

STAFF SUMMARY FOR OCTOBER 11-12, 2017

28. MARINE NON-REGULATORY REQUESTS**Today's Item**Information Action

This is a standing agenda item for FGC to act on non-regulatory requests from the public that are marine in nature. For this meeting:

- (A) Action on non-regulatory requests received at the Aug 2017 meeting.
- (B) Update on pending non-regulatory requests referred to staff or DFW for review.

Summary of Previous/Future Actions

(A)

- FGC receipt of requests Aug 16, 2017; Sacramento
- **Today's action on requests** **Oct 11-12, 2017; Atascadero**

(B)

- **Today's update and possible action on referrals** **Oct 11-12, 2017; Atascadero**

Background

FGC provides direction regarding requests from the public received by mail and email and during public forum at the previous FGC meeting. Public requests for non-regulatory action follow a two-meeting cycle to ensure proper review and consideration.

- (A) **Non-regulatory requests.** Non-regulatory requests scheduled for consideration today were received at the Aug 2017 meeting in one of three ways: (1) submitted by the comment deadline and published as tables in the meeting binder, (2) submitted by the late comment deadline and delivered at the meeting, or (3) received during public forum.

Today, three non-regulatory requests received at the Aug 2017 meeting are scheduled for action. Exhibit A1 summarizes and contains staff recommendations for each request.

- (B) **Pending non-regulatory requests.** This item is an opportunity for staff to provide a recommendation on non-regulatory requests that were scheduled for action at a previous meeting and referred by FGC to staff or DFW for further review. FGC may act on any staff recommendations made today.

Today, one request referred to staff for review is ready for action:

- *Request from Richard James for FGC to address the legacy marine debris associated with oyster aquaculture leases.* Staff recommends the request be *denied*; FGC does not have staff or funding resources to undertake this effort. However, at the request of FGC staff and stakeholders, the removal of legacy aquaculture debris has been identified in the California Ocean Protection Council's 2017 draft California Ocean Litter Prevention Strategy ([link here](#)) as an action item associated with reducing ocean-based litter. In addition, the

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current effort to develop aquaculture lease best management practices will help to avoid new aquaculture debris.

Significant Public Comments (N/A)

Recommendation

- (A) Adopt staff recommendations for non-regulatory requests to (1) deny; (2) grant; or (3) refer to committee, staff or DFW for further evaluation or information-gathering. See Exhibit A1 for staff recommendations.
- (B) Adopt staff recommendation for legacy marine aquaculture debris non-regulatory request.

Exhibits

- A1. [FGC table of marine non-regulatory requests received through Aug 16, 2017](#)

Motion/Direction

- (A-B) Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations for actions on August 2017 non-regulatory requests, and on the pending non-regulatory request.

OR

Moved by _____ and seconded by _____ that the Commission adopts the staff recommendations for actions on August 2017 non-regulatory requests, and on the pending non-regulatory request, except for item(s) _____ for which the action is _____.

CALIFORNIA FISH AND GAME COMMISSION
DECISION LIST FOR MARINE NON-REGULATORY REQUESTS RECEIVED THROUGH AUG 16, 2017
Revised 09-29-2017

FGC - California Fish and Game Commission **DFW** - California Department of Fish and Wildlife **WRC** - Wildlife Resources Committee **MRC** - Marine Resources Committee

Date Received	Name of Petitioner	Subject of Request	Short Description	FGC Decision	Staff Recommendation
8/16/2017	Geoff Shester Oceana	Leatherback turtles	(1) Requests DFW include leatherback turtles in an entanglement reduction program. (2) Requests DFW and FGC attend the federal sea turtle summit. (3) Requests DFW and FGC pursue federal funding opportunities for research and monitoring.	Receipt: 8/16/2017 Action: Scheduled 10/11-12/2017	(1) No action required as request directed at DFW. (2) Potential participation pending input from FGC on priorities and FGC staff availability. (3) DENY; FGC does not have a research and monitoring mandate.
8/16/2017	Chris Voss Commercial Fishermen of Santa Barbara	Fishery management plans	Requests FGC consider costs of management strategies and data streams when developing fishery management plans	Receipt: 8/16/2017 Action: Scheduled 10/11-12/2017	GRANT; as a consideration in the amended Marine Life Management Act master plan for fisheries, and in developing future fishery management plans.
8/16/2017	Paul Weakland	Abalone	Requests an update on the status of pink, green, black, and white abalone since the fisheries were closed	Receipt: 8/16/2017 Action: Scheduled 10/11-12/2017	GRANT; request DFW provide an update as part of the red abalone regulation change agenda item at the 10/11-12/2017 or 12/6-7/2017 FGC meetings.