

California Fish and Game Commission Coastal Fishing Communities Project

DRAFT Analysis of Staff Recommendation 5

“Direct staff to increase engagement and coordination with sister agencies when feasible on management decisions affecting California.”

March 8, 2021 DRAFT

Background

In 2019, the California Fish and Game Commission (Commission) Marine Resources Committee (MRC) received a final [Staff Synthesis Report on Coastal Fishing Communities Meetings, 2016-2018](#), which included a list of ten staff-recommended options for potential Commission action in response to input received during the meetings. The staff recommendations were advanced as initial concepts, which MRC directed staff to more fully develop and evaluate to help guide the Commission in determining which, if any, to pursue in support of coastal fishing community needs. Each staff recommendation (SR) is being evaluated using a [draft standardized analytical approach](#) that was presented to MRC in July 2020, and which focuses evaluation around four categories: I. *Basic informational needs*; II. *Current regulatory and policy context*; III. *Potential Commission role*; and IV. *Costs and benefits*.

Overview of Staff Recommendation 5

This evaluation is for SR 5, to “direct staff to increase engagement and coordination with sister agencies when feasible on management decisions affecting California.” As contextualized in the 2019 staff synthesis report, Commission-related actions in isolation cannot meet all needs of coastal fishing communities, and decisions made by different coastal management authorities 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 in their decision-making. Sister agencies that fishing community members emphasized include the Pacific Fishery Management Council (PFMC) related to federal fisheries management decisions for the West Coast, and the California Coastal Commission, related to coastal development permit approvals to facilitate awareness and coordination on relevant topics and projects.

I. Basic Informational Needs

Commission regulations largely can shape what happens on the water, or the direct activities of fishermen and processors in pursuing, landing, and transporting catch in state fisheries under its authority. However, the viability and persistence of a coastal fishing community is not just dependent on those activities it is also dependent on federally managed fisheries, and on shoreside offloading, docking, mooring, storage, and infrastructure, which are governed by different agencies or authorities. Stakeholders have identified a preference that the Commission engage with other agencies that have specific laws requiring them to consider the needs of coastal fishing communities in their decision making, permitting, consideration of projects, and so forth.

The information needed to evaluate increasing engagement with sister agencies is qualitative in nature. There are certain agencies that the Commission works with regularly, and it is aware of shared concerns and how those agencies operate, though it may be useful to explore expanding on that understanding in this specific context, such as establishing regular discussions with those organizations about coastal fishing community-related initiatives. The Commission should also consider with which agencies it does not currently engage regularly, and where it could initiate or increase engagement. It would be worthwhile to seek out agencies with which the Commission does not have a history of engaging, but that are involved in these communities, and explore current projects and objectives that may be enhanced by Commission actions.

Avenues for increased engagement with existing and new sister agency partners could include writing letters, participating in board meetings, joining or fostering interagency workgroups, participating in workshops or other public-driven initiatives, attending stakeholder meetings relevant to coastal fishing communities, or joining standing committees. The Commission may also wish to investigate turning to partner organizations with greater resources, such as the California Ocean Protection Council (OPC), to convene discussions with groups of previously unengaged agencies, a strategy that has been used for other subjects.

This recommendation is closely linked to SR 4 (engage legislative staff), as both are ways in which the Commission could engage with other agencies on issues that are outside the scope of its authority. Coordination with sister agencies has occurred as part of actions taken on almost all other recommendations (SRs 1-4, 6-8). A policy under SR 1 could provide additional context for more specificity in what to pursue under this recommendation.

II. Current Commission Context

Previous Commission engagement with sister agencies has largely focused on fishery-specific management development per the Marine Life Management Act (MLMA) or based on legislative policy or directives in statute; the Commission has a history of partnering with multiple agencies in this context. The California Department of Fish and Wildlife (Department), most notably, is the Commission's closest partner and efforts between the two agencies are often synchronized. For example, the Department developed and the Commission adopted a master plan for fisheries in 2018. Chapter 11 ("Adapting to Climate Change") of the master plan focuses on how climate change may impact California's fisheries and management strategies for preparing to maintain resilient ecological and socioeconomic systems; this is just one lens through which the two agencies can continue to build cooperative efforts on projects relevant to coastal fishing communities.

