island; Block #687)	6	<2.5-91 ppm	44 ppm	50%
	12/13/15 (Rock Crab-Coast; Block #652)	6	<2.5-150 ppm	36 ppm	33%
	12/14/15 (Rock Crab-Coast; Block #653)	6	<2.5-3.7 ppm	1.5 ppm	0%
	12/13/15 (Rock Crab-Coast; Block #654)	6	<2.5-32 ppm	5.8 ppm	17%
	12/18/15 (Rock Crab-North Side San Miguel Island; Block #690)	7	<2.5-14 ppm	3 ppm	0%
	12/19/15 (Rock Crab-North Side Santa Cruz Island; Block #686)	6	<2.5-210 ppm	39 ppm	17%
	12/19/15 (Rock Crab-North side of San Miguel and Santa Rosa Islands; Block #689)	6	<2.5-8.8 ppm	3 ppm	0%
	12/19/15 (Rock Crab-South Side of Santa Rosa and Santa Cruz Islands; Block #710)	6	<2.5-86 ppm	21 ppm	17%
	12/20/15 (Rock Crab-Coast; Block #652)	6	<2.5-17 ppm	3 ppm	0%
	12/20/15 (Rock Crab-Coast; Block #653)	6	<2.5-6 ppm	1.6 ppm	0%
	12/20/15 (Rock Crab-Coast; Block #654)	6	<2.5-11 ppm	1.8 ppm	0%
	12/27/15 (Rock Crab-Coast; Block #652)	6	<2.5-29 ppm	6 ppm	0%
	12/27/15 (Rock Crab-Coast; Block #653)	6	Non-detectable	Non-detectable	0%
	12/27/15 (Rock Crab-Coast; Block #654)	6	<2.5-12 ppm	2 ppm	0%
	12/27/15 (Rock Crab-North Side Santa Cruz Island; Block #686)	6	<2.5-8.8 ppm	2 ppm	0%
	12/27/15 (Rock Crab-North side of San Miguel and Santa Rosa Islands; Block #689)	6	<2.5-2.8 ppm	0.5 ppm	0%
	12/27/15 (Rock Crab-North Side San Miguel Island; Block #690)	6	<2.5-24 ppm	9 ppm	0%
	12/27/15 (Rock Crab-South Side of Santa Rosa and Santa Cruz Islands; Block #710)	6	<2.5-8.4 ppm	2 ppm	0%
	1/3/16 (Rock Crab-North Side of Santa Cruz Island; Block #686)	6	<2.5-64 ppm	15.7 ppm	33%
	1/3/16 (Rock Crab-North Side of Santa Cruz Island; Block #687)	6	3.8-120 ppm	43.9 ppm	50%

PORT	SAMPLE COLLECTION DATE(S) (Dungeness crab unless otherwise specified)	NUMBER OF SAMPLES	RESULTS - RANGE (FDA ACTION LEVEL - 30 PPM)	AVERAGE LEVEL (FDA ACTION LEVEL - 30 PPM)	PERCENT OF SAMPLES EXCEEDING ACTION LEVEL
Santa Barbara	1/3/16 (Rock Crab-North Side of San Miguel and Santa Rosa Islands; Block #689)	6	<2.5-130 ppm	33 ppm	33%
	1/3/16 (Rock Crab-North Side of San Miguel Island; Block #690)	6	<2.5-11 ppm	4.6 ppm	0%
	1/3/16 (Rock Crab-South Side of Santa Rosa and Santa Cruz Islands; Block #710)	6	<2.5-89 ppm	26.7 ppm	33%
	1/3/16 (Rock Crab-South Side of Santa Rosa Island; Block #711)	6	<2.5-6.9 ppm	2 ppm	0%
	1/10/16 (Rock Crab-North Side of Santa Cruz Island; Block #686)	6	<2.5-6.3 ppm	1.9 ppm	0%
	1/10/16 (Rock Crab-North Side of Santa Cruz Island; Block #687)	6	<2.5-180 ppm	37 ppm	17%
	1/10/16 (Rock Crab-North Side of San Miguel and Santa Rosa Islands; Block #689)	6	<2.5-4.2 ppm	1.3 ppm	0%
	1/10/16 (Rock Crab-South Side of Santa Rosa and Santa Cruz Island; Block #710)	6	<2.5-460 ppm	99 ppm	33%
	1/10/16 (Rock Crab-South Side of Santa Rosa Island; Block #711)	6	<2.5-6.1 ppm	1.7 ppm	0%
	1/17/16 (Rock Crab-South Side of Santa Rosa and Santa Cruz Island; Block #710)	6	2.8-31 ppm	13 ppm	17%
	1/17/16 (Rock Crab-North Side of Santa Cruz Island; Block #687)	6	<2.5-31 ppm	12 ppm	17%
	1/17/16 (Rock Crab-North Side of Santa Cruz Island; Block #686)	6	<2.5-51 ppm	18 ppm	33%
	1/17/16 (Rock Crab-North Side of San Miguel and Santa Rosa Islands; Block #689)	6	<2.5-27 ppm	9 ppm	0%
	1/24/16 (Rock Crab-South Side of Santa Rosa and Santa Cruz Island; Block #710)	6	<2.5-7.8	1.3	0%
	1/24/16 (Rock Crab-North Side of Santa Cruz Island; Block #687)	6	<2.5-3 ppm	0.5 ppm	0%
1/24/16 (Rock Crab-North Side of Santa Cruz Island; Block #686)	6	<2.5-3.7	1.6	0%	

