

Committee Staff Summary for July 16, 2026 MRC

4. Commercial Spiny Lobster Fishery**Today's Item****Information** ☒**Action** ☐

Receive public input and hold an initial discussion regarding Petition 2026-02 related to allowing the processing of commercially caught spiny lobster into lobster tails for storage, transport, and sale in addition to selling lobster whole or live.

Summary of Previous/Future Actions

- Commission adopted California Spiny Lobster Fishery Management Plan (Spiny Lobster FMP) and implementing regulations April and June 2016
- Commission supported initiating a review of the Spiny Lobster FMP implementing regulations and referred the topjc to MRC February 2019
- MRC received and discussed Department overview of draft lobster regulation changes, including potentially allowing commercial lobster 'tailing' July 2022; MRC
- Public receipt of regulation change petition #2026-02 April 15-16, 2026
- Referred regulation change petition #2026-02 to MRC and requested the Department review the petition and provide input to MRC June 17-18, 2026
- **Today, receive input from the Department, including recent history of evaluating commercial lobster tailing; hear from the petitioner, fishery representatives and meeting participants; and consider next steps** **July 16, 2026; MRC**

Background

Between 2019 and 2022, while undergoing a review and regulatory 'clean-up' of the regulations adopted in 2016 (effective in 2017) to implement the Spiny Lobster FMP, the Department explored — but ultimately did not pursue — adding an option for commercial lobster tailing. The tailing concept was originally raised by members of the commercial fleet in May 2020 as a strategy to diversify markets and support domestic sales, triggered particularly by pandemic-related disruptions to the international live market. The Department presented the concept at subsequent commercial fleet meetings, analyzed biological and enforcement considerations, and developed a set of conservative, minimum recommended conditions for a potential tailing option (Exhibit 1).

In February 2022, the Department issued a survey to all 215 commercial permit holders and buyers to assess fleet- and buyer-wide support for the proposed tailing option and a related post-season possession proposal. A majority of survey participants did not support the proposed tailing change: Out of 105 respondents, 53.3% (56) opposed tailing, 31.4% (33) supported it, and the remaining 15.4% (16) were uncertain or offered no position. Opposition was strongest in the southern portion of the fishery (near San Diego), where the smaller

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average lobster size would constrain fishermen's ability to meet the Department's conservative proposed minimum tail-width requirement, limiting their eligibility to participate in any new tailing opportunity. Many respondents also expressed concerns about increased risk of illegal commercialization, potential market impacts on the live fishery, and unequal access and market opportunity across regions. (Exhibit 1)

At the July 2022 MRC meeting, the Department presented its findings from the survey and advised that a tailing option would require further vetting and development before being considered for potential rulemaking. Accordingly, the Department recommended not to include the tailing option in the "clean-up" rulemaking, which was intended to focus on needed amendments to the regulations implemented in 2017. MRC requested that the Department continue exploring a tailing option with industry outside the active rulemaking process, acknowledging both the interest in the concept and the complexities identified through outreach and analysis (Exhibit 2). In August 2022, the Commission approved the MRC recommendation to support continued Department engagement with industry on this topic.

In early 2025, representatives of the California Lobster and Trap Fishermen's Association (CLTFA) reengaged Department and Commission staff about a potential lobster tailing option, citing new tariffs affecting international markets, renewed interest in developing a domestic market alternative, and the prospect of adding lobster tail to a recently enacted law that allows Dungeness crab meat (without viscera) to be sold from domoic acid-affected areas. Based on staff input, CLTFA developed a new survey with Department input to gauge how industry perspectives may have shifted since 2022. The Department distributed the survey on CLTFA's behalf in late May 2025 to the roughly 160 permit holders (buyers were not included in the 2025 survey); responses were received from 35 (22%) permit holders (see significant public comments section).

In March 2026, CLTFA submitted regulation change petition #2026-02 to the Commission (Exhibit 3). The petition seeks to allow commercial lobster fishermen to tail their legally harvested lobster, in addition to the current ability to sell lobster whole or live. In June 2026, the Commission referred the petition to MRC for vetting and recommendation, and requested that the Department review and provide input to MRC.

Today, the Department will share a verbal overview of the history, outreach, analysis, and stakeholder feedback to date regarding commercial lobster tailing. The petitioner will be present to offer perspectives and answer questions. Today's discussion will inform next steps in evaluating the petition.

Significant Public Comments

In a comment received for the June 2026 Commission meeting, the petitioner provides the results of its 2025 lobster survey completed by 35 respondents, stating that consensus among members of the CLTFA board had subsequently been reached to support pursuing a tailing option as reflected in two unanimous board votes, indicating what potentially could be a shift in fleet support (Exhibit 4). As examples of survey results:

- When asked "If lobster tailing were allowed under current regulations, how interested would you be in participating", 74.2% (26) were very or somewhat interested, 23% (7)

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were neutral or not interested, and 5.6% were concerned about implications (market, poaching).

- When asked “Do you support or oppose the option for a year-round global and domestic tail market”, 54.3% (19) supported, 20% (7) opposed, and 22.9% (8) were not sure, with 2.8% (1) unspecified.

Recommendation

Commission staff: After lobster fishery representatives and meeting participants share their perspectives, discuss potential next steps for considering Petition #2026-02.

Exhibits

1. [Staff summary and exhibits for Agenda Item 5, July 2022 MRC meeting](#), related to the Department’s evaluation of commercial lobster tailing (*for background purposes only*)
2. [Agenda Item 5 excerpt from the meeting summary, July 2022 MRC meeting](#), which details the outcomes of the meeting’s discussion regarding commercial lobster tailing (*for background purposes only*)
3. [Petition #2026-02](#), received March 12, 2026
4. [Email from Ava Schulenberg](#), Executive Director, CLTFA, received June 12, 2026

Committee Direction/Recommendation (N/A)

COMMITTEE STAFF SUMMARY FOR JULY 14, 2022 MRC

For background purposes only

5. CALIFORNIA SPINY LOBSTER FISHERY REGULATIONS

Today's Item

Information ☒

Action ☐

Receive DFW overview of potential adjustments to regulations implemented in 2017 for the California spiny lobster (lobster) fishery and develop a potential committee recommendation.

Summary of Previous/Future Actions

- | | |
|---|--------------------------------------|
| • FGC adopted lobster fishery management plan (FMP) | Apr 13-14, 2016; Santa Rosa |
| • FGC adopted regulations implementing lobster FMP | Jun 22, 2016; Bakersfield |
| • FGC referred review of lobster FMP implementing regulations to MRC | Feb 6, 2019; Sacramento |
| • Today receive and discuss DFW overview of draft lobster regulation changes, and potential recommendation | Jul 14, 2022; MRC, Santa Rosa |

Background

The California Spiny Lobster FMP was adopted by FGC in Apr 2016. FGC adopted regulations with measures implementing the FMP at the Jun 2016 meeting, which went into effect in 2017. In light of the breadth of fishery changes adopted, DFW committed to track implementation effectiveness and identify any provisions that might need to be adjusted through what is commonly referred to as regulatory "clean-up."

In late 2018, a stakeholder requested that FGC refer to MRC a discussion about the new lobster trap retrieval regulations and other regulations established to implement the Lobster FMP. FGC granted that request at its Feb 2019 meeting, and referred the work plan topic "California Spiny Lobster Fishery Management Plan implementing regulations review" to MRC. The topic was held for a future meeting date to be determined, pending completion of DFW investigation into specific concerns related to the abandoned trap retrieval provision and other FMP-implementing regulations that might warrant regulatory clean-up.

In Jun 2022, following consultation with fishery participants between 2020 and 2022, DFW notified FGC that it completed its review of potential adjustments to the regulations. FGC approved scheduling this topic for today's MRC meeting for vetting and potential committee recommendation.

For today's meeting, DFW has prepared a detailed overview of potential regulatory adjustments (Exhibit 1), a summary of outreach meetings, and DFW recommendations. DFW is proposing four recreational fishery adjustments and three commercial fishery adjustments.

COMMITTEE STAFF SUMMARY FOR JULY 14, 2022 MRC

For background purposes only

The majority of potential changes would constitute “clean-up” of regulations implemented in 2017. However, DFW also evaluated two new commercial regulation options—allowing commercial lobster “tailing” and after-season possession of live lobster—proposed by individual fishery participants. In Feb 2022, DFW distributed a survey to commercial permittees and buyers to gauge the level of fleet-wide and buyer-wide support for the two requested changes under minimum recommended conditions developed by DFW. DFW analyzed results, synthesized the findings, and makes recommendations within a report provided as Exhibit 2. Based on survey results, DFW does not recommend including a regulatory change for either proposed allowance at this time.

In late Jun 2022, DFW distributed the survey results report to commercial lobster permittees and buyers. DFW highlighted its conclusions and rationale for not recommending either option at this time, adding that an option for tailing would require additional time for scoping and discussion. DFW also summarized the three previously-discussed commercial regulatory “clean-up” adjustments that DFW does support and will be presenting for discussion today.

DFW proposes the rulemaking commence with notice in Dec 2022 to ensure changes go into effect by the Oct 2023 lobster season. Additional discussions are ongoing between DFW and proponents of the commercial changes scoped through the survey.

Significant Public Comments (N/A)

Recommendation

FGC staff: Support DFW recommendation to schedule a rulemaking to consider recreational and commercial lobster fishing regulations as proposed by DFW, and tentatively schedule an update for the Nov 2022 MRC meeting.

DFW: Schedule a rulemaking to consider recreational and commercial lobster fishing regulations on a timeline commencing with notice in Dec 2022, as reflected in Exhibit 1.

Exhibits

1. DFW presentation
2. CDFW *Commercial Lobster Tailing and Post-Season Possession Survey Results*, dated Jun 22, 2022

Committee Direction/Recommendation

Advance a rulemaking to consider potential adjustments to California spiny lobster fishery regulations implemented in 2017 as recommended by the Department, schedule for notice in December 2022, and request the Department to provide an update at the November 2022 Marine Resources Committee meeting.



