

SAMPLE STAFF RECOMMENDATION UPDATE

Coastal Fishing Communities Project Update on Efforts Related to Staff Recommendation #1

DRAFT prepared for July 20, 2020 Marine Resources Committee meeting

Recommendation: Develop and adopt a policy and definition for coastal fishing communities.

Overview: Consider developing a new policy related to coastal fishing communities for Commission adoption. A policy could help clarify how the Commission wishes to consider coastal fishing community needs in decision-making, and the information necessary to help support those decisions. A policy could help flesh out the vision for the role Commission decision-making can play in preserving coastal fishing communities in California. Developing a draft policy may be best accomplished in collaboration with stakeholders.

Progress by Focal Area

Commission and Department Initiatives

- *Definition:* The Marine Resources Committee adopted a working definition of “coastal fishing community” in November 2019 for use in the Coastal Fishing Communities Project and reported to the Commission in December 2019.
- *Policy:* There have been several internal drafting efforts over the past two years.

Collaborations and Partner Efforts

- *Definition:* The working definition of “coastal fishing community” was drafted with stakeholder participation and input.

Relevant External Actions and Models

- *Federal:* The Pacific Fishery Management Council’s Climate and Communities Initiative, which has similar goals to this project, is guided by the Magnuson-Stevens Fishery Conservation and Management Act and the act’s definition of fishing communities.

Education and Outreach

- *Website:* The final staff synthesis report adopted in December 2019 has been posted to the Commission’s website.

Potential Next Steps

Draft a potential policy, based on past drafting efforts, to bring to a future committee meeting and/or stakeholder workshop for review. In drafting any potential policy, rely on previous stakeholder comments on the staff report, and reach out to interested stakeholders to solicit additional input on priorities for what a policy could include.

Linkages to Other Staff Recommendations

This recommendation is linked to others in that it could provide a foundation to support various types of initiatives, depending on the content of the policy. For example, a policy could support interagency outreach in support of communities (recommendation 5), community self-sufficiency (recommendation 6), collaborative work (recommendation 7), or continued outreach and collaboration with communities (recommendation 8).

California Fish and Game Commission Marine Resources Committee Coastal Fishing Communities Project: Proposed Approach to Analyzing Staff Recommendations

July 28, 2020

In developing an approach for a more detailed report on the staff recommendations outlined in *2019 Staff Synthesis Report on Coastal Fishing Communities*, staff have encountered a consistent challenge in that “analysis” has a variety of definitions. To clarify how best to direct staff information-gathering and analysis to inform Marine Resources Committee decisions about recommendations to present to the California Fish and Game Commission (Commission), staff has developed a proposed approach for committee consideration.

It is important to note that while staff’s analysis will include and build on information to be included in brief update reports for each recommendation (under development), staff believes the breadth of information in those reports will be insufficient for decisions about prioritizing potential actions related to the ten recommendations. The approach outlined in this document is meant to inform development of a more in-depth report on potential actions.

The proposed approach groups questions into four categories: ***Basic informational needs, current regulatory and policy context, potential Commission role, and costs and benefits.***

Basic Informational Needs

This section is proposed to inform the baseline understanding of the recommendation. Potential questions to answer include:

- Are there any data that would inform this recommendation? What information do we have (not already described in the update document), and what do we need?
- Is this a qualitative or a quantitative interest?
- Is this a near-term or long-term effort?
- Does the recommendation tie into other recommendations or is it a stand-alone issue?
- What external projects exist that are relevant to this recommendation?
- Are there similar actions by other organizations, governmental or not, that we could draw from as examples?

Current Regulatory and Policy Context

This section is proposed to set the stage by laying out existing policies and structures that affect this recommendation and any previous, relevant Commission actions. Potential questions to answer include:

- What Commission or committee actions have been taken to date related to this recommendation?
- Has the Commission taken similar actions in a different context that we could draw from?