California Fish and Game Commission
Staff Report on Staff Time Allocation
January 27, 2016

Staff time is a tangible and invaluable asset. This report identifies where Commission staff allocated working time to general categories during November and December 2015 (see table); note that the total percentage of staff time is greater than 100% as a result of overtime. This report also highlights some of the specific activities for December, January and February.

General Allocation

Category*	Nov Staff Time Expended	Dec Staff Time Expended
Regulatory Program	19%	20%
Commission Meetings	14%	17%
Legal Matters	6%	5%
External Affairs	8%	7%
Special Projects	2%	1%
Administration	16%	17%
Leave Time	27%	27%
Unfilled Positions	13%	13%
Total Staff Time	105%	107%

Note: Total staff time is greater than 100% due to overtime

Activity Highlights

Activity highlights for December:

- Prepare for and conduct the December Commission meeting
- Assist Commission in recruitment of new executive director and interim executive director
- Make preparations for the departure of executive director
- Begin preparing for the January Wildlife Resources Committee meeting (ultimately cancelled at Dec FGC meeting)
- Participate in the California Department of Fish and Wildlife’s Joint Leadership Team meeting
- Participate in interagency calls and coordination efforts related to domoic acid levels in Dungeness and rock crabs
- Participate in the Joint Committee on Fisheries and Aquaculture hearing on fishery closures due to domoic acid levels
- Conduct second round of interviews for wildlife advisor candidates, complete advisor hiring process, develop advisor onboarding plan, and prepare for advisor’s arrival

- Participate in meetings on fisheries and fishery management plans
- Participate in California Sea Urchin Commission meeting in Los Alamitos
- Participate in the Marine Protected Areas Statewide Leadership Team meeting
- Participate in a tour of the Fund for Animals Wildlife Center in Ramon

Activity highlights for January:

- Assist FGC in recruitment of acting executive director
- Participate in interagency calls and coordination efforts related to domoic acid levels in Dungeness and rock crabs
- Begin wildlife advisor onboarding, including training
- Participate in meetings on fisheries and fishery management plans

Activity highlights for February:

- Prepare for and conduct the February meeting
- Begin preparations for the March Marine Resources Committee meeting
- Participate in interagency calls and coordination efforts related to domoic acid levels in Dungeness and rock crabs

*** General Allocation Categories with Sample Tasks**

Regulatory Program

- Coordination meetings with DFW to develop timetables and notices
- Prepare and file notices, re-notices, ISORS and FSORs
- Review and process CESA petitions
- Track and respond to public comments
- Consult, research and respond to inquiries from OAL
- Prepare administrative records

Commission/Committee Meetings and Support

- Research and review practices and procedures for adaptive management
- Research and compile subject-specific information
- Review and develop policies
- Develop and distribute meeting agendas and materials
- Agenda and debrief meetings
- Prepare meeting summaries and audio files
- Maintain voting records
- Develop and distribute after-meeting memos/letters
- Make travel arrangements for staff and commissioners
- Conduct onsite meeting management
- Process submitted meeting materials
- Provide commissioner support (expense claims, office hours, etc.)
- Process and analyze regulatory petitions and non-regulatory requests

Legal Matters

- Respond to Public Records Act requests
- Process appeals and accusations
- Process requests for permit transfers
- Process kelp and state water bottom leases
- Litigation

External Affairs

- Engage and educate legislators, monitor legislation
- Maintain state, federal and tribal government relations
- DFW partnership, including joint development of management plans and concepts

Special Projects

- Predator Policy Workgroup
- Fishing from piers and jetties
- Fisheries Bycatch Workgroup
- Streamline routine regulatory actions

Administration

- Correspondence
- Purchases and payments
- Contract management
- Personnel management
- Strategic planning
- Budget development and tracking
- Health and safety oversight
- Internal processes and procedures
- Staff training and professional development

Leave Time

- Holidays
- Sick leave
- Vacation
- Absence without leave

Unfilled

- Wildlife Advisor (filled on January 1)
- Executive secretary
- Executive Director (as of January 1)