

COMMITTEE STAFF SUMMARY FOR NOVEMBER 9, 2021 MRC

8. FUTURE AGENDA ITEMS**Today's Item**Information Action

Review work plan topics, priorities, and timeline, and discuss potential new agenda topics for FGC consideration.

Summary of Previous/Future Actions

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| • FGC approved MRC agenda and work plan | Oct 14, 2021; Webinar/Teleconference |
| • Today's discussion | Nov 9, 2021; MRC, Webinar/Teleconference |
| • Next MRC Meeting | Mar 24, 2022; MRC, Sacramento |

Background

Committee topics are referred by FGC and scheduled as appropriate. FGC-referred topics and their schedule are shown in the MRC work plan (Exhibit 1); currently several complex and time-intensive topics are under development. MRC has placed emphasis on issues of imminent regulatory or management importance; thus, scheduling current topics and considering new topics for MRC review requires planning relative to existing workload and timing considerations.

At the Oct 2021 FGC meeting, staff presented a committee workload prioritization tool for FGC discussion and feedback. Following discussion, FGC directed staff to update the prioritization framework and apply the tool to future MRC projects. Staff expect to begin using the committee workload prioritization tool in 2022, which may result in changes to the proposed Mar 2022 agenda topics. Staff will bring an update and recommendation for Mar 2022 agenda topics to the Feb 2022 FGC meeting.

MRC Work Plan and Timeline

At this time, five discussion topics and three updates are anticipated to be proposed for the Mar 2022 meeting. Topics are grouped by the type of anticipated action to help inform workload and prioritization, if needed.

Discussion and Potential Recommendations

1. Red abalone fishery management plan development
2. Kelp and algae commercial harvest regulations
 - a. Edible algae (seaweed)
 - b. *Postelsia* (sea palm)
3. Aquaculture program planning (state aquaculture action plan)
4. Coastal Fishing Communities Project

Updates from Staff and Other Agencies

1. California halibut fishery management review

COMMITTEE STAFF SUMMARY FOR NOVEMBER 9, 2021 MRC

2. Market squid fishery management review
3. Aquaculture public interest determination criteria for new lease applications

Note that readiness considerations may lead to changes in proposed timing and type of anticipated action for FGC consideration in Feb 2022. Staff welcomes guidance from MRC regarding scheduling any specific topics identified in the work plan.

Discuss and Recommend New MRC Topics

Today is an opportunity to identify any potential new agenda topics to recommend to FGC for referral to MRC. No new topics have been identified for potential referral to MRC at this time.

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

Discuss priorities, review list of topics to clarify those to schedule as updates versus discussion or recommendation items, and determine if any additional topics on the work plan should be scheduled or revised for the Mar 2022 MRC meeting.

Exhibits

1. [MRC work plan, updated Oct 29, 2021](#)
2. [FGC perpetual timetable for regulatory actions, dated Oct 28, 2021](#)

Committee Direction/Recommendation

The Marine Resources Committee recommends that the Committee work plan be updated with the following changes: _____.

California Fish and Game Commission
Marine Resources Committee (MRC) Work Plan
Scheduled Topics and Timeline for Items Referred to MRC
October 29, 2021

TOPIC	CATEGORY	JUL 2021	NOV 2021	MAR 2022
Planning Documents & Fishery Management Plans (FMPs)				
MLMA Master Plan (MP) for Fisheries – Implementation Updates	MP Implementation			
Red Abalone FMP / ARMP Update	FMP	X	X	X/R
California Halibut Fishery Management Review	FMP		X	X
California Pink Shrimp FMP	FMP	X/R		
Market Squid Fishery Management Review	Management Review	X	X	X
Marine Protected Area Network – 2022 Decadal Management Review	Management Review	X	X	
Regulations				
Kelp and Algae Commercial Harvest – Bull Kelp	Commercial Kelp	X/R		
Kelp and Algae Commercial Harvest – Edible Algae (Seaweed)	Commercial Kelp			X
Kelp and Algae Commercial Harvest – <i>Postelsia</i> (sea palm)	Commercial Kelp			X/R
Use of Hydraulic Pump Gear to Take Clam: Review of Emergency Prohibition and Future Rulemaking	Recreational Take	X	X/R	
California Spiny Lobster FMP Implementing Regulations Review (<i>added Feb 2019; timing TBD</i>)	FMP Implementing Regulations			
Marine Aquaculture				
Aquaculture Program Planning (State Aquaculture Action Plan)	Planning Document			X
Aquaculture State Water Bottom Leases: Existing & Future Lease Considerations	Current Leases / Planning	X	X	
Public Interest Determination Criteria for New Aquaculture Lease Applications	New Leases	X		X
Aquaculture Lease Best Management Practices (BMP) Plans (On hold, TBD)	Regulations			
Emerging Management Issues				
Kelp Restoration and Recovery Tracking	Kelp	X	X	
Invasive Non-native Kelp and Algae Species	Kelp / Invasive Species			
Special Projects				
California's Coastal Fishing Communities	MRC Special Project	X	X	X

Key: X = Discussion scheduled X/R = Recommendation may be developed and moved to FGC

California Fish and Game Commission: Perpetual Timetable for Anticipated Regulatory Actions