- What existing fisheries, structures, and policies established by the Commission are relevant to this issue?
- Are there other policies, regulatory structures or management plans that may constrain Commission flexibility to act?

Potential Commission Role

This section is proposed to refine the scope of potential Commission engagement and identify feasible ways to take action. Potential questions to answer in this section include:

- What is the Commission's authority to act on this recommendation? (*This question may be difficult to answer easily for some recommendations that are quite broad. This question may require identifying specific contributing actions and determine authority on those actions rather than authority on the recommendation overall.*)
- What avenues exist for FGC action, either through direct or indirect authority?
- Where does the Commission have potential influence with partner organizations or sister coastal resource agencies?

Costs and Benefits

This section is proposed to help evaluate necessary staff resources, scale of stakeholder investment, and time commitment, as well as who generally may benefit from a given recommendation and what specific benefits are anticipated to fishing communities. To that end, staff has identified six broad goals that could potentially frame what will be primarily qualitative descriptions when moving forward with this project: adaptability, consistency, accessibility, manageability, affordability, and resilience.

Adaptability

- What positive impact could this have on the Commission's ability to put forward adaptive management?
- How would this provide flexibility/adaptation options to coastal fishing communities?

Consistency

- How might this lead to potential changes to stable fishery management structures, such as impacts to an existing restricted access program?
- Does this align with or possibly reflect a change to existing Commission policies?

Accessibility

- Does this increase accessibility of a given fishery, and at what level (e.g., individual fishermen, new entrants, fishery-level, community- or geographic-level)?
- How might this affect the species or fishing community involved?

Manageability

- How might this increase the California Department of Fish and Wildlife's (Department's) management burden?
- How might this potentially introduce management structures that would cause concern among partners?

Affordability

- What amount of Commission staff investment would be required to make this action feasible?
- What amount of Department investment would be required to make this action feasible?
- What level of engagement or involvement from partners, fishing industry members, or other stakeholders would be required?
- What work is already underway that might assist or inhibit this moving forward at a reasonable pace?
- What is the potential budget?
- What is the potential timeline?

Resilience

- What affect would this have on adaptability and socioeconomic resilience of coastal fishing communities, and at what scale?
- Would this improve the economic prospects of a given community?
- Would this promote fisheries that are ecologically resilient amidst changing ocean conditions?

Staff desires to work with stakeholders and partners to determine the best way to capture and convey the breadth of information identified for inclusion in the four proposed sections of a more detailed report on potential actions for the Marine Resources Committee to consider recommending to the Commission.

California Fish and Game Commission Marine Resources Committee California Coastal Fishing Communities Project Staff Recommendations

The ten recommendations in this document are excerpted from *Staff Synthesis Report on California Coastal Fishing Communities Meetings, 2016 – 2018*, pages 10-12, as prepared by California Fish and Game Commission staff in 2019. This document is intended only as a quick-reference guide for public discussions about the recommendations under consideration by the Commission's Marine Resources Committee.

1. **Develop and adopt a policy and definition for coastal fishing communities.**

Consider developing a new policy related to coastal fishing communities for Commission adoption. A policy could help clarify how the Commission wishes to consider coastal fishing community needs in decision-making, and the information necessary to help support those decisions. Given that the term "fishing community" is not defined in the California Fish and Game Code, a definition could be developed for inclusion in the policy. Multiple stakeholders representing fishing groups have requested and provided written recommendations for this definition. Developing a draft definition and policy may be best accomplished in collaboration with stakeholders.

2. **Review the Commission's policy on restricted access commercial fisheries.**

Restricted access programs and the Commission's policy were cited by many community members as contributing barriers to entry and adapting fishing strategies and targets as local changes arise, including those associated with climate dynamics. Other community members defended current restricted access programs as effective management that has improved the resource, the economic viability of fishing, or both. The Commission could conduct a review of how the policy has been applied since it was adopted in 1999, to examine where it was or wasn't applied to specific fisheries, how the policy performed at meeting the fishery objectives, identifying any unintended consequences for fishing communities, and whether any objectives have changed that warrant possible adjustments to the policy. This complex policy includes 21 individual sub-policies across 9 unique topic areas.

