

STAFF SUMMARY FOR DECEMBER 6-7, 2017

26. COMMERCIAL SPINY LOBSTER**Today's Item****Information** ☒**Action** ☐

Discuss recent action by DFW's director to close the commercial spiny lobster fishery around Santa Cruz and Anacapa Islands.

Summary of Previous/Future Actions

- | | |
|--|---------------------------------|
| • Closure under DFW director's authority | Oct 24, 2017 |
| • Partial re-opening of closure under DFW director's authority | Nov 3, 2017 |
| • Today's update on the status of closure | Dec 6-7, 2017; San Diego |

Background

Pursuant to Fish and Game Code Section 5523, DFW's director has authority to order the closure of any State waters or restrict the take of any fish species in California if state health agencies determine that the fish is likely to pose a human health risk from high levels of toxins. If the director takes such measures, he is required to notify FGC and request that FGC schedule a public discussion of the closure at its next scheduled full FGC meeting. Any actions taken pursuant to Section 5523 are exempt from the Administrative Procedure Act.

On Oct 24, 2017, DFW's director issued a declaration (Exhibit 2) closing the commercial spiny lobster fishery in all State waters around Santa Cruz and Anacapa Islands east of 119° 40.00' W. longitude and west of 119° 20.00' W. longitude after the director of the Office of Environmental Health Hazard Assessment (OEHHA) in consultation with the State Public Health Officer at the California Department of Public Health (CDPH) determined that spiny lobster in these waters pose a human health risk due to elevated levels of domoic acid; and the agencies recommended the closure of the commercial lobster fishery in the affected area.

On Nov 3, 2017, DFW's director issued a declaration (Exhibit 4) lifting a portion of the closure around Anacapa Island east of 119° 30.00' W. longitude and north of 34°00.00' N. latitude as recommended by OEHHA and CDPH after CDPH test results indicated that consumption of spiny lobster taken in this area no longer poses a significant threat for domoic acid exposure.

The remaining closure will continue in effect until DFW's director is notified by the public health agencies that a health risk no longer exists.

The recreational spiny lobster fishery remains open statewide with a warning from CDPH to avoid consuming the viscera (internal organs) of lobster caught near Santa Cruz and Anacapa Islands (Exhibit 5).

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

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Exhibits

1. [DFW news release, Oct 24, 2017](#)
2. [DFW director's Declaration of Fisheries Closure, with map of the closure area, Oct 24, 2017](#)
3. [DFW news release, Nov 3, 2017](#)
4. [DFW director's Declaration of Fisheries Closure, with map of the revised closure area, Nov 3, 2017](#)
5. [CDPH warning to consumers to not eat the viscera of spiny lobster taken near Santa Cruz and Anacapa Islands, Oct 24, 2017](#)

Motion/Direction (N/A)

Commercial Spiny Lobster Fishery Closed at Anacapa Island and the East End of Santa Cruz Island Due to Public Health Hazard

October 24, 2017

California Department of Fish and Wildlife (CDFW) Director Charlton H. Bonham has enacted a commercial spiny lobster fishery closure effective immediately.

State health agencies determined that spiny lobster near Anacapa Island, Ventura County and the east end of Santa Cruz Island, Santa Barbara County had unhealthy levels of domoic acid and recommended closure of the commercial fishery. The recreational fishery for spiny lobster remains open statewide with a warning from the California Department of Public Health (CDPH) to recreational anglers to avoid consuming the viscera (tomalley) of spiny lobster.

The commercial closure includes all state waters around Santa Cruz and Anacapa Islands east of 119° 40.000' W. longitude, and west of 119° 20.000' W. longitude. State waters extend three nautical miles beyond outermost islands, reefs and rocks.

This closure shall remain in effect until the Director of the Office of Environmental Health Hazard Assessment (OEHHA), in consultation with the State Public Health Officer at CDPH, determines that domoic acid no longer poses a significant risk to public health and recommends the fishery be open. CDFW will continue to coordinate with CDPH and OEHHA to test domoic acid levels in spiny lobster to determine when the fishery can safely be opened.

Pursuant to Fish and Game Code Section 5523, the Director of CDFW will notify the Fish and Game Commission of the closure and request that the Commission schedule a public discussion of the closure at its next scheduled meeting.