Adjustments to Spiny Lobster Regulations Implemented in 2017

July 14, 2022

Presented to:

Marine Resources Committee

Presented by:

Jenny Hofmeister, PhD

**Environmental Scientist
Marine Region**



Outline

- History and Context
- Proposed Recreational Regulatory Adjustments
- Proposed Commercial Regulatory Adjustments
- Commercial Regulatory Changes Scoped but Not Recommended At This Time
- Proposed Timeline
- Summary



Commercial Regulatory Changes Scoped but Not Recommended



Lobster Tailing: Background

- **May 2020:** Contacted by member of commercial lobster fleet requesting a change to allow the sale of lobster tails
 - Put pause on rulemaking package
 - Immediate concern for COVID impacts on live market
- **July 2020:** Commercial fleet meeting
 - Presented tailing request and gauged initial interest
- **Oct 2020:** Season start, price per pound hit record high in Dec
 - Urgency was lessened, but staff continued analysis and information gathering

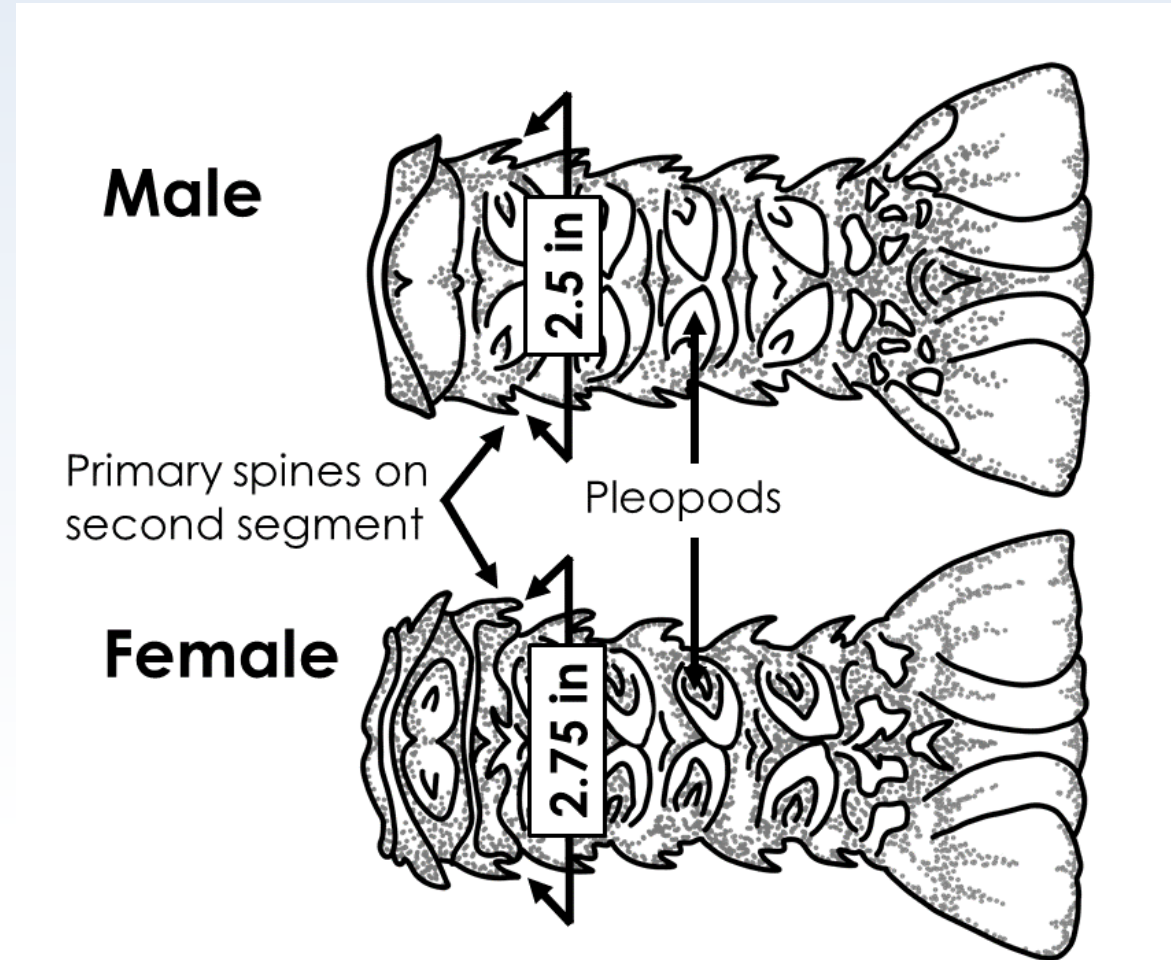


Lobster Tailing: Background (Cont.)

- **Aug 2021:** Commercial fleet meeting
 - Reassessed tailing interest, determined a survey should be issued
- **Feb 2022:** Commercial regulation survey sent
 - Sent to permit holders and buyers
 - Also included a question about interest in possession of lobsters after the season closure
- **June 2022:** Results shared with the fleet

Lobster Tailing: Survey

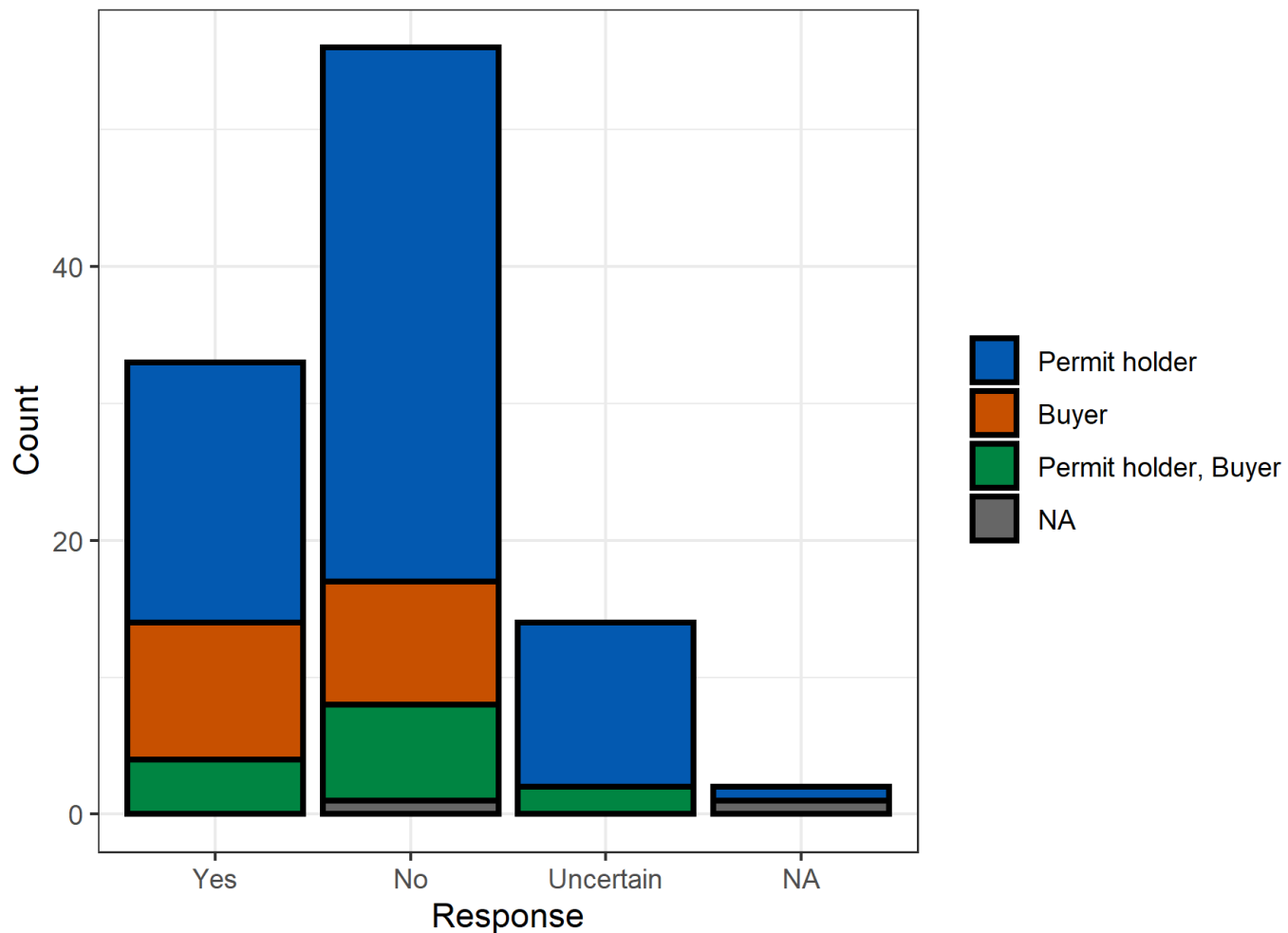
- Analyzed existing data to determine conservative tail width limits
- Outlined a draft regulatory structure
- Detailed report of survey results in MRC binder





Lobster Tailing: Responses

Do you support a change allowing lobsters to be tailed, given that setting conservative legal tail widths would mean not all catch could be tailed?