3. **Approve specific, small-scale projects to test and evaluate proposed new approaches.**

Stakeholders have requested that the Commission allow for stakeholders and partners to develop small-scale projects to test new approaches, including departures from the restricted access policy and current permit structures, acknowledging that permit holders are key stakeholders in helping to create, design and define these projects, in consultation with the Department. The new *experimental fisheries permit* program, authorized through legislation as of January 1, 2019, provides a possible pathway to testing pilot projects once regulations implementing the program are adopted by the Commission. Consider projects supporting opportunities for small-scale fishing that can be designed to help to fill information gaps consistent with guidance from the MLMA master plan for fisheries.

4. **Engage legislative staff to pursue adjustments to laws as ideas are refined, if warranted to support fishing community adaptability.**

Recognizing that some possible actions may be outside of Commission authority to accomplish, direct staff to seek to partner with stakeholders, the Department, and non-governmental organizations to find appropriate issues and means of engaging with legislative staff.

5. **Direct staff to increase engagement and coordination with sister agencies, when feasible, on management decisions affecting California coastal communities.**

Commission-related actions in isolation cannot meet all needs of coastal fishing communities, and

decisions made by different coastal management authorities can have a combined influence on the health of a coastal community. Community members have requested deeper Commission engagement with coastal management agencies to urge them to consider potential impacts to California's coastal fishing communities from their decision-making. Sister agencies that fishing community members emphasized include the Pacific Fishery Management Council (PFMC) related to west coast federal fisheries management decisions, and the California Coastal Commission, related to coastal development permit approvals to facilitate awareness and coordination on relevant topics and/or projects.

6. Explore pathways for authorizing community-based adaptable fishery structures (e.g., community permit banks or risk pools).

Explore options for community-organized structures that provide for adaptable responses within the community and could include co-management responsibilities. Consult with partner organizations and possibly convene an experts' workshop. This recommendation may require legislative or regulatory frameworks to accommodate such avenues. An example of such a structure that could be used as a model is the Monterey Fisheries Trust.

7. Explore filling data needs through collaborative research and data collection.

Coastal fishing community members have raised a concern that adaptive responses and new management strategies have not been pursued due to lack of data. Many fishermen have offered to support of collaborative data gathering. The Commission could work with the Department on identifying data gaps and possible scientific information that could be gathered through collaborative research or experimental fishing between partner entities and fishermen. Such efforts might be coordinated through creating an app or a website. However, great care must be taken to create citizen science data collecting systems that provide credible data. The Commission would have to rely on partners for labor costs.

8. Survey communities, commercial and recreational fishers, and processors about their priorities for Commission focus.

This strategy could help refine understanding about the issues facing coastal fishing communities and their priorities. Some stakeholders have criticized this idea as being too similar to this coastal fishing communities project.

9. Explore a model of "fishing community sustainability plans" (CSPs) and possible development of a state fisheries-based module to add to existing CSPs.

CSPs are cited in the Magnuson-Stevens Act as a potential method to avoid negative impacts in small fishing communities from the catch share program; they enable communities to plan strategically and to be more proactive in developing fishing community resilience for a sustainable future. Staff envisions that incorporating a state fisheries module could potentially be part of a future where ports are empowered to define how to support their own fishing community resilience and structure fisheries access according to their unique needs.

10. Continue to develop an understanding of climate change impacts on fisheries and fishing communities.

Science is still evolving regarding how fish populations and fisheries are affected by and respond to changing climate dynamics, including short-term, extreme ocean events. Developing successful fisheries management response strategies that meet both biological and socioeconomic/community needs is still nascent. Increased understanding of what is often referred to as "climate-responsive fisheries management" or adaptable management structures).