Domoic acid is a potent neurotoxin produced by a naturally occurring marine alga, whose levels can be increased under certain ocean conditions. State and federal laws prohibit the commercial distribution of seafood products that contain domoic acid levels above the federal action level, which is 20 parts per million in the viscera of spiny lobster.

For More Information:

[Advisory from CDPH \(10/24/2017\)](#)

[Memo from OEHHA \(10/24/17\)](#)

[CDFW Declaration of Fisheries Closure \(10/24/2017\)](#)

www.wildlife.ca.gov/Fishing/Ocean/Health-Advisories

Media Contact:

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EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DECLARATION OF FISHERIES CLOSURE
DUE TO A PUBLIC HEALTH THREAT
CAUSED BY ELEVATED LEVELS OF DOMOIC ACID IN SPINY LOBSTER

Pursuant to Fish and Game Code Section 5523, I find and declare that

I.

Opportunistic sampling by the California Department of Public Health revealed elevated levels of domoic acid in some samples of spiny lobster from the Channel Islands.

II.

On October 24, 2017, the Director of the Office of Environmental Health Hazard Assessment in consultation with the State Public Health Officer at the California Department of Public Health determined that spiny lobster in waters off Anacapa Island and the east end of Santa Cruz Island pose a human health risk due to elevated levels of domoic acid and recommended closure of the commercial lobster fishery in the affected area.

III.

THEREFORE, under the authority granted by Fish and Game Code Section 5523, I am enacting a closure of the commercial spiny lobster fishery in all state waters around Santa Cruz and Anacapa Islands east of 119° 40.000' W. longitude, **and** west of 119° 20.000' W. longitude. State waters extends three nautical miles beyond outermost islands, reefs and rocks.

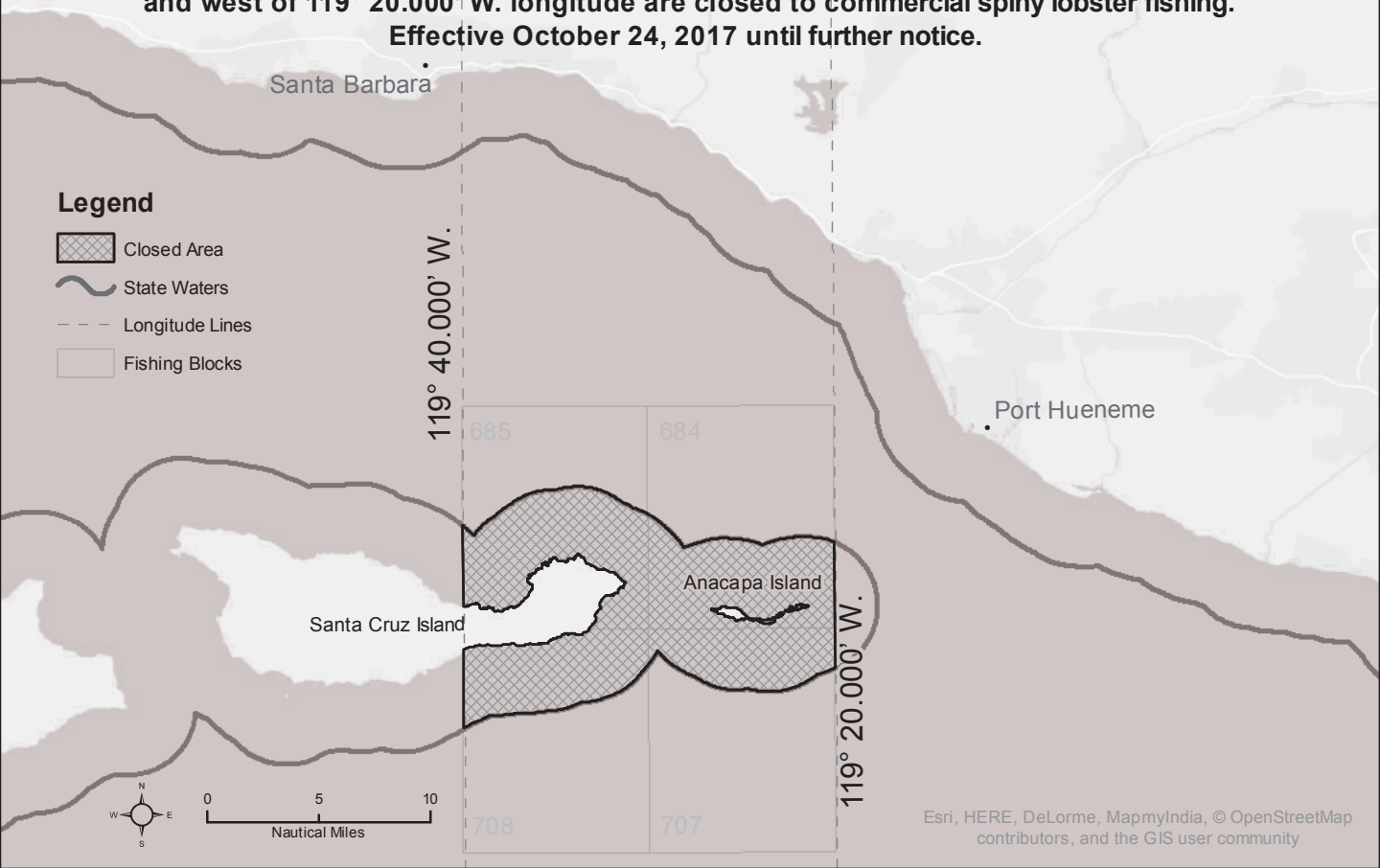
This closure will remain in place until I am notified by the public health agencies named above, that a health hazard with regard to spiny lobster no longer exists.