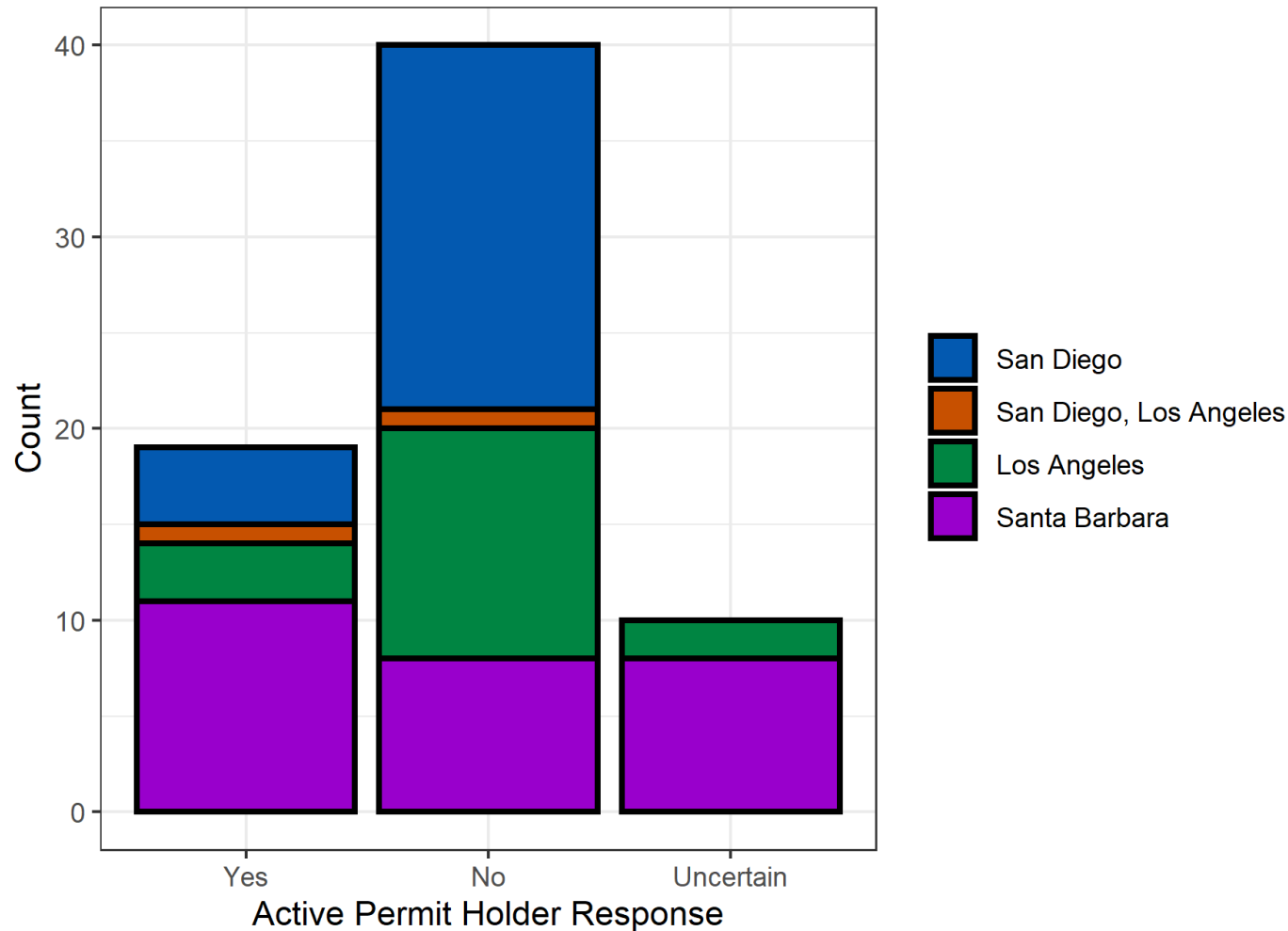


- 215 contacted, 105 responded
- Yes = 33, No = 56, Uncertain = 14, Did Not Answer = 2



Lobster Tailing: Geographic Support

Do you support a change allowing lobsters to be tailed, given that setting conservative legal tail widths would mean not all catch could be tailed?

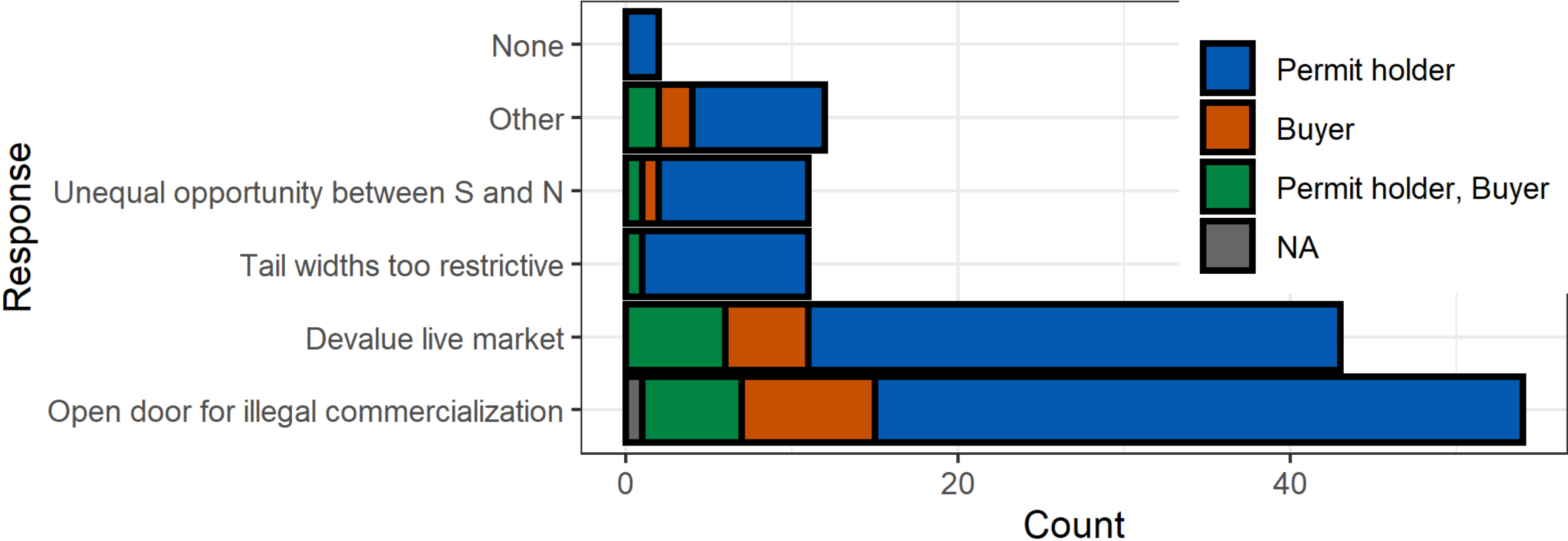


- 71 respondents made landings during the 2021-22 season
- Less support in the south than in the north



Lobster Tailing: Reasons Against

If you DO NOT support a tailing option, please select your reasons for why you do not want lobster tailing to be implemented.





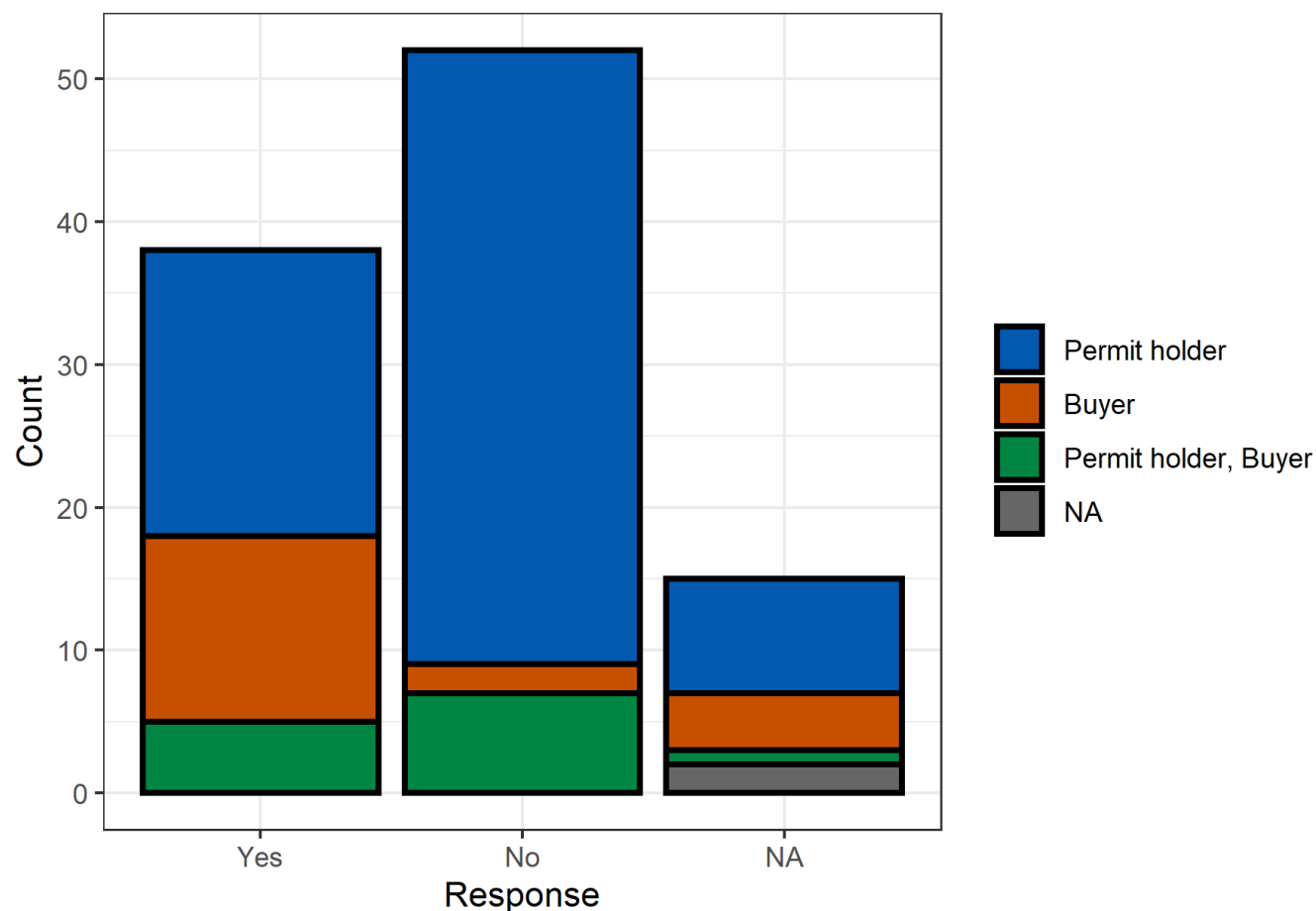
Post-Season Possession

- Current rule prohibits possession of lobsters after the season
- Post-season possession of live lobsters would give markets more time to sell lobsters that were landed on the last day of the season
- For enforcement purposes, it was recommended this change be accompanied by a requirement that all traps be out of the water by season's end



Post-Season Possession: Responses

Would you be in favor of allowing post-landing possession of live lobsters up to 7 days after the season closes, given the LED requirement that all traps be out of the water on the last day of the season?



