

## STAFF SUMMARY FOR OCTOBER 19-20, 2016

**11. ITEMS OF INTEREST FROM PREVIOUS MEETINGS (MARINE)****Today's Item**Information Action 

This is a standing agenda item to provide FGC with updates on items of interest from previous meetings. For this meeting:

- (A) Update on domoic acid and harmful algal blooms (HABs)
- (B) Update on preliminary abalone survey results and possible need for regulatory action
- (C) Update on spiny lobster rulemaking
- (D) Other

**Summary of Previous/Future Actions**

(A)

- Update on inter-agency HAB Task Force Aug 24-25, 2016; Folsom
- **Today's update on progress Oct 19-20; Eureka**

(B)

- DFW report on abalone health Feb 10-11, 2016; Sacramento
- DFW update to MRC on initial findings Jul 21, 2016; MRC Petaluma
- **Today's update Oct 19-20, 2016; Eureka**

(C)

- Adopt California Spiny Lobster FMP and implementing regulations Apr 13-14, 2016; Santa Rosa
- **Today's update on implementation status Oct 19-20, 2016; Eureka**

(D)

- FGC approves MRC recommendation to Support Proposition 67 Aug 24-25, 2016; Folsom
- **Today's update on letter of support Oct 19-20, 2016; Eureka**

**Background**

This item is an opportunity for staff to provide any follow-up information on marine topics previously before FGC.

- (A) Domoic acid: In Aug 2016, Deborah Halberstadt, Deputy Secretary for Oceans at California Natural Resources Agency and Executive Director for Ocean Protection Council, updated FGC on an inter-agency HAB Task Force and work of the OPC science team in regard to managing HABs and resulting domoic acid levels in marine fishery stocks. At the meeting, a frequently asked questions document was provided regarding HABs which served as a resource to build common understanding across all engaged in this issue, and provide clarity on the State's current practices (through July 2016) to HAB monitoring and management, and seafood toxin sampling and testing

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protocols. From this document, a scientific guidance document is currently being developed and is expected to be presented to the HAB task force in late October. Today staff will give an update on the ongoing efforts of the task force and science team, and other updates related to domoic acid concerns in marine fisheries.

- (B) Abalone: In Feb 2016, DFW provided an overview to FGC about observed broad-scale ecosystem changes occurring along the north coast. Characterized as a “perfect storm” of detrimental events, this included a sea star die off, the loss of giant kelp, and a large persistent HAB. DFW identified that the combined impacts of these events had the potential to directly and significantly impact a healthy ecosystem balance of abalone and urchin populations.. In Jul 2016, DFW provide the MRC an update on DFW initial surveys indicating that negative biological impacts to abalone were continuing to be observed, and indicated that future action or recommendation may be identified. Today DFW will provide an update on new surveys and findings, and report on the possible need for FGC to consider management actions.
- (C) California Spiny Lobster: In Apr 2016, FGC adopted the California Spiny Lobster Fishery Management Plan and proposed implementing regulations as submitted by DFW. However, during Office of Administrative Law (OAL) review of the final rulemaking package, OAL identified questions that require addressing before approval. The rulemaking package was withdrawn and will be resubmitted once staff has addressed OAL’s concerns. Importantly, a 15-day notice will be sufficient as no substantive changes to the package are necessary. To avoid public confusion and enforcement challenges, since the recreational and commercial fisheries are already open, a new effective date of Apr 1, 2017 will be requested so that the changes will not go into effect until the close of the 2016-17 seasons.
- (D) Other: In Aug 2016, FGC unanimously approved an MRC recommendation to support Proposition 67, the referendum to uphold the statewide ban on plastic bags, as a means to reduce ocean debris and protect marine life. Executive Director Valerie Termini sent a letter to Mr. Steven Maviglio, referendum campaign leader, on Sep 20 expressing this support on behalf of FGC (Exhibit 11C.1).

**Recommendations (N/A)****Exhibits**

- C1. [Letter from FGC to Steven Maviglio, dated Sep 20, 2016](#)

**Motion/Direction (N/A)**

**Commissioners**  
**Eric Sklar, President**  
Saint Helena  
**Jacque Hostler-Carmesin, Vice President**  
McKinleyville  
**Anthony C. Williams, Member**  
Huntington Beach  
**Russell E. Burns, Member**  
Napa  
**Peter S. Silva, Member**  
Chula Vista

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

**Valerie Termini, Executive Director**  
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## Fish and Game Commission



*Wildlife Heritage and Conservation*  
*Since 1870*

September 20, 2016

Mr. Steven Maviglio  
1005 12th Street, Suite A  
Sacramento, CA 95814

RE: Public statement of Commission support for Proposition 67

Dear Mr. Maviglio:

I am contacting you on behalf of the Fish and Game Commission (Commission).

At its August 24, 2016, meeting, members of the Fish and Game Commission (Commission) voted unanimously to support Proposition 67. With this vote, the Commission issued a strong public statement of support in favor of voting "yes" on Proposition 67, to uphold the ban on plastic bags as a means to reduce ocean debris and protect marine life.

Commission President Eric Sklar noted at the meeting that, "Plastic bags end up in the ocean and cause big problems for our marine life. Marine debris is a priority of this administration and of this Commission."

In its role of stewardship of California's living marine resources which it undertakes on behalf of all of California's citizens, the Commission has joined the growing list of officials, parties, municipalities, organizations, unions, and businesses that support Proposition 67.

Sincerely,

Valerie Termini  
Executive Director

ec: Members, Fish and Game Commission