

COMMITTEE STAFF SUMMARY FOR NOVEMBER 9, 2021 MRC

6. CALIFORNIA COASTAL FISHING COMMUNITIES PROJECT**Today's Item**Information Action

Receive FGC staff update on progress developing a potential policy—including feedback from regional stakeholder roundtables—and completing draft analyses of staff recommendations.

Summary of Previous/Future Actions

- | | |
|-------------------------------------------------------------|-------------------------------------------------|
| • FGC referred topic to MRC | Feb 11, 2015; FGC, Sacramento |
| • MRC discussions | 2015-2020; Various |
| • MRC update and recommendation to begin policy development | Mar 16, 2021; MRC, Webinar/Teleconference |
| • FGC approved MRC recommendation | Apr 14, 2021; Webinar/Teleconference |
| • MRC update | Jul 21, 2021; MRC, Webinar/Teleconference |
| • Today's update and discussion | Nov 9, 2021; MRC, Webinar/Teleconference |

Background

The MRC Coastal Fishing Communities Project was initiated in 2015, and included a series of eight coastal community meetings in 2016-2018. In Dec 2019, FGC adopted a *Staff Synthesis Report on California Coastal Fishing Communities Meetings, 2016-2018*. The report synthesized key themes from the community meetings and proposed ten staff recommendations as “initial concepts for potential development” by FGC (Exhibit 1). MRC directed staff to further develop the staff recommendations from the report through analyses to help evaluate and prioritize the recommendations upon which FGC may choose to act.

Staff Recommendation Analyses

Consistent with previous MRC direction, staff presented analyses for five of the ten recommendations in the staff synthesis report (recommendations 1, 3, 4, 5 and 8, available in the Mar 2021 MRC meeting binder; see Exhibit 2 for additional background). Staff has completed internal analyses for three of the remaining recommendations and is pursuing input from DFW and other partners on those before completing; analysis of the remaining two staff recommendations is underway. Following vetting with DFW and partners, staff will provide remaining draft analyses to MRC.

Implementation of Staff Recommendation 1 – Policy

Preliminary work toward staff recommendation 1 (*develop and adopt a policy and definition for coastal fishing communities*) was completed in 2019 based on MRC direction. MRC adopted a working definition for *coastal fishing communities* that was developed with stakeholders for purposes of this project. The working definition serves as a foundation for the second step in developing staff recommendation 1, which is to build a new FGC policy.

At MRC's Mar 2021 meeting, staff presented findings from initial conversations with fishing community leaders concerning a potential policy. Staff proposed that MRC support moving forward with policy development while additional analyses continued, and presented a draft

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strategy and timeline for stakeholder engagement. Following discussion, MRC recommended FGC direct staff to engage stakeholders to initiate drafting a policy for coastal fishing communities, and FGC approved the recommendation in Apr 2021. Staff provided an update to MRC on roundtable planning in Jul 2021.

Update

Following the Jul 2021 meeting, staff convened six regional roundtable meetings between Aug and Sep with regional fishing community leaders and harbor representatives. The roundtables provided valuable input on potential policy goals and key elements for MRC and FGC consideration.

Today, staff will share outcomes from the regional roundtable meetings and present stakeholder-informed draft potential goals and key elements for consideration in an FGC policy on coastal fishing communities (Exhibit 3).

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

FGS Staff: Provide feedback and direction on draft goals and key elements for a potential coastal fishing communities policy. Approve draft goals for use as sideboards to shape the policy drafting process during two future workshops.

Exhibits

1. [Coastal fishing communities project staff recommendations, excerpted from the 2019 staff synthesis report](#)
2. [Background document: Staff summary for March 2021 MRC meeting, agenda item 5](#)
3. [Draft potential policy goals and key elements, dated Nov 3, 2021](#)

Committee Direction/Recommendation

Direct staff to use draft goals as discussed today to shape the process for developing a potential coastal fishing communities policy during future policy drafting workshops.

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).

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For Background Purposes Only

5. COASTAL FISHING COMMUNITIES PROJECT

Today's Item

Information

Action

Receive an update on staff analyses and discuss a potential committee recommendation for next steps in exploring options to support California's coastal fishing communities.