- Yes = 38, No = 52, Did Not Answer = 15



Tailing and Post-Season Possession: Recommendations

- Tailing
 - Not recommended to include in current proposed regulatory package, doing so would significantly delay timeline
 - More discussion and scoping needed
- Post-Season Possession
 - Not recommended to pursue at this time

Thank You

The logo of the California Department of Fish & Wildlife is a shield-shaped emblem. It features a yellow outline of the state of California on a blue background. Above the map, the word "CALIFORNIA" is written in large, bold, yellow capital letters. Below the map, the words "DEPARTMENT OF FISH & WILDLIFE" are written in smaller, yellow capital letters. The entire logo is centered on the slide.

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Commercial Spiny Lobster Tailing and Post-Season Possession Survey Results

California Department of Fish and Wildlife (06/23/2022)

Marine Resources Committee Meeting of the California Fish and Game Commission July 14, 2022

Background Information

Some members of the commercial lobster fleet contacted California Department of Fish and Wildlife (Department) staff in May 2020 to propose a change in the regulations to allow lobster to be tailed at some point after being landed. Currently, lobster cannot be tailed until prepared for immediate consumption or sold to the ultimate consumer (CCR Title 14 § 121.5(c)). The intention of this requested change, as it was communicated to the Department, is to diversify the lobster market as well as improve and expand domestic sales by allowing lobster to be tailed and packaged for sale. In addition, some in the commercial fishery have asked about a change to allow buyers and markets to possess live lobsters up to 7 days after the season closes. This would allow fishing to occur up to and including the last day of the season, since buyers would not need to sell live catch before the season closes. Currently, the possession or sale of lobster is prohibited after the season.

On February 9, 2022, Department staff mailed and emailed a lobster tailing and post-season possession survey to 215 commercial lobster fishers and buyers, which included all valid commercial lobster permit holders and buyers who purchased lobster in the last three seasons. This survey was designed to assess the fleet-wide and buyer-wide level of support of the two requested changes. As of June 7, 2022, the Department received 105 responses (48.8% response rate).

In the survey, the following minimum recommended rules were presented as conditions if the Department were to pursue lobster tailing:

- Existing carapace size limit applies to all lobsters prior to landing, and to all lobster kept whole after being landed.
- Only commercial processors would be allowed to tail lobsters at a land-based address after landing. Tailing would not be allowed on a boat, in a vehicle, at the dock, or any place other than the land-based address.
- Tailed lobsters could not be possessed on a commercial vessel regardless of if they were landed or not.

- A minimum tail width would be established to ensure that a given tail came from a legal (3.25-inch carapace length) lobster.
- Tail widths would be sex-specific and conservative to minimize the chance that lobsters less than 3.25 in carapace length would enter the tail market.
 - 2.5 inches for males and 2.75 inches for females, measured in a straight line between the tip of the spines on the second abdominal segment just above the first pair of pleopods.
- A marking system (e.g., tail clip or tagging program) may be needed to identify sport-caught lobster from commercially caught lobster to minimize black market lobster tails.

Not every legal-size lobster would qualify for the tail market. From existing data, female lobsters with a carapace length of 3.25-3.75 inches have a tail width range of 2.0 to 3.0 inches with 64% having a tail width of 2.75 inches or greater making them available for a tail market. Male lobsters with a carapace length of 3.25-3.75 inches have a tail width range of 1.3 to 3.1 inches with 57% having a tail width of 2.5 inches or greater. However, these tail widths would result in a less than 0.5% chance that lobsters with a legal tail width came from a sublegal carapace length.

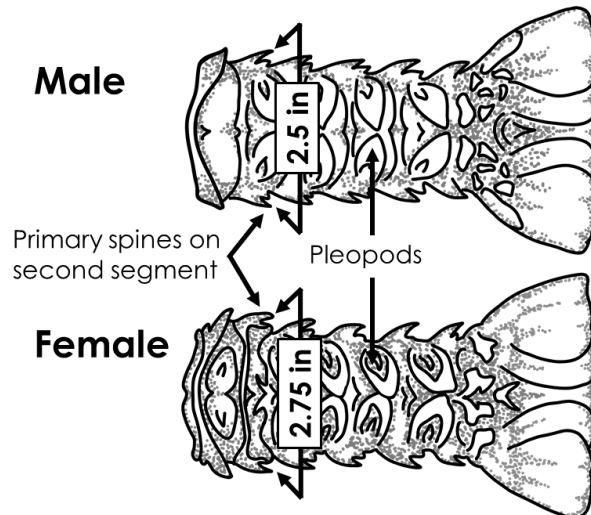


Figure 1. Proposed legal lobster tail widths and method of measuring for male and female lobsters. Tail width would be measured at the widest point on the second segment of the tail.

For post-season possession of live lobster, the following recommended restrictions were included:

- No lobsters would be allowed on commercial fishing vessels after the season.

- For enforcement purposes, an additional change would be recommended to require all lobster traps be removed by the last day of the season instead of the current allowance for unbaited and open traps to remain in the water for 9 days after the season closes.

Key Takeaways from Survey Results

- About half of respondents (n = 56) do not support a change allowing lobsters to be tailed, about 1/3 of respondents support a change, and the rest were uncertain or did not answer. Responses were as follows: Yes = 33; No = 56; Uncertain = 14; Did Not Answer = 2.
- Of the 105 respondents, 71 hold permits and made landings during the 2021-22 commercial lobster season (active permit holder). Of those 71, 19 (27%) support lobster tailing, 40 (56%) do not support lobster tailing, and 10 (14%) are uncertain. Two active permit holders (3%) did not answer the question.
- Active permit holder support for tailing varied regionally with 19% of southern-based fishers (San Diego, Orange, and Los Angeles counties; n = 42) in support, while 41% of northern-based fishers (Ventura and Santa Barbara counties; n = 27) support tailing. Two active permit holders did not answer the question.
- Based on responses to multiple questions, fishery participants are primarily interested in utilizing a tail market as a back-up plan and would not participate in a tail market when the live market is performing well.
- Buyers have a bigger interest in a tail market than permit holders do; 44% of respondents who are buyers in some capacity support lobster tailing, while 27% of those who only hold lobster permits support lobster tailing.
- Of those opposed to tailing, opening the door for illegal commercialization is the most common reason for the opposition.
- Most respondents to the question regarding allowance for possession of live lobsters after the season closure (n = 52) do not support such a change, given the recommended conditions. Responses were as follows: Yes = 38; No = 52; Did Not Answer = 15.

Recommendations

Based on these survey results, Department staff does not recommend including a regulatory change that would allow for lobster tailing at this time. Doing so would significantly delay the current proposed regulatory changes and expand the scope of the proposed rulemaking beyond its original intention. The scope of the proposed regulatory package is focused on needed adjustments to

regulations implemented in 2017. If this change is to be pursued, the support, need, and consequences of lobster tailing need to be further vetted and explored.

Additionally, Department staff does not recommend including a regulatory change that would allow for the possession of live lobster after the season closure conditional on all lobster traps being out of the water by the last day of the season. Fleet support, specifically permit holder support, was not high enough to warrant pursuing such a change.

Survey Question Responses

QUESTION 1. Do you support a change allowing lobsters to be tailed, given that setting conservative legal tail widths would mean not all catch could be tailed?

Question 1 was intended to assess overall support of a change allowing lobsters to be tailed, given the recommended restrictions set forth in the survey background information. In response to Question 1, 56 respondents replied “No”, 33 replied “Yes”, 14 were “uncertain”, and 2 did not answer the question (Figure 2). The respondents who replied yes accounted for 17.9% of lobster landings by weight for the 2021-22 commercial season. The respondents who replied no accounted for 30.2% of lobster landings by weight and the respondents who were uncertain accounted for 8.2% of lobster landings by weight (Figure 3).

- Of the 105 respondents, 71 hold permits and made landings during the 2021-22 commercial lobster season (Figure 4). Of those 71, 19 (27%) support lobster tailing, 40 (56%) do not support lobster tailing, and 10 (14%) are uncertain. Two active permit holders (3%) did not answer the question. Of the active permit holders who replied “Yes” to Question 1, 8 fished in the southern region of the fishery (San Diego, Orange, and Los Angeles counties) and 11 fished in the northern region of the fishery (Ventura and Santa Barbara counties). Of the active permit holders who replied “No” to Question 1, 32 fished in the southern region and 8 fished in the northern region. Two southern permit holders and 8 northern permit holders replied “Uncertain”.