This recommendation would focus engagement efforts at the coastal fishing communities scale. While the Commission has already begun additional engagement in response to the coastal fishing communities project, an example of an agency the Commission had not regularly and directly engaged relevant to this project is the California Coastal Commission (CCC). To justify protecting and prioritizing harbor infrastructure in coastal planning and development decisions, stakeholders have cited the California Coastal Act (Public Resources Code, Section 30000 et seq.), which has specific provisions for maintaining commercial fishing infrastructure in ports and harbors. In 2017, the Commission directed staff to draft and send a letter to CCC in response to requests from fishing community stakeholders who participated in the Commission's coastal fishing communities meetings. The letter urged CCC to consider fishing community infrastructure and economic needs when considering coastal development

projects. Further coordination between CCC and the Commission would enhance clarity on shared objectives.

Stakeholders have also previously sought increased coordination with federal efforts. PFMC is one of the key agencies with whom stakeholders have expressed a desire to see the Commission more actively engage. PFMC's Climate and Communities Initiative is an ongoing ecosystem-based management initiative contained within the *PFMC Fishery Ecosystem Plan* and is particularly relevant to this project.

In 2018, Commission staff participated in a scoping workshop for PFMC's Climate and Communities Initiative where an ad hoc committee of staff from the Commission, the Department, OPC, and the California Ocean Science Trust (OST) conferred about how best to engage each agency's specialized knowledge in climate change topics; the ad hoc committee also discussed how to leverage and influence federal momentum such that it could meet the needs of state-managed as well as federally-managed fisheries. The committee could be reconvened as this project moves forward to keep the four agencies updated on each other's work and identify areas for potential synergy. Commission staff has continued to meet with Department representatives to PFMC to find ways to harmonize PFMC's and the Commission's efforts, but Commission staff could further engage by sending staff to PFMC meetings.

As illustrated, the Commission has set precedent both for initiating new contact concerning coastal fishing communities and for building coastal fishing community interests into existing partnerships and projects.

III. Potential Commission Role

Initiating new outreach and building on existing relationships are both ways in which the Commission could effectively extend its support for coastal fishing communities to new avenues by leveraging engagement with partner agencies. The Commission has complete authority to act on this recommendation, as it has the prerogative to direct its staff at its discretion. To better understand what the Commission's role might be in new partnerships, it could direct staff to seek information about areas where partners see the opportunity to dovetail efforts or topics in which the Commission is not engaging but should.

The potential role of the Commission could be both direct (e.g., Commissioners or staff attending meetings of specific agencies, or sending letters) and indirect (directing staff to forge partnerships with staff of other agencies to elevate community-scale needs and interests in planning and decision-making contexts).

Several organizations with whom the Commission already engages have identified inter-agency collaboration as a priority, indicating that this recommendation is consistent with their priorities for their own work; the groundwork is therefore set for the Commission to increase its level of engagement with these organizations. Several documents released or supported by OPC call for interagency collaboration to meet its goals of sustainable fisheries and climate change mitigation. An OST report from a July 2019 workshop summarized concerns and potential management strategies to assist with coastal fishing community resilience under climate change, emphasizing the need to collaborate and increase coordination at a local level.

IV. Costs and Benefits

In this section, we evaluate necessary staff resources, scale of stakeholder investment, and time commitment, identify who generally may benefit from a given recommendation, and consider what specific benefits are anticipated to fishing communities. To that end, assessment of costs and benefits of this SR, which is primarily qualitative in nature, is considered across six broad goals: adaptability, consistency, accessibility, manageability, affordability, and resilience.

