

Committee Staff Summary for November 6-7, 2024 MRC

7. Commercial Harvest of Marine Algae Sea Palm (*Postelsia*)**Today's Item**Information Action

Receive and discuss Department-recommended regulations governing commercial harvest of sea palm; develop potential committee recommendation.

Summary of Previous/Future Actions

- MRC received updates on commercial kelp and algae harvest management review 2015-2019; MRC
- Department presented initial draft regulations; MRC recommended additional outreach March 2020; MRC
- Department proposed formation of stakeholder working groups, starting with bull kelp, followed by edible seaweeds; MRC recommendation, with Commission approval in December 2020 November 2020; MRC
- Commission referred sea palm review to MRC June 2021
- Received Department overview of sea palm and recommendation to prioritize management review; MRC recommendation March 2022; MRC
- Department provided TC an update on sea palm review April 2022; TC
- Commission approved MRC recommendation to prioritize review of sea palm commercial harvest before other edible species April 2022
- TC received Department updates related to kelp and edible algae management April 2022, August 2022, and April 2023; TC
- MRC received Department update on development of proposed changes to commercial harvest of marine algae sea palm July 17-18, 2024; MRC and August 13, 2024; TC

Background

Kelp and edible seaweed are managed with other marine algae through the Department's kelp management program. The Department and Commission have been working to revise antiquated commercial kelp regulations over more than ten years through a three-phase approach, to improve management and enforceability. Phase 1 was completed in 2013 and implemented in 2014; Phase 2 has been underway since late 2016.

Phase 2 is focused on both regulatory clean-up and broader management and regulation overhaul in consultation with commercial kelp and algae (seaweed) harvesters. Originally planned for completion in 2020, the Commission subsequently approved continuing Phase 2 while the Department worked more directly with growers and other interested stakeholders on proposed changes.

Committee Staff Summary for November 6-7, 2024 MRC

In November 2020, the Department proposed to form two separate working groups — one for bull kelp harvest and one for edible seaweeds harvest — to collaboratively develop regulation change proposals, including regional approaches, harvest methods, and data needs. MRC recommended and the Commission prioritized bull kelp harvest review first, in light of bull kelp condition and recovery needs on the north coast. The commercial kelp harvest review and associated rulemaking effort was completed in 2021. The next part to review regulations for commercial harvest of all edible seaweed species, including sea palm, was initiated in 2022.

Reviewing Commercial Harvest of Sea Palm (Postelsia)

During the Commission's May 2021 meeting, a commenter expressed concern about long-term monitoring data sets documenting declines in abundance of *Postelsia*, a marine algal species known as sea palm that is commercially harvested as edible seaweed. The commenter advocated for immediate focus on protecting sea palm. In July 2021, the InterTribal Sinkyone Wilderness Council — a consortium of ten federally-recognized tribes in northern California — proposed a 10-year moratorium on commercial harvest of bull kelp, giant kelp, and sea palm.

The Commission referred the topic of commercial harvest of sea palm to the March 2022 MRC meeting, to consider whether to prioritize sea palm harvest review ahead of the review of other edible seaweed species. At the March meeting, the Department presented an overview of sea palm distribution and harvest. In light of public, tribal, and Department reporting, MRC recommended prioritizing commercial sea palm harvest review before other edible species; in April 2022, the Commission approved the recommendation.

Update

The Department has evaluated data, researcher and harvester information, and management needs for sea palm since its review was prioritized. Today, the Department will present an overview of sea palm harvest over 20 years and information about sea palm density across the state (Exhibit 1); it will also present proposed changes to both sea palm regulations and all marine algae for MRC consideration and potential recommendation. Proposed sea palm regulation changes are to: (1) define allowable harvest methods; (2) require central latitude/longitude coordinates of harvest location; and (3) prohibit harvest in the southern portion of the species' range (south of Pigeon Point, San Mateo County). Additionally, the Department will propose amendments to regulations for all marine algae, to require that harvesters: (1) identify the day of harvest in harvest reporting; (2) specify if take is "drift" or "beached"; (3) include additional information on harvest effort (details will be shared during the meeting); and (4) clarify language and update outdated references.

The Department will also highlight its outreach to and engagement with sea palm harvesters, researchers, and the public when exploring management options. Department staff provided updates at Commission Tribal Committee meetings in 2022, 2023 and 2024, sent tribal notification letters in the fall of 2024, and reached out directly to tribes and tribal councils that previously expressed interest. To date, the Department has not received feedback from any tribes.