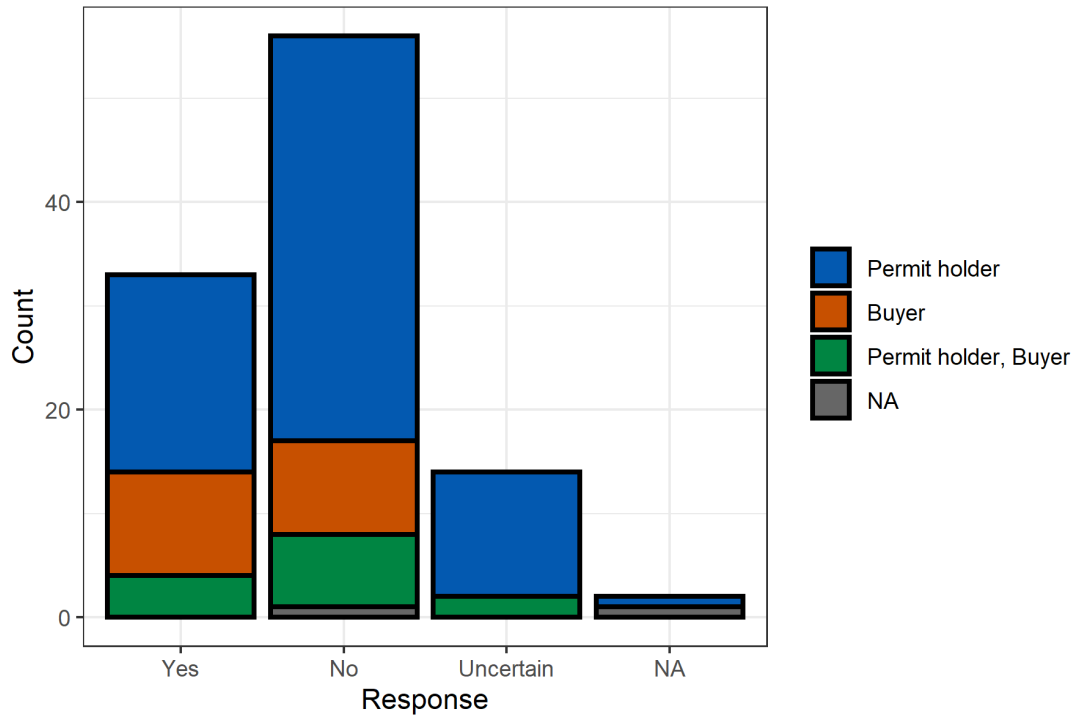


Figure 2. Number of respondents (n = 105), color coded by fishery participant type, who do or do not support a change allowing lobsters to be tailed. An NA participant type is a respondent who did not indicate if they were a permit holder and/or buyer, and an NA response is a respondent who left that question blank.

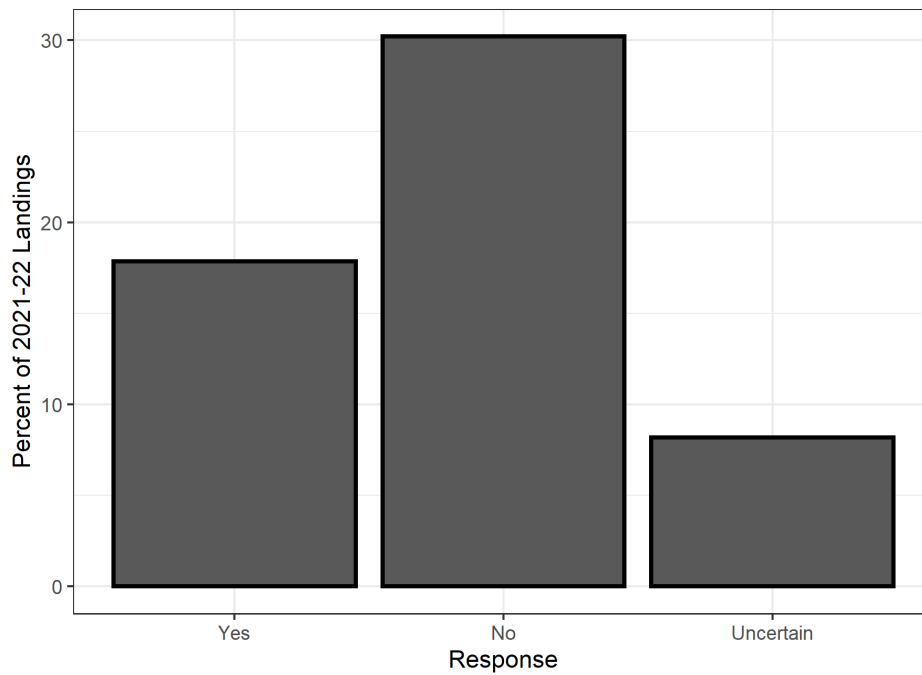


Figure 3. Percentage of 2021-22 landings reported by respondents, based on E-Tix data accessed on April 15, 2022.

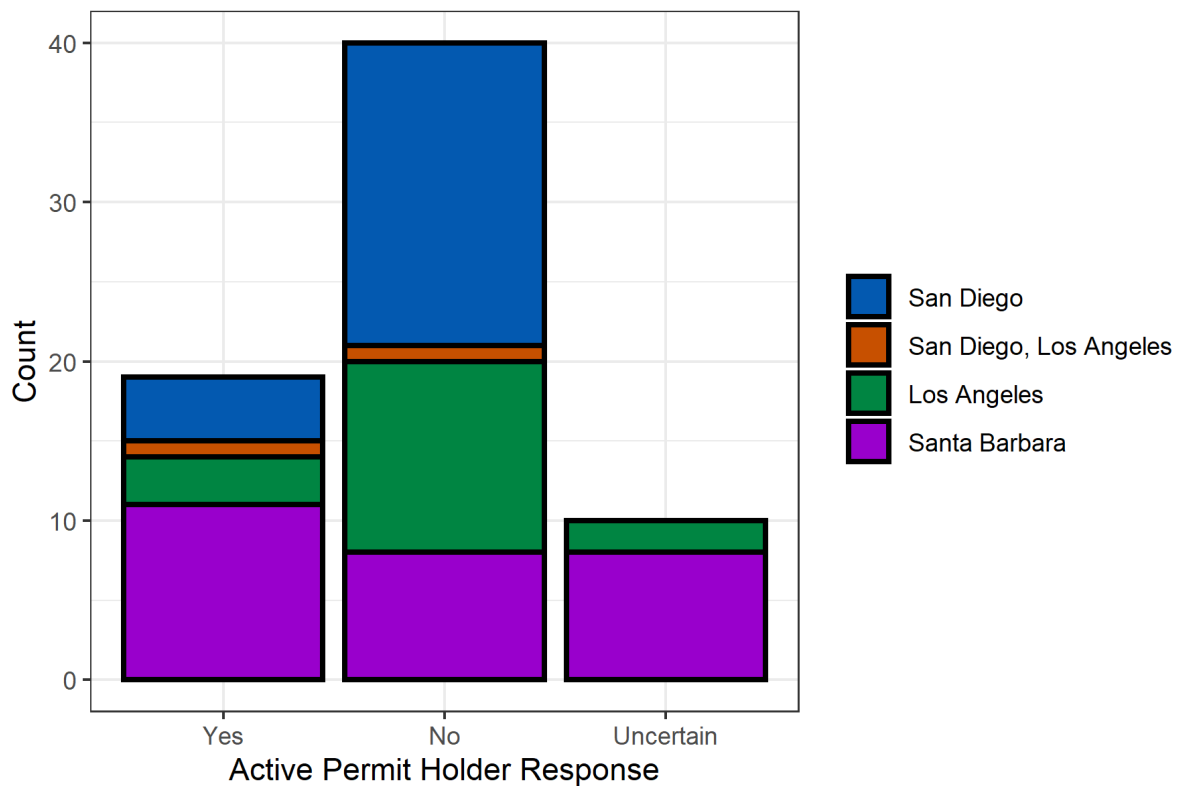


Figure 4. Number of respondents who made landings during the 2021-22 season, color coded by county, who do or do not support a change allowing lobsters to be tailed (n = 71). "Los Angeles" includes Orange and Los Angeles counties. "Santa Barbara" includes Ventura and Santa Barbara counties. Some respondents landed lobsters in San Diego, Orange, and Los Angeles counties (indicated in orange).

QUESTION 2. On a scale of 1-5, with 1 meaning “Never” and 5 meaning “All the Time,” if lobster tails were allowed in markets, how often would you use this option?

Question 2 was intended to assess how often fishery participants would use a lobster tailing option. The answer to this question, in combination with questions 3 and 4, were designed to distinguish between participants who would use a lobster tail market as a regular component of their marketing approach, or ones who intend to use it only as a back-up option when the live market is not a financially or logistically viable option. Most respondents who answered “Yes” or “Uncertain” to Question 1 selected a value of “3” for this question, which was labeled as “Depends” in the survey (n = 27; Figure 5).

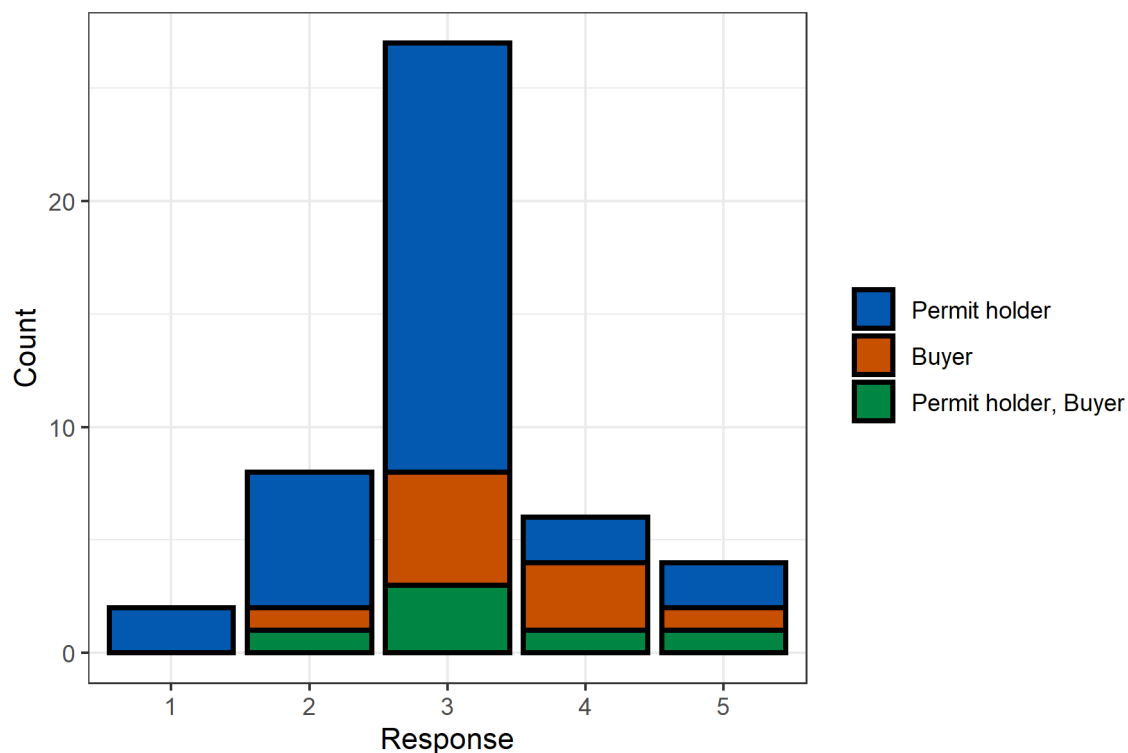


Figure 5. Responses to Question 2 assessing the frequency of use of a lobster tail market option. These results are only from respondents who answered “Yes” or “Uncertain” to Question 1 (n = 47).