Summary of Previous/Future Actions

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|---------------------------------------|---------------------------------------------|
| • FGC referred topic to MRC | Feb 11, 2015; FGC, Sacramento |
| • MRC discussions | 2015-2020; Various |
| • Most recent MRC update | Nov 10, 2020; Webinar/Teleconference |
| • Today's update and direction | Mar 16, 2021; Webinar/Teleconference |

Background

The MRC Coastal Fishing Communities Project has been underway since 2015, and included a series of eight coastal community meetings in 2016-2018. In 2019, FGC adopted a *Staff Synthesis Report on California Coastal Fishing Communities Meetings, 2016-2018* (<https://fgc.ca.gov/Committees/Marine/Coastal-Fishing-Communities-Project>). The report synthesized key themes from the community meetings and proposed ten staff recommendations (SRs) as "initial concepts for potential development" by FGC (Exhibit 1). MRC directed staff to further develop the SRs to help evaluate and prioritize the recommendations upon which FGC may choose to act.

At the Jul 2020 MRC meeting, staff proposed a draft analytical approach for a more in-depth analysis of each SR (Exhibit 2; for background purposes), and MRC directed staff to move forward with analyses using the draft approach presented.

In Nov 2020, staff presented MRC with a draft analysis of the first SR (*develop and adopt a policy and definition for coastal fishing communities*) (Exhibit 3), prepared based on the analytical framework. Staff has since used the analytical framework to develop four additional analyses for this meeting:

- SR3 - *Approve specific, small-scale projects to test and evaluate proposed new approaches* (Exhibit 4);
- SR4 - *Engage legislative staff to pursue adjustments to laws as ideas are refined, if warranted to support fishing community adaptability* (Exhibit 5);
- SR5 - *Direct staff to increase engagement and coordination with sister agencies, when feasible, on management decisions affecting California coastal communities* (Exhibit 6); and
- SR8 - *Survey communities, commercial and recreational fishers, and processors about their priorities for FGC focus* (Exhibit 7).

Analysis of the remaining five SRs is underway.

The SR 1 analysis suggests pursuing an FGC policy and definition for coastal fishing communities on its own merit; the policy has the potential to guide development of the other

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SRs. While reviewing analysis of all SRs together to could help MRC evaluate the relative priority of different actions, completing the remaining analyses could occur concurrently with additional work on a draft policy.

Preliminary work toward SR 1 was completed in 2019 based on MRC direction; staff worked with stakeholders to draft a proposed definition for *coastal fishing communities*, and MRC adopted the definition for purposes of the project. The second step in developing SR 1 is to build a policy and, in Nov 2020, staff recommended reengaging stakeholders to further evaluate and explore the potential for developing a coastal fishing communities policy while the other SRs were further analyzed. Since Nov, staff has held individual conversations with several fishing community leaders who previously contributed to policy considerations by commenting on the 2019 draft staff synthesis report and participating in drafting the working definition of coastal fishing communities.

At this meeting, staff will present findings from initial conversations with stakeholders concerning a policy, as well as a draft proposed strategy and timeline for stakeholder engagement for MRC consideration.

Significant Public Comments (N/A)

Recommendation

FGC staff: Direct staff to continue developing analyses for the remaining SRs (2, 6, 7, 9 and 10), and to begin outreach to stakeholders to inform development of a draft policy on coastal fishing communities.

Exhibits

1. Coastal fishing communities project staff recommendations, excerpted from the 2019 staff synthesis report
2. FGC staff-proposed analytical approach presented to MRC in Jul 2020
3. Revised draft analysis of staff recommendation 1, dated Mar 10, 2021
4. Draft analysis of staff recommendation 3, dated Mar 10, 2021
5. Draft analysis of staff recommendation 4, dated Mar 5, 2021
6. Draft analysis of staff recommendation 5, dated Mar 8, 2021
7. Draft analysis of staff recommendation 8, dated Mar 8, 2021

Committee Direction/Recommendation

Direct staff to begin working with stakeholders to inform development of a policy on coastal fishing communities.

California Fish and Game Commission
Coastal Fishing Communities Project
Potential Overarching Goals and Specific Elements for a Policy
for Marine Resources Committee Review
November 3, 2021

In 2018, California Fish and Game Commission staff solicited public feedback on a draft report titled *Staff Synthesis Report on California Coastal Fishing Communities Meetings, 2016-2018*. Public comments received on the draft staff report were integrated into the final 2019 report, and comments were summarized in Appendix D of the report. Many of the public comments pertained to staff recommendations made in the report. The first of the ten recommendations (referred to as “Staff Recommendation 1”), is for the Commission to “develop and adopt a policy and definition for coastal fishing communities.” That recommendation is the focus of this document.