Significant Public Comments (N/A)

Committee Staff Summary for November 6-7, 2024 MRC

Recommendation

Commission staff: Advance for consideration in a rulemaking the proposed changes to commercial harvest of sea palm on a timeline to commence with authorizing public notice in February, as recommended by the Department.

Department: Advance to rulemaking for public notice in February 2025 proposed regulation changes for commercial sea palm harvest to: (1) define allowable harvest methods; (2) require central latitude/longitude coordinates of harvest location; and (3) prohibit harvest in the southern portion of its range (south of Pigeon Point, San Mateo County). In the same rulemaking, include regulation changes for commercial harvest of all marine algae to: (1) identify the day of harvest in harvest reporting; (2) specify if take is “drift” or “beached”; (3) include additional information on harvest effort, as described today; and (4) clarify language and update outdated references.

Exhibits

1. [Department presentation](#)

Committee Direction/Recommendation

The Marine Resources Committee recommends that the Commission advance to rulemaking the proposed regulation changes as recommended by the Department, and schedule the rulemaking to commence with authorizing public notice in February 2025.



Kelp and Algae Commercial Harvest – Sea Palm (*Postelsia*)

07 November 2024

Presented to:

Marine Resources Committee
California Fish and Game Commission

Presented by:

Rebecca Flores Miller
Environmental Scientist
Marine Region



Overview

- Sea palm and harvest regulation overview
- Recent stakeholder outreach
- Commercial harvest data
- MARINe monitoring
- Species concerns
- Proposed amendments
- Proposed timeline



Photo Credit: R. Flores Miller



Sea Palm (*Postelsia palmaeformis*) Overview

- Annual species, upper intertidal
- Limited dispersal (1-5 meters)
- Recreational take is prohibited
- Commercial harvest is allowed
 - No license, harvest, or seasonal limits or closures
 - Allowable methods include cutting, picking, and collection of drift or loose individuals
- Concerns due to existing regulations and potential range contraction