QUESTION 3. Are you interested in participating in a tail market only as a back-up plan when live or whole lobsters cannot be sold?

The majority of respondents who answered “Yes” or “Uncertain” to Question 1 selected “Yes” to Question 3 (n = 36; Figure 6), indicating most who are interested in lobster tailing are interested in it as secondary option when the live market is not performing well. Only results from respondents who answered “Yes” or “Uncertain” to Question 1 are presented.

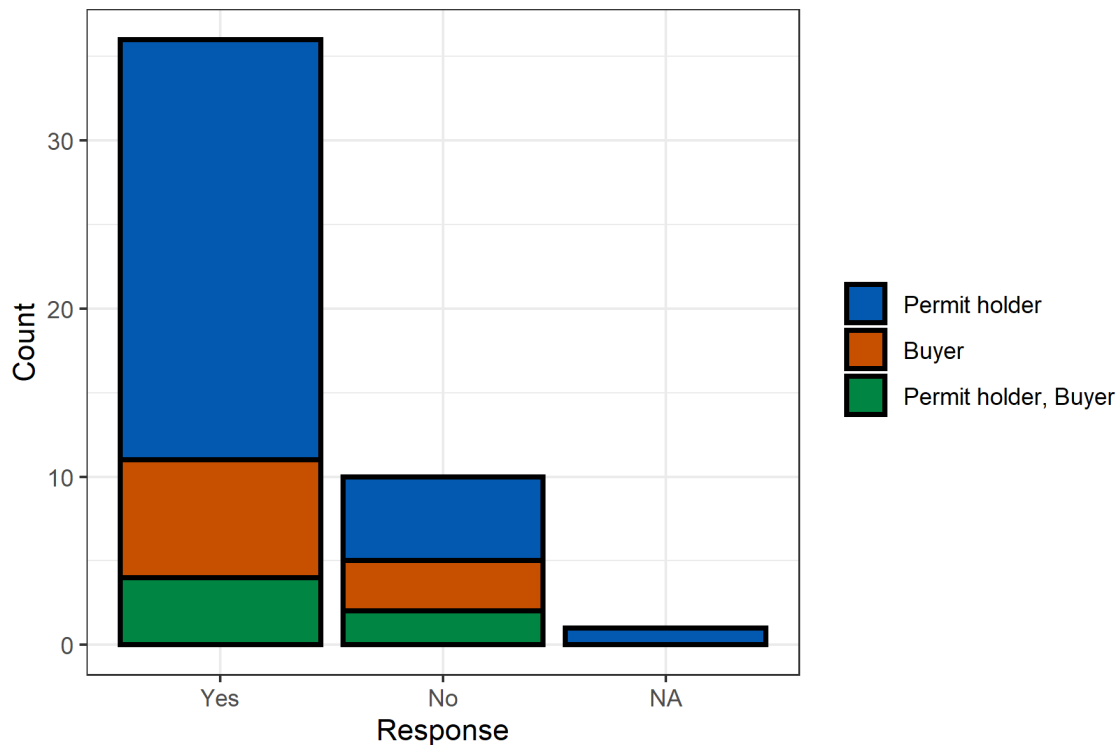


Figure 6. Responses to Question 3 assessing interest in lobster tailing as a back-up plan to the live market. A response of NA indicates the question was not answered. These results are only from respondents who answered “Yes” or “Uncertain” to Question 1 (n = 47).

QUESTION 4. Would you utilize a tail market if the live market is doing well?

The majority of respondents who answered “Yes” or “Uncertain” to Question 1 replied “Yes” to Question 4 ($n = 23$; Figure 7). This is in seeming contrast to the answers to Question 3. Permit holders made up a much larger proportion of “No” answers to this question than buyers. An additional 2 respondents indicated they were uncertain if they would use a tail market if the live market were doing well, which was not an official option presented in the survey.

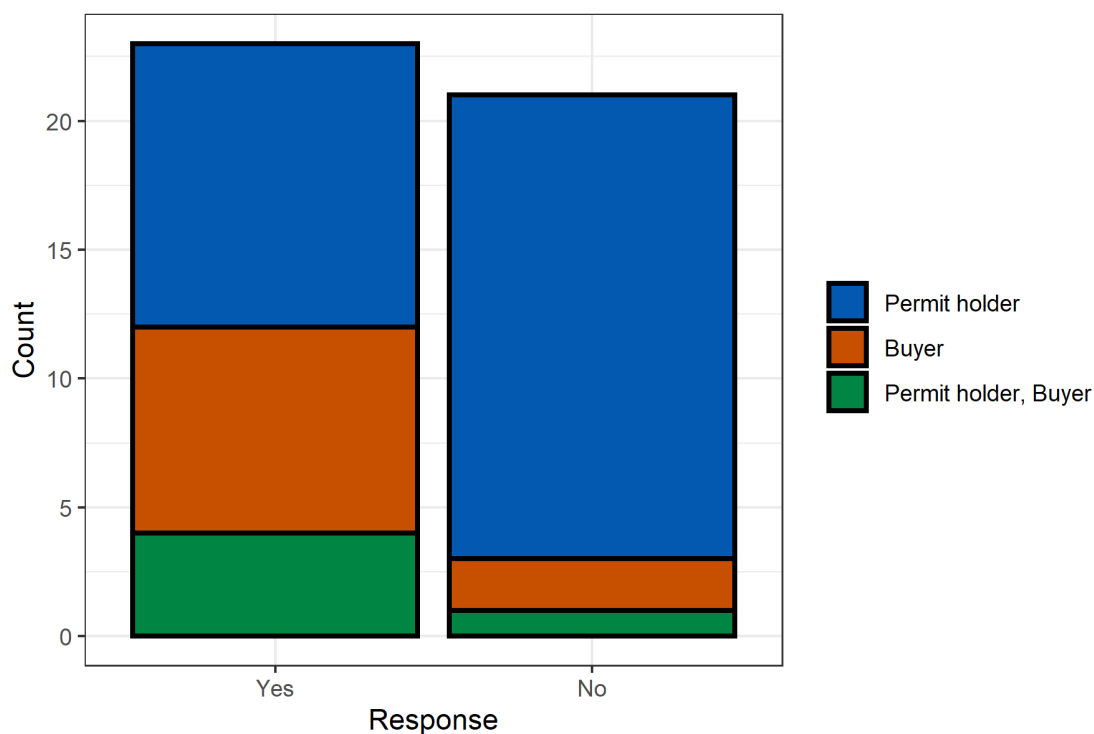


Figure 7. Responses to Question 4 assessing if fishery participants would utilize lobster tailing if the live market was doing well. These results are only from respondents who answered “Yes” or “Uncertain” to Question 1 ($n = 47$).

QUESTION 5. On a scale of 1-5, with 1 meaning “Not important at all” and 5 meaning “Extremely important,” how important is it to you that lobster tailing becomes a consistent market option available throughout every season?

This question was intended to determine if support for tailing is driven by intended use (as asked in Questions 2, 3, and 4), or by importance of tailing as an option within the fishery. Only results from respondents who answered “Yes” or “Uncertain” to Question 1 are presented (Figure 8).