Charlton H. Bonham, Director

10/24/2017 11:45 a.m. (PST)

Date/Time

**All state waters around Santa Cruz and Anacapa Islands east of 119° 40.000' W. longitude, and west of 119° 20.000' W. longitude are closed to commercial spiny lobster fishing.
Effective October 24, 2017 until further notice.**



A Section of the Commercial Spiny Lobster Fishery Closure around Anacapa Island has been Lifted

November 3, 2017

Today the California Department of Fish and Wildlife (CDFW) Director Charlton H. Bonham lifted a portion of the commercial fishery closure around Anacapa Island east of 119°30.000' W. longitude and north of 34°00.000' N. latitude as recommended by state health agencies. According to the notice from the Director of the Office of Environmental Health Hazard Assessments (OEHHA), sampling of spiny lobster and analysis of samples by California Department of Public Health (CDPH) laboratories indicates that consumption of spiny lobster taken from this area no longer poses a significant threat for domoic acid exposure.

On October 24, 2017 State health agencies determined that spiny lobster near Anacapa Island, Ventura County and the east end of Santa Cruz Island, Santa Barbara County had unhealthy levels of domoic acid and recommended closure of the commercial fishery in this area.

Except for state waters east of 119°30.000' W. longitude and north of 34°00.000' N. latitude, the commercial closure remains in effect in all state waters around Santa Cruz and Anacapa Islands east of 119°40.000' W. longitude, and west of 119°20.000' W. longitude. State waters extends three nautical miles beyond outermost islands, reefs and rocks. The recreational fishery for spiny lobster remains open statewide with a warning from CDPH to recreational anglers to avoid consuming the viscera (tomalley) of spiny lobster taken from the closed area.

This closure shall remain in effect until the Director of OEHHA, in consultation with the State Public Health Officer at CDPH, determines that domoic acid no longer poses a significant risk to public health and recommends the fishery be open in this area. CDFW will continue to coordinate with CDPH and OEHHA to test domoic acid levels in spiny lobster to determine when the fishery can safely be opened in the closed area.

Domoic acid is a potent neurotoxin produced by a naturally occurring marine alga, whose levels can be increased under certain ocean conditions. State and federal laws prohibit the commercial distribution of seafood products that contain domoic acid levels above the federal action level, which is 20 parts per million in the viscera of spiny lobster.