Existing state and federal policies consider actions for a fishery from the standpoint of fished stock status, the ecosystem, and the social and economic impacts to fishery participants. Fisheries management and/or regulation options are evaluated for: (1) meeting sustainability goals for the fish stock (fishery); (2) impacts to the target species’ ecosystem, including bycatch and habitat impacts; and (3) intra- and inter-sector social and economic considerations. This approach, however, fails to consider community-scale implications of a fishery management decision.

Recognizing the potential value of, and community support for, integrating consideration of community-scale impacts into its fishery management decisions, in April 2021 the Commission adopted a Marine Resources Committee recommendation (MRC) to direct staff to pursue development of a new policy through a stakeholder engagement process.

A new Commission policy on coastal fishing communities could serve to shift policy direction to consider fishing community-level implications in fishery management options. It would formalize the Commission’s commitment to look at the compendium of factors that can shape a fisheries management decision. In addition to considering the sustainability of a fishery stock and natural ecosystem upon which it depends, or the direct participants in that fishery (sector or sectors), a policy could help shape how the Commission considers the potential impact of management options on the individual fishing community and collective fishing communities in a region.

Defining specific goals is necessary to initiate and support this policy shift. This document provides an overview of stakeholder engagement to date, and draft goals, sample objectives, and specific key concepts for potential inclusion in a coastal fishing communities policy informed by stakeholder input.

Overview of Stakeholder Engagement Process

In January 2021, staff conducted a handful of one-on-one industry calls to recap previous comments and key areas of concern, clarify if any new areas of concern had developed in the intervening time (e.g., learned through the global pandemic), and gain a sense of the potential value and appetite for developing a policy at this time. After receiving confirmation through these calls that interest in the Commission developing a policy still existed, staff developed a proposed process to receive stakeholder policy input through regional roundtables followed by

public workshops. MRC endorsed this approach in March 2021, and in April 2021 FGC directed staff to commence policy development through stakeholder engagement.

In August and September 2021, staff conducted a series of regional roundtable meetings with select coastal fishing community members from each of five regions: north coast, north-central coast and San Francisco Bay Area, central coast, south-central coast, and south coast. A sixth roundtable was held for interested members unable to attend the roundtable scheduled for their respective regions.

Based on regional roundtable input, staff has developed draft goals for discussion with MRC and subsequent discussion through public workshops. This document outlines draft overarching goals and associated themes to consider addressing through a policy, as well as specific key concepts related to each goal, derived from public comments on the staff report, one-on-one phone calls, and the regional roundtable meetings.

These draft goals for a potential coastal fishing communities policy showcase a desire to create a new lens through which to consider Committee recommendations and Commission decisions on topics related to coastal fishing communities. The draft goals for the policy suggest an expanded scope in which to examine trade-offs, where community-level issues are considered rather than the narrower fishery-level scope. Ideally, a coastal fishing communities policy will provide a lens that reaches beyond a single fishery and encourage thinking about future coastal fishing community goals, weaving them into current management decisions.

Potential Goals and Objectives

The goals and objectives described herein are what stakeholders have indicated they would like the policy to accomplish.

Goal A: Integrate consideration of potential coastal fishing community-scale impacts into Commission fisheries management decisions

Objectives

- Consider what ripple effects might occur through each fishing community where that fishery occurs, including:
 - How regional fisheries management proposals align with individual port conditions;
 - the interplay of a fishery's changes with other fisheries within a community's core fisheries; and
 - shoreside implications of how changes could impact infrastructure, processors and employees, or loss of markets.

Goal B: Ensure the sustainability of coastal fishing communities through community empowerment that is inclusive and reflective of community diversity

Objectives

- Take a stance where the Commission defends and acts as a champion for coastal fishing communities

- Consider impacts of external development efforts that compete with commercial and recreational fishing for space in the ocean landscape (e.g., offshore wind and offshore aquaculture, and California’s initiative to conserve 30% of coastal waters by 2030)
- Push back on advocacy for the Commission to curtail a commercial and/or recreational fishery based on claims of unsustainability when data indicates otherwise
- Promote California fisheries and their legacy
- Increase community empowerment
 - Co-manage and collaboratively research with fishermen/fishing communities
 - Support community-led efforts and leadership
 - Create community ownership opportunities (e.g., with permitting give communities more influence over how their “backyard” is being managed)
 - Increase community autonomy (e.g., ability to define when and where to fish to avoid issues such as entanglement)
- Bring more individuals from within the fishing community into the state decision-making process
 - Create opportunities/embedded process for direct dialogue between the Commission/Department and fishermen/user community/permit holders with simple, clear and consistent communication
 - Include local communities in fisheries management plan process
 - Leverage the expertise of fishermen by enabling them to collect data while fishing and fill data gaps
 - Include fishermen’s unique perspectives and valuable insights as people who are on the water all the time
 - Improve outreach to different sectors of the fishing industry (e.g., Vietnamese and Cambodian fishermen and urchin collectors) and let them know they have a voice, even if that voice does not prevail