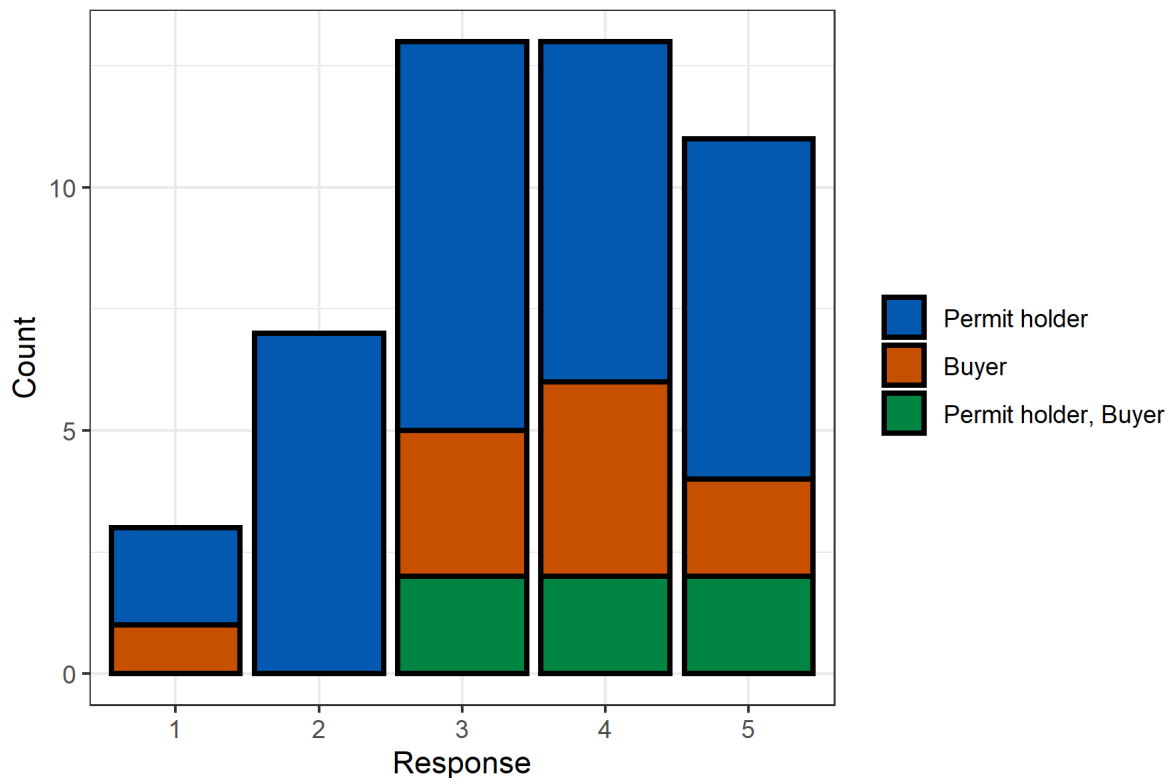


Figure 8. Responses to Question 5 assessing how important respondents feel a lobster tailing option is. These results are only from respondents who answered “Yes” or “Uncertain” to Question 1 (n = 47).

QUESTION 6. If you DO NOT support a tailing option, please select your reasons for why you do not want lobster tailing to be implemented.

This question was asked to determine the primary reasons a fishery participant does not support lobster tailing. Only results from respondents who answered “No” or “Uncertain” to Question 1 are presented (n = 70; Figure 9). The most chosen reason against lobster tailing was “Open door for illegal commercialization” (n = 54), followed by “Devalue live market” (n = 43). Respondents could choose more than one reason.

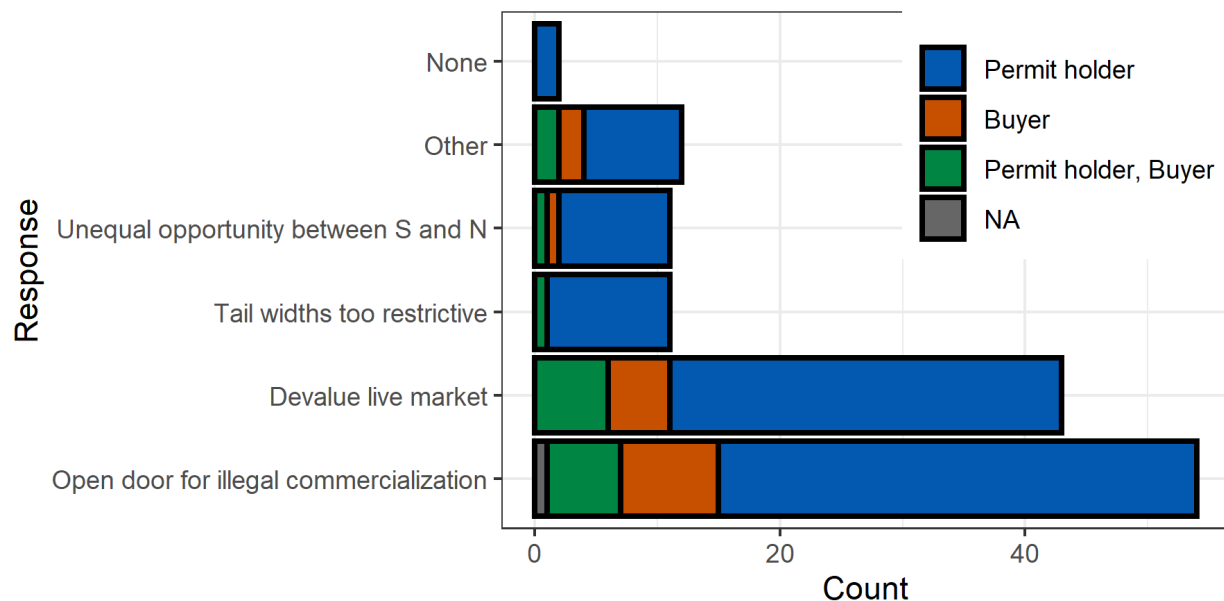


Figure 9. Responses to Question 6 assessing the reasons why fishery participants do not support lobster tailing. Only responses from participants who answered “No” or “Uncertain” to Question 1 are presented (n = 70). An NA participant type is a respondent who did not indicate if they were a permit holder and/or buyer.

QUESTION 7. Would you be in favor of allowing post-landing possession of live lobsters up to 7 days after the season closes, given the LED requirement that all traps be out of the water on the last day of the season?

The majority of respondents answered “No” to Question 7 (n = 52; Figure 10). Buyers most often answered “Yes” while the permit holders most often answered “No”.

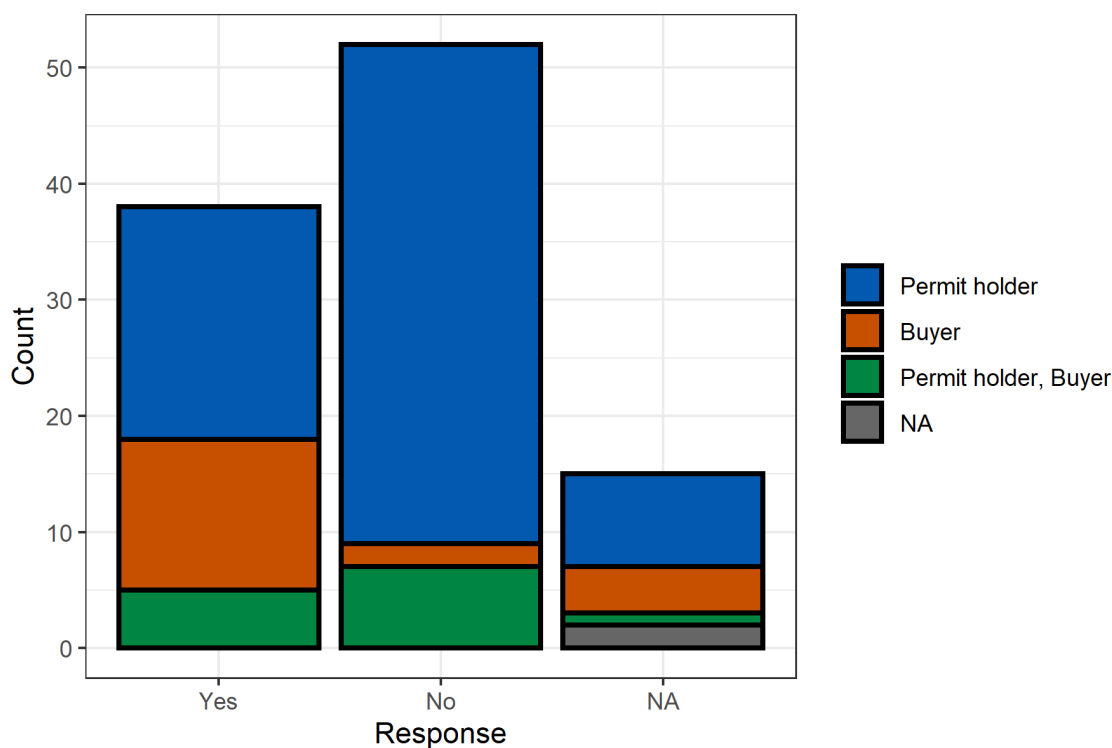


Figure 10. Responses to Question 7 assessing if fishery participants would want an allowance for live lobsters to be possessed after the season closure given the recommended conditions. An NA participant type is a respondent who did not indicate if they were a permit holder and/or buyer, and an NA response is a respondent who left that question blank.

Synthesis and Conclusions: Tailing

The overall responses to this survey indicate that the majority of the commercial lobster fishery participants either do not support or are uncertain about regulation changes allowing for the tailing of lobsters post-landing. In addition, the majority of supporters are based in the northern range of the fishery (Ventura and Santa Barbara counties) while the majority of opponents are from the southern range of the fishery (San Diego, Orange, and Los Angeles counties). It should be noted that to be confident that a tail came from a legal-sized lobster (based on carapace length), a conservative (relatively wide) tail width limit would be recommended. Lobsters caught in the south are smaller on average

than lobsters caught in the north, and therefore less of the legal-size lobsters caught in the south would qualify to be tailed. Question 6, attempted to assess the prevalence of this concern which asked why fishery participants do not support a tailing option. "Unequal opportunity between southern and northern fleet" was selected 11 times as a reason against lobster tailing (Question 6).

Of the respondents who are supporters or uncertain of allowing tailing, there were mixed responses to questions assessing the source and level of importance and need for lobster tailing. While most respondents in this category indicated they would only be interested in a tailing option as a back-up plan (Question 3), roughly the same number of respondents indicated they would (n = 23) use a tail market when the live market is doing well as those who indicated they would not (n = 21) (Question 4). In addition, the majority of respondents in this category stated their frequency of use of lobster tailing would depend on the situation (Question 2), but when ranking the importance of this change there was a skew towards the "Important" and "Very Important" responses (Question 5). Taken together, these responses suggest fishery participants who support tailing view it as an important addition to their marketing options but is not something they plan to utilize on a regular basis.

The most common reasons for not supporting a lobster tailing option were "Open door for illegal commercialization" and "Devalue the live market". The former is a concern tied to resource protection and enforceability of regulations, while the latter is primarily a market concern.