Updated October 28, 2021

Regulatory Change Category	Title 14 Section(s)	MRC Webinar/Teleconference Nov 9, 2021	TC Webinar/Teleconference Dec 14, 2021	FGC Webinar/Teleconference Dec 15, 2021	FGC Webinar/Teleconference Dec 16, 2021	WRC Sacramento Jan 13, 2022	FGC Sacramento February 16, 2022	FGC Sacramento February 17, 2022	MRC Sacramento Mar 24, 2022	TC Monterey / Santa Cruz Area Apr 19, 2022	FGC Monterey / Santa Cruz Area Apr 20, 2022	FGC Monterey / Santa Cruz Area Apr 21, 2022	FGC Teleconference May 19, 2022	WRC Redding May 19, 2022	FGC Los Angeles / Orange County June 15, 2022	FGC Los Angeles / Orange County June 16, 2022	MRC San Diego Area July 14, 2022	TC Fortuna August 16, 2022	FGC Fortuna August 17, 2022	FGC Fortuna August 18, 2022	WRC Los Angeles / Inland Empire Area September 15, 2022	FGC Truckee October 12, 2022	FGC Truckee October 13, 2022
Recreational Clam, Sand Crab, and Shrimp Gear Emergency ⁶	29.20, 29.80					EE 1/8																	
Recreational Clam, San Crab, and Shrimp Gear Emergency (First 90-day Extension) ⁶	29.20, 29.80					E 1/8				EE 4/8													
Recreational Clam, Sand Crab, and Shrimp Gear Emergency (Second 90-day Extension) ⁶	29.20, 29.80							A		E 4/8							EE 7/7						
Recreational Clam, Sand Crab, and Shrimp Gear (Implementing Certificate of Compliance) ⁶	29.20, 29.80				N		D				A						E 7/1						
Central Valley Sport Fishing (Annual)	7.40(b)(4), (43), (66), (80)							N				D	A					E 7/16					
Klamath River Basin Sport Fishing (Annual)	7.40(b)(50)							N				D	A					E 8/15					
Waterfowl (Annual)	502			N				D				A					E 7/1						
CA Grunion Limit and Season Changes (FGC Petition #2019-014)	27.60(b), 28.00				D		A								E 6/1								
Pink Shrimp Fishery Management Plan Implementing Regulations	120.1, 120.2						N								D/A							E 10/1	
Big Game Preference Point Reinstatement and Tag Refunds	708.14			D				A		E 4/1													
Harvesting of Kelp and Other Aquatic Plants, Commercial Marine Algae Management Policies	165, 165.5, 705.1				N		D/A										E 7/1						
Emergency Low Flow Restrictions Due to Drought Conditions	7.40(b)(40)(A)1., 8.00(a), 8.00(b)			N/A			E 1/30											EE 7/30					
Game Fish Contests	230							N				D	A				E 7/1						
Western Joshua Tree Dead Hazard Trees 2084 Emergency.	749.11	EE 11/9																					
Western Joshua Tree Dead Hazard Trees 2084 Emergency (90-day Extension)	749.11	E 11/9				EE 2/7																	
Western Joshua Tree Local Government 2084 Emergency	749.12	EE 11/9																					
Western Joshua Tree Local Government 2084 Emergency (90-day Extension)	749.12	E 11/9				EE 2/7																	
Recreational Crab Marine Life Protection Measures	29.80, 29.85, 701	E 11/1																					
Experimental Fishing Permit (EFP) Program Phase II	90, 91, 120.1, 149, 149.3, 180, 704				A					E 4/1													

Rulemaking Schedule to be Determined	Title 14 Section(s)	MRC Webinar/Teleconference Nov 9, 2021	TC Webinar/Teleconference Dec 14, 2021	FGC Webinar/Teleconference Dec 15, 2021	FGC Webinar/Teleconference Dec 16, 2021	WRC Sacramento Jan 13, 2022	FGC Sacramento February 16, 2022	FGC Sacramento February 17, 2022	MRC Sacramento Mar 24, 2022	TC Monterey / Santa Cruz Area Apr 19, 2022	FGC Monterey / Santa Cruz Area Apr 20, 2022	FGC Monterey / Santa Cruz Area Apr 21, 2022	FGC Teleconference May 19, 2022	WRC Redding May 19, 2022	FGC Los Angeles / Orange County June 15, 2022	FGC Los Angeles / Orange County June 16, 2022	MRC San Diego Area July 14, 2022	TC Fortuna August 16, 2022	FGC Fortuna August 17, 2022	FGC Fortuna August 18, 2022	WRC Los Angeles / Inland Empire Area September 15, 2022	FGC Truckee October 12, 2022	FGC Truckee October 13, 2022
Pre-Existing Structures in Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and Special Closures	632																						
Santa Cruz Harbor Salmon Fishing (FGC Petition #2016-018)	TBD																						
European Green Crab (FGC Petition #2017-006)	TBD																						
Wildlife Areas/Public Lands ⁴	TBD																						
Possess Game / Process Into Food	TBD																						
American Zoological Association / Zoo and Aquarium Association	671.1																						
Night Hunting in Gray Wolf Range (FGC Petition #2015-010)	474																						
Shellfish Aquaculture Best Management Practices	TBD																						
Ban of Neonicotinoid Pesticides on Department Lands (FGC Petition #2017-008)	TBD																						
Ridgeback Prawn Incidental Take Allowance	120(e)																						

KEY
 FGC = California Fish and Game Commission MRC = FGC Marine Resources Committee WRC = FGC Wildlife Resources Committee TC = FGC Tribal Committee
 EM = Emergency EE = Emergency Expires E = Anticipated Effective Date (RED "X" = expedited OAL review)
 N = Notice Hearing D = Discussion Hearing A = Adoption Hearing V = Vetting R = Committee Recommendation
 4 = Includes FGC Petition #2018-003 6 = Includes FGC Petition #2019-012