Photo Credit: R. Flores Miller



Recent Outreach and Engagement

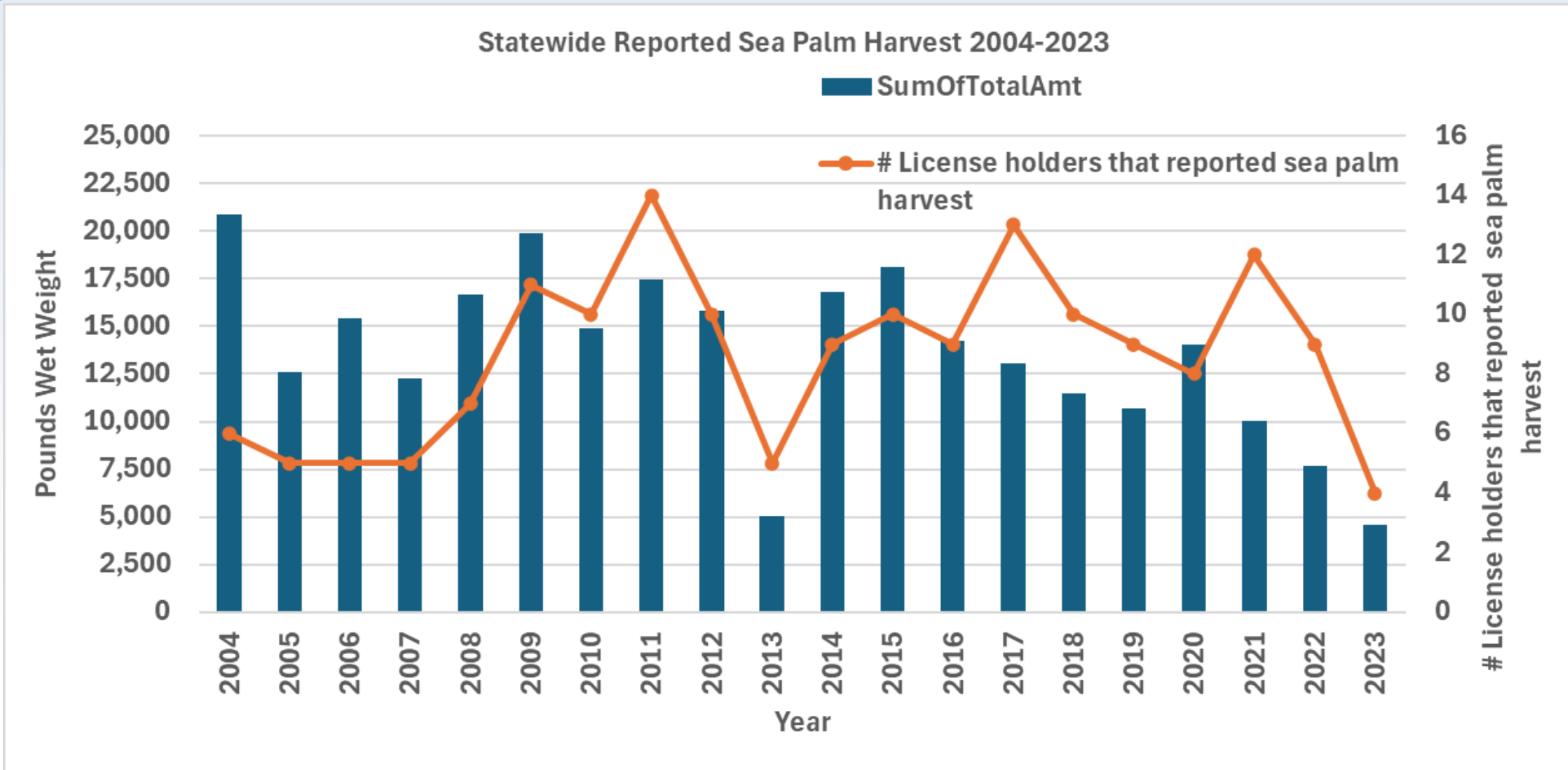


- Recent outreach and engagement (2022-present):
 - Site visits observing sea palm harvest
 - Sea palm harvester focused discussion meeting
 - Researcher discussions
 - Commission, Marine Resources Committee, and Tribal Committee meetings
 - Tribal notification