Adaptability

This recommendation could improve the Commission's ability to support adaptive management by providing a method for the Commission to have a greater voice in adaptive management measures not directly within its purview. It would also allow the Commission to advance strategies that are supported through the actions of other agencies and are, therefore, potentially more comprehensive.

Consistency

This recommendation aligns with previous actions and Commission stance. The Commission has previously taken small-scale actions that conform with this recommendation, so expanding these efforts would not reflect a shift in the Commission's actions.

In terms of formal policies or management structures, increased engagement with sister agencies does not run counter to any existing policy and is unlikely to lead to direct changes in existing, stable, management structures. There is always the possibility that the Commission could pursue policy or management changes in partnership with other agencies and could provide more direct input on courses of action for fisheries outside the Commission's purview that may impact California's coastal fishing communities. Based on direction to staff to date, it is more likely that synchronization of efforts would be used in areas of concern other than management structure (such as working with CCC on infrastructure needs or working with Sea Grant on encouraging new entrants into commercial fishing).

Accessibility

Increased engagement with sister agencies is unlikely to directly affect accessibility of a given fishery and, therefore, any impact to specific fisheries, species, or communities is not predictable. However, increasing access could be an effort pursued through increased coordination. In fact, any increases in access that the Commission may feel worthwhile to pursue may be more effectively pursued in partnership with other agencies. For example, increasing access to shore fishing areas valuable to underserved communities would be bolstered by partnerships with CCC, California State Parks, or local harbor districts.

Manageability

Increasing coordination efforts with sister agencies in itself is unlikely to directly affect the management burden of the Commission. Ideally, this recommendation would lead to long-term coordination efforts that would ease the regulatory and policy load for the Commission and management challenges for its partners. However, there is also the possibility that changes

pursued in partnership with other agencies may increase their management challenges, so open discussions will be a necessary piece of all new and existing partnerships.

On a case-by-case basis there may be specific management changes pursued in partnership with sister agencies that could cause concern for stakeholders; it will be important that the Commission become aware of those concerns by actively engaging stakeholders. At the same time, stakeholders have requested this course of action and, therefore, it seems unlikely that this action would raise significant concerns.

Affordability

This recommendation would require considerable Commission staff and/or commissioners' time investment. Any effort will fall to those commissioners and staff who regularly work in support of marine items. Most Commission staff already have a considerable workload that cannot be accomplished with existing resources. Constraints on available staff time to dedicate to sustained engagement with sister agencies, such as attending PFMC meetings, will determine what scale of engagement is feasible.

This recommendation will also require time investment from partners, which could be a considerable investment depending on staff and other resources they have available and the workload required for a feasible partnership. Topics pursued may also affect the staff time allocation of other entities in the long-term, and it is therefore important to consider affordability from that lens as well.

This recommendation will also require time investment from fishing community members, who are most likely to have a strong understanding of their own concerns and the agencies involved in addressing them. The Commission should consult with community members to reaffirm with which agencies they would like to see the Commission engage, recognizing it will change over time depending on the issue or concern at hand.

Budget and timeline are somewhat open-ended on this question. This recommendation is intended to be a course of action that may be triggered at any point in time based upon specific circumstances, rather than a single action, so it is difficult to assign a concrete timeline. Coordination is ideally a process that would start immediately and be ongoing. Budgeting is a slightly different question. For this to be effective, additional staff could be necessary, which would require considerable investment. However, through the service-based budgeting process, Commission leadership has already identified the additional staff members necessary to meet the Commission's mission; as such, this recommendation may become more feasible as staff are added, without requiring discrete additional funding.

Resilience

This recommendation would not have a direct effect on adaptability and socioeconomic resilience of coastal fishing communities, as this recommendation affects how actions are pursued and by whom more than which actions are pursued. Any indirect impact to adaptability and socioeconomic resilience is difficult to predict. Ideally, depending on the topics pursued and the agencies with which the Commission works, this recommendation will allow the Commission to pursue broader subjects and outcomes in partnership with sister agencies, which will more effectively help make communities adaptable and resilient.