For more information:

[CDFW Declaration 11/03/2017](#)

[Memo from Office of Environmental Health Hazard Assessment \(11/03/17\)](#)

<http://www.wildlife.ca.gov/Fishing/Ocean/Health-Advisories>

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CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DECLARATION OF FISHERIES CLOSURE
DUE TO A PUBLIC HEALTH THREAT
CAUSED BY ELEVATED LEVELS OF DOMOIC ACID IN SPINY LOBSTER
Pursuant to Fish and Game Code Section 5523, I find and declare that

I.

On October 24, 2017, the Director of the Office of Environmental Health Hazard Assessment in consultation with the State Public Health Officer at the California Department of Public Health determined that spiny lobster in waters off Anacapa Island and the east end of Santa Cruz Island pose a human health risk due to elevated levels of domoic acid and recommended closure of the commercial lobster fishery in the affected area.

II.

On November 3, 2017, the Director of the Office of Environmental Health Hazard Assessment in consultation with the State Public Health Officer at the California Department of Public Health determined that spiny lobster in waters off Anacapa Island east of 119° 30.00' W. longitude and north of 34° 00.00'N latitude no longer pose a significant human health risk due to elevated levels of domoic acid and recommended opening the commercial spiny lobster fishery in this area.

III.

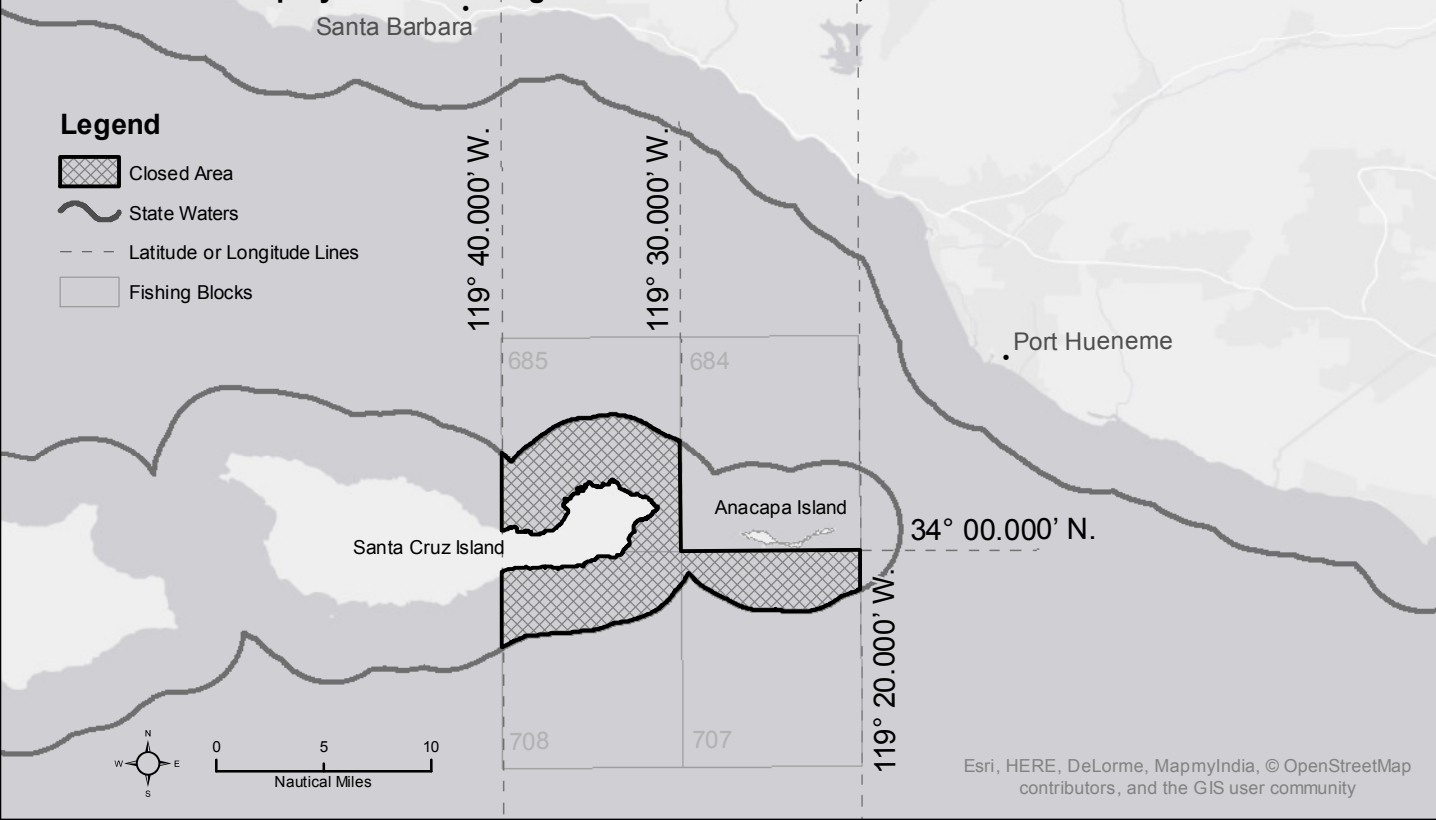
THEREFORE, under the authority granted by Fish and Game Code Section 5523, I am opening the state waters off Anacapa Island east of 119° 30.00' W. longitude and north of 34° 00.00'N latitude to commercial spiny lobster fishing. The commercial fishery closure enacted on October 24, 2017, remains in effect in all other state waters around Santa Cruz and Anacapa Islands east of 119°40.000'W. longitude, and west of 119°20.000'W. longitude. State waters extends three nautical miles beyond outermost islands, reefs and rocks.