Photo Credit: R. Flores Miller



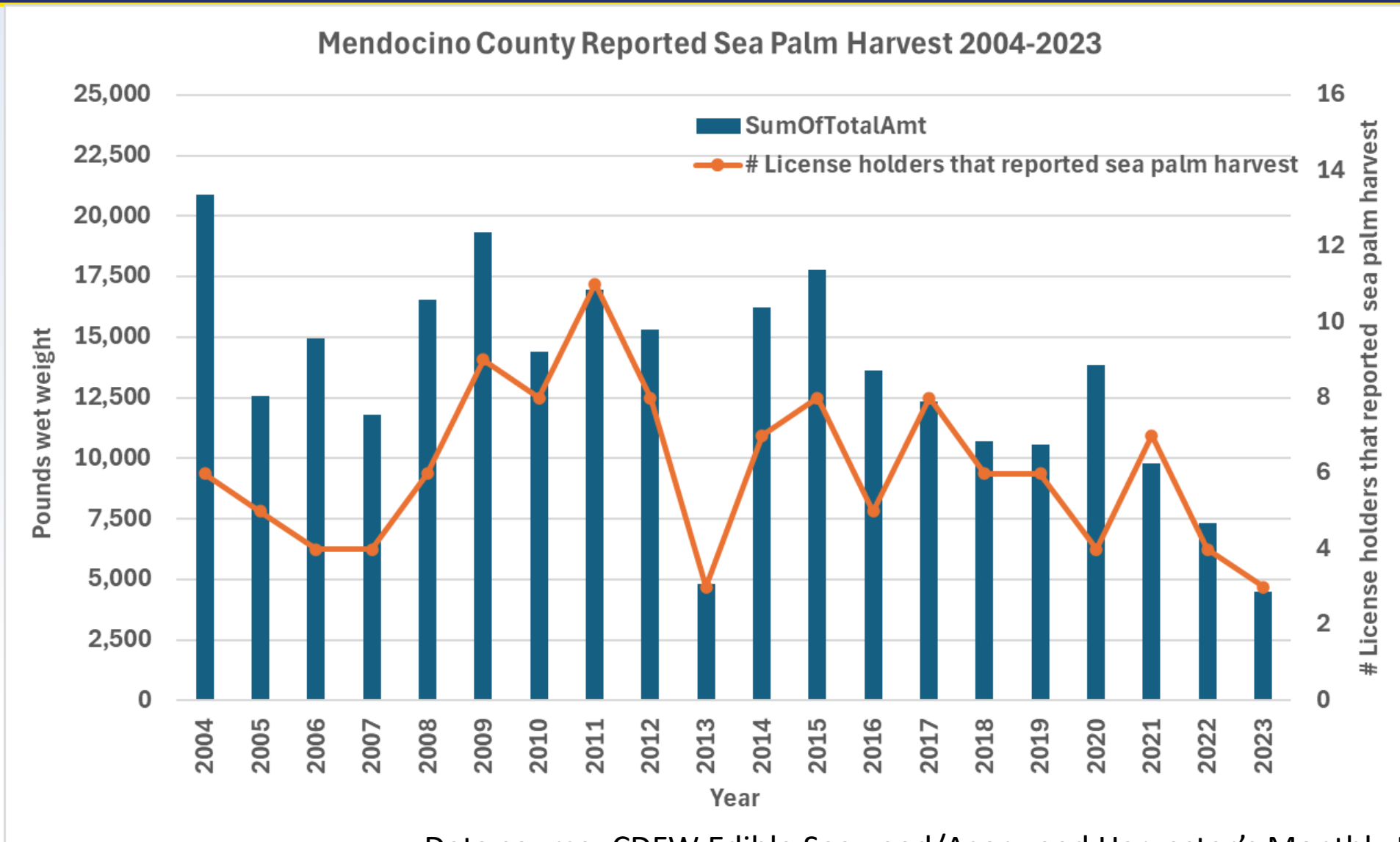
Sea Palm Harvest - Statewide



Data source: CDFW Edible Seaweed/Agarweed Harvester's Monthly Reports



Sea Palm Harvest – Mendocino County



Data source: CDFW Edible Seaweed/Agarweed Harvester's Monthly Reports



Sea Palm Density Monitoring

- Drop in density after 2014
- Most loss in southern sites
- Slow recovery at most sites, esp. in southern range
- Lack of recovery at some sites