Goal C: *Support economic growth of the fishing industry*

Objectives

- Address loss of infrastructure
 - Take actions to restore, encourage, and facilitate harbor space use and development to better support fishing activities
 - Maintain and improve upon existing infrastructure
- Increase access to pelagic species:
 - Consider modifying fishing restrictions in marine protected areas (MPAs) for species that migrate through, and do not benefit from, specific geographic closures
 - Support lifting federal groundfish conservation area closures to allow access to pelagic species that will not impact bottom species those areas are designed to protect
- Preserve fishing here in California for generations to come
 - Provide low-cost opportunities for entry level positions
 - Provide opportunities for small-boat access

- Allow for a diversity of ways for fishermen to earn more money from fishing
 - Alternative products such as supplements, fish oil, etc.
- Marry biological sustainability with economic sustainability in decision-making

Goal D: Build pathways for innovation and adaptation

Objectives

- Address loss of access to fishing grounds/regional access issues
 - Consider where adjustments to state fishery closures can be made to mitigate access loss when additional spatial closures to fishing are enacted (aka from other industries on the water)
 - Recognize the changing dynamics of how fish are being consumed and marketed in California (i.e., loss of global distribution and increase in direct-to-consumer distribution during COVID-19 pandemic)
 - Establish a quicker process for decision-making/pivoting for the Commission/Department to act quickly to respond to emerging needs and creative adaptation ideas from fishermen
 - Enables sport and commercial fisheries to quickly adapt to changes
 - Prioritize working collaboratively through regulatory or enforcement barriers

Specific Concepts and Key Elements to Include in a Policy

The specific concepts and key elements that stakeholders would like a coastal fishing communities policy to say to achieve their desired goal(s).

Key Elements for Goal A

- Identify metrics to evaluate potential impacts of changes to a fishery’s management at the fishing community scale, including local fishing customs and port conditions (including vessel size, number of vessels, individual or community fishing portfolios), fishing- and ocean-dependent shoreside industries such as infrastructure, receivers, processors, and employees, etc.
- Process for checking in with all sectors of a coastal fishing community during decision-making
 - Input on how XYZ will affect processors, bait shops, ice, etc.

Key Elements for Goal B

- Emphasize the importance of domestic fisheries and fishermen and what they do for the community and the role they play in domestic food security
- Express support for wild capture, domestic fisheries
- Reaffirm priority of sport fishing and commercial fishing (from California Coastal Act) and advocate for their prioritization in coastal development decisions
- Highlight that sportfishing and outdoor recreation is very important to Californians
 - Commercial passenger fishing vessels (CPFVs) are frequent entry point and first exposure to fishing for many

- Enumerate to the public that California fisheries are sustainably managed, and that fishermen and resource managers are always working toward sustainability
- Commission supports fishing industry's goal to provide fresh and local seafood for Californians

Key Elements for Goal C

- Facilitate opportunities to access underutilized species and depth limits (e.g., chili pepper rockfish)
- Allow for resource pooling to reduce individual costs for things such as infrastructure
- Undertake a review of the restricted access policy and timeframe for recurring reviews and updates to the restricted access policy to match current needs

Key Elements for Goal D

- Work with other agencies (state and federal) to make sure coastal community access to fisheries is maintained, falling in line with protecting ocean resources (shoreside and beyond)
 - "...to ensure that actions of one agency does not overrule the other and the public is left with limited or no access to an area"
- Commission will give input to the Pacific Fisheries Management Council on behalf of California fishermen
 - "We need to do XYZ to create something more stable for our fishermen"
- Commission will use science-based decision-making in fisheries management
 - Reaching maximum sustainable yield (MSY) for fisheries
 - Reliance on scientific sustainability standards not subjective values
- Enable and champion approval of experimental fishing permits (EFPs) through the EFP program to test new approaches, strategies, and community structures (or maybe 'make EFPs accessible to test new ideas')
- Employ tools to increase in-season adaptability
 - e.g., using e-ticket data to monitor fishing/fishery and then give fishermen the ability to adjust marketing and production side of things