This closure will remain in place until I am notified by the public health agencies named above, that a health hazard with regard to spiny lobster no longer exists.

Charlton H. Bonham, Director

11/3/2017 1:10 p.m.
Date/Time

Except for that portion within commercial fishing block #684 (north of 34° 00.000' N. latitude and east of 119° 30.000' W. longitude) - All state waters around Santa Cruz and Anacapa Islands east of 119° 40.000' W. longitude, and west of 119° 20.000' W. longitude are closed to commercial spiny lobster fishing. Effective November 3, 2017 until further notice.



OFFICE OF PUBLIC AFFAIRS

Date: October 24, 2017

Number: 17-077

CONTACT: Corey Egel | 916.440.7259 |

CDPHpress@cdph.ca.gov

CDPH Warns Consumers Not to Eat Viscera of Lobster Caught in Santa Barbara and Ventura Counties

SACRAMENTO - The California Department of Public Health (CDPH) is advising consumers not to eat the viscera (internal organs) of lobsters caught near Santa Cruz Island in Santa Barbara County, and Anacapa Island in Ventura County, due to the detection of dangerous levels of domoic acid, a naturally occurring toxin.

While domoic acid levels may vary, consumers should always follow these best preparation practices to avoid any inadvertent exposure to domoic acid that might be sporadically found in the lobster's viscera. When whole lobsters are cooked in liquid, domoic acid may leach from the viscera into the cooking liquid. Water or broth used to cook whole lobsters should be discarded and not used to prepare dishes such as sauces, broths, soups or stews (for example, cioppino or gumbo), stocks, roux, dressings or dips. Cooking lobsters neither decreases nor destroys the toxin in the viscera or body meat. The viscera usually contain much higher levels of domoic acid than the meat, and people are advised to discard the viscera.

Symptoms of domoic acid poisoning can occur within 30 minutes to 24 hours after eating toxic seafood. In mild cases, symptoms may include vomiting, diarrhea, abdominal cramps, headache and dizziness. These symptoms disappear within several days. In severe cases, the victim may experience trouble breathing, confusion, cardiovascular instability, seizures, excessive bronchial secretions, permanent loss of short-term memory, coma or death.

CDPH continues to coordinate its efforts with the California Department of Fish and Wildlife (CDFW) and the fishing community to collect and test lobster samples from the impacted areas until domoic acid levels have dissipated.

The Office of Environmental Health Hazard Assessment (OEHHA), in consultation with CDPH, has recommended a closure of the commercial lobster fishery around Anacapa Island in Ventura County and the eastern part of Santa Cruz Island in Santa Barbara County. More information is available on the CDFW website.

To receive updated information about shellfish poisoning and quarantines, call CDPH's toll-free "Shellfish Information Line" at (800) 553-4133. For additional information visit CDPH's Domoic Acid webpage.

Page Last Updated : October 25, 2017