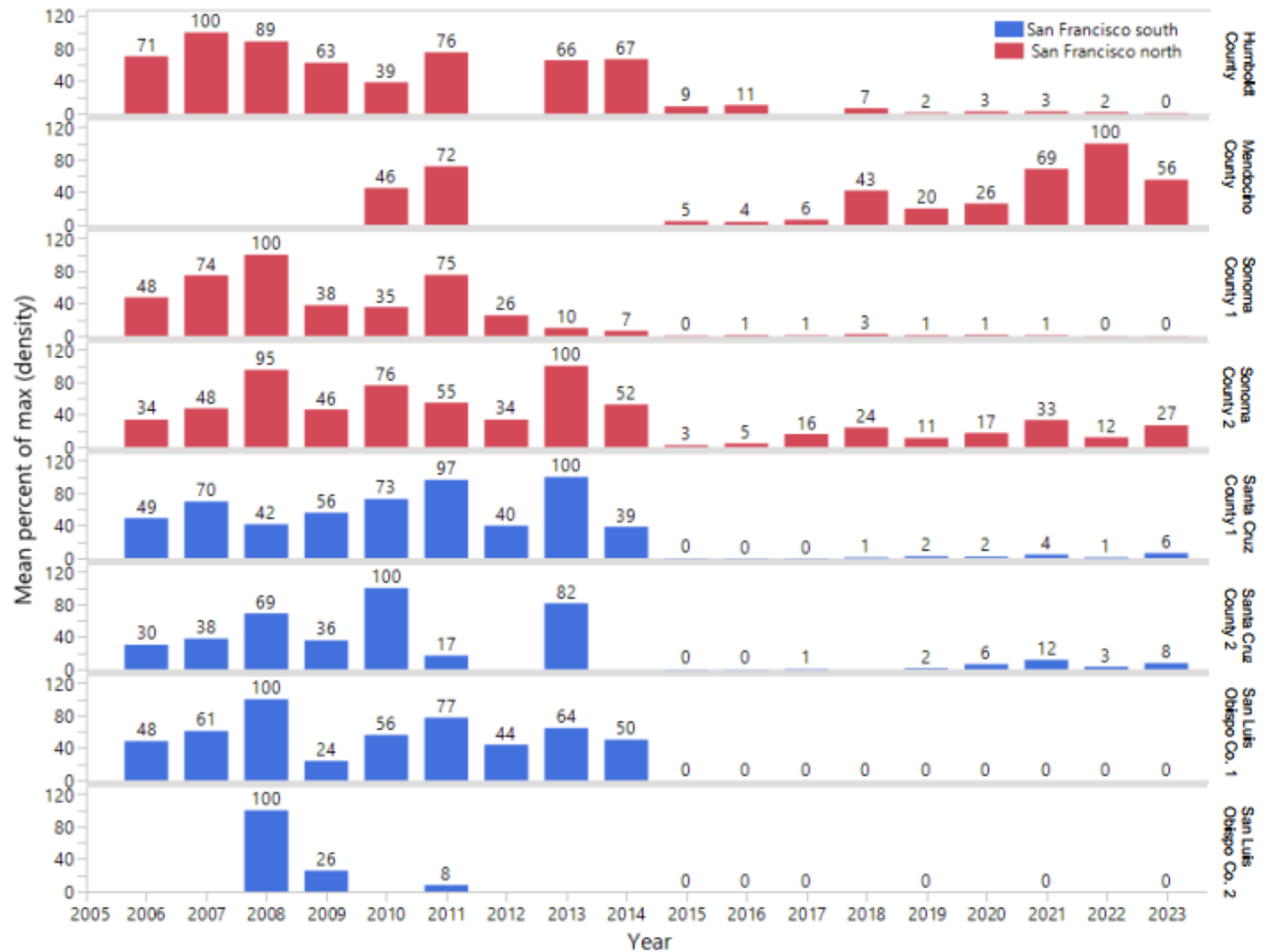


Figure source: Multi-Agency Ror Intertidal Network (MARINE)



Proposed Amendments to Sea Palm

- Sea palm
 - Define allowable harvest methods
 - Require central latitude/longitude coordinates of harvest location
 - Prohibit harvest in the southern portion of its range (Pigeon Point, San Mateo County to the south)



Photo Credit: R. Flores Miller



Proposed Amendments to Marine Algae

- All marine algae
 - Harvest reporting to include the day of harvest
 - Specify if take is “drift” or “beached”
 - Additional information on harvest effort

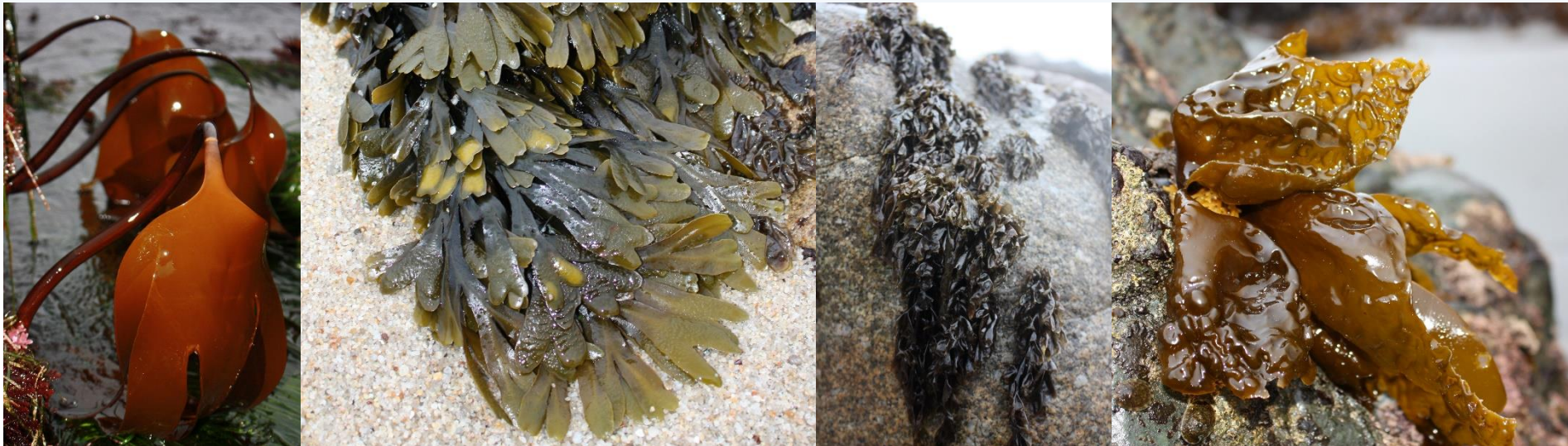


Photo Credit: R. Flores Miller



Proposed Amendments Continued

- Clarify language/update outdated references
 - Direct those interested in broodstock collecting permits for aquaculture to the appropriate regulations
 - Replace outdated reference on contact to purchase a commercial kelp harvesting license
 - Update the location of informational maps depicting administrative kelp beds and fishing blocks
 - Update the location of monthly harvest reports



Proposed Timeline

- Marine Resources Committee (MRC) Recommendation – Today
- Notice – February 2025
- Discussion/Adoption – April 2025
- Regulation Effective – Jan 2026



Photo Credit: R. Flores Miller

Thank You

kelp@wildlife.ca.gov