Synthesis and Conclusions: Possession after season closure

The majority of respondents do not support a regulatory change that would allow the possession of live lobsters after the season, given the condition that all traps be out of the water by the last day of the season. There was a clear difference between permit holder and buyer preference. The regulatory change was supported by a larger number of buyers, and not supported by a larger number of permit holders.

Commissioners
Samantha Murray, President
La Jolla
Erika Zavaleta, Vice President
Santa Cruz
Jacque Hostler-Carmesin, Member
McKinleyville
Eric Sklar, Member
Saint Helena
Vacant, Member

STATE OF CALIFORNIA
Gavin Newsom, Governor

Melissa Miller-Henson
Executive Director
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Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

MARINE RESOURCES COMMITTEE

Committee co-chairs: Commissioner Sklar and Commissioner Murray

Excerpt of Agenda Item 5 from

July 14, 2022 Meeting Summary

Following is an excerpt from a summary of the California Fish and Game Commission (Commission) Marine Resources Committee (MRC) meeting as prepared by staff. A video and audio recording of the meeting are available at: [Marine Resources Committee - July 14, 2022 - Santa Rosa / Webinar/Teleconference - YouTube](#).

5. California spiny lobster fishery regulations

Jenny Hofmeister presented an overview of Department-proposed adjustments to recreational and commercial spiny lobster regulations implemented in 2017, summarized outreach to lobster fishery participants, and provided a proposed regulatory timeline. The Department evaluated two potential changes proposed by commercial fishery participants, one to authorize lobster tailing and one to allow end-of-season live possession at commercial fish processing facilities. The Department developed conditions that would address enforcement feasibility and conducted a survey of commercial lobster fishermen and buyers to gauge support for the options under Department-defined measures. The lobster tailing option as proposed was not supported by a majority of survey respondents; this option would require more vetting and development, thus the Department does not recommend including them in the proposed rulemaking. The end-of-season live possession option as proposed was not supported by a majority of respondents; therefore, the Department recommends not pursuing this option further.

Public Comment

Two commercial lobster fishery representatives shared that lobster tailing is an important management tool to be available in response to domoic acid closures and think this idea should still be considered.

Discussion

Assistant Chief Kord stated that the DFW-recommended changes are important to move forward for the Law Enforcement Division (LED) in regard to staffing and safety concerns, and to close regulatory loopholes that could be exploited as an excuse for illegal fishing.

Co-chair Sklar expressed support for the proposed timeline and suggested that this topic does not need to be discussed at the November MRC. However, he encouraged the Department, Law Enforcement Division, Commission staff, and stakeholders to continue to explore options for end-of-season live possession that may address enforcement concerns in a manner palatable to fishermen. He also suggested the conversation on a tailing option be continued separately.

Melissa Miller-Henson asked Jenny Hofmeister about how the proposed change would impact the ability of fishermen to retrieve gear if the gear is lost or abandoned, or if the permittee is incapacitated and cannot provide written approval. Jenny explained that provisions allow people to retrieve another's gear when something catastrophic happens to the permittee, or to recover up to six lost or derelict traps, and that those provisions are not proposed to change.

Following discussion, MRC developed a recommendation for Commission consideration.

MRC Recommendation

MRC recommends that the Commission: (1) Schedule a rulemaking to consider revisions to recreational and commercial spiny lobster fishing regulations as proposed by the Department; (2) request that the Department continue to work with industry on options to allow end-of-season live possession at commercial fish processing facilities, and present at the notice hearing for potential addition to the rulemaking if an approach amenable to both enforcement and the industry is developed; and (3) request that the Department continue to explore a tailing option with industry separately from this rulemaking.



Tracking Number: (2026-02)

To request a change to regulations under the authority of the California Fish and Game Commission (Commission), you are required to submit this completed form to: California Fish and Game Commission, (physical address) 1416 Ninth Street, Suite 1320, Sacramento, CA 95814, (mailing address) P.O. Box 944209, Sacramento, CA 94244-2090 or via email to FGC@fgc.ca.gov. Note: This form is not intended for listing petitions for threatened or endangered species (see Section 670.1 of Title 14).

Incomplete forms will not be accepted. A petition is incomplete if it is not submitted on this form or fails to contain necessary information in each of the required categories listed on this form (Section I). A petition will be rejected if it does not pertain to issues under the Commission's authority. A petition may be denied if any petition requesting a functionally equivalent regulation change was considered within the previous 12 months and no information or data is being submitted beyond what was previously submitted. If you need help with this form, please contact Commission staff at (916) 653-4899 or FGC@fgc.ca.gov.

SECTION I: Required Information.

Please be succinct. Responses for Section I should not exceed five pages

1. Person or organization requesting the change (Required)

Name of primary contact person: Ava Schulenberg, California Lobster & Trap Fishermen's Association (CLTFA)

Address: 315 Meigs Rd., STE A279, Santa Barbara, CA, 93109

Telephone number: [REDACTED]

Email address: cltfa2023@gmail.com

2. Rulemaking Authority (Required) - Reference to the statutory or constitutional authority of the Commission to take the action requested: The Commission's authority to adopt the proposed regulation derives from the California Fish and Game Code, including but not limited to Sections 200, 205, and 219, which authorize the Commission to regulate the take, possession, and management of fishery resources, including California spiny lobster.

3. Overview (Required) - Summarize the proposed changes to regulations: We propose allowing the option for permitted commercial California spiny lobster fishermen to tail their legally harvested lobster in addition to the current ability to sell lobster whole or live.

4. Rationale (Required) - Describe the problem and the reason for the proposed change: Current regulations require that California spiny lobster be landed and sold whole, which limits the ability of commercial fishermen and seafood businesses to adapt to changing market conditions. Allowing the option to tail lobster would provide additional flexibility for fishermen, processors, and distributors while maintaining existing conservation measures and harvest limits.

The proposed change would not alter season dates, size limits, trap limits, or overall harvest levels. Instead, it would simply allow legally harvested lobster to be processed into tails for storage, transport, and sale. This option could improve product handling and reduce spoilage or waste, particularly when live markets are limited or disrupted. Allowing lobster tailing would



also expand access to domestic markets that prefer frozen lobster tails rather than live product, providing additional economic stability for California fishermen and seafood businesses. Increased market flexibility could help the fishery better withstand fluctuations in export demand, transportation challenges, or other market disruptions.

The proposed regulation would maintain current fishery management and conservation objectives while providing practical operational benefits to participants in the fishery. Similar processing practices are common in other lobster fisheries and have not been shown to increase fishing pressure when existing harvest regulations remain in place.

Recent consensus among members of CLTFA indicates that the option to tail lobster should be available to all permit holders. Following meetings with the California Department of Fish and Wildlife, a statewide survey was conducted in May–June 2025 to further evaluate support and concerns regarding the proposal, including input from both members and non-members. Responses were received from 35 commercial lobster fishermen representing multiple ports across California, ranging from newer participants in the fishery to fishermen with more than 40 years of experience. The results showed significant interest in allowing lobster tailing among active fishermen, while also identifying concerns related to enforcement, logistics, and potential market impacts.

The proposed change would support the long-term economic viability of the California spiny lobster fishery while maintaining responsible management of the resource. Any implementation of lobster tailing would include appropriate handling, landing, and/or reporting requirements to ensure that enforcement officers can continue to verify compliance with minimum size regulations. Further discussion and potential pilot testing could help refine a program that addresses these concerns while protecting resource sustainability and expanding economic opportunities within the fishery.

Proposed Regulatory Language: Proposed amendment to Title 14, California Code of Regulations, Section 122 – Spiny Lobster

§122. Spiny Lobster

(x) Tailing of Lobster.

Commercial fishermen holding a valid California spiny lobster permit may remove the tail from legally harvested lobster. All lobster must be in compliance with the minimum size limit at the time of harvest.

Lobster tails may be possessed, transported, processed, and sold provided that all applicable landing, reporting, and permit requirements established by the California Department of Fish and Wildlife are followed.

The removal of lobster tails shall not be used to circumvent minimum size limits, possession limits, or other fishery management regulations.



SECTION II: Optional Information

5. **Date of Petition:** March 11th 2026
6. **Category of Proposed Change**
☐ Sport Fishing
☒ Commercial Fishing
☐ Hunting
☐ Other, please specify: Click here to enter text.
7. **The proposal is to:** *(To determine section number(s), see current year regulation booklet or <https://govt.westlaw.com/calregs>)*
☒ Amend Title 14 Section(s): 122 – Spiny Lobster
☐ Add New Title 14 Section(s): Click here to enter text.
☐ Repeal Title 14 Section(s): Click here to enter text.
8. **If the proposal is related to a previously submitted petition that was rejected, specify the tracking number of the previously submitted petition** Click here to enter text.
Or ☒ Not applicable.
9. **Effective date:** If applicable, identify the desired effective date of the regulation.
If the proposed change requires immediate implementation, explain the nature of the emergency: First Wednesday of October 2026
10. **Supporting documentation:** Identify and attach to the petition any information supporting the proposal including data, reports and other documents: Click here to enter text.
11. **Economic or Fiscal Impacts:** Identify any known impacts of the proposed regulation change on revenues to the California Department of Fish and Wildlife, individuals, businesses, jobs, other state agencies, local agencies, schools, or housing: The proposed regulation allowing the option to tail California spiny lobster is not expected to result in significant negative economic impacts to the California Department of Fish and Wildlife, individuals, businesses, jobs, or other state or local agencies. The proposal does not alter harvest limits, season dates, or permit structures, and therefore is not expected to affect licensing revenue, landing taxes, or other revenues collected by the state. Providing the option to tail lobster may create economic benefits for commercial fishermen, processors, wholesalers, and restaurants by improving storage efficiency, reducing shipping constraints, and allowing access to additional markets that prefer frozen lobster tails rather than live product. These efficiencies could help reduce waste and mitigate economic volatility associated with market disruptions or export limitations. Overall, the proposed change is expected to have neutral to positive economic effects while maintaining current fishery management objectives.
12. **Forms:** If applicable, list any forms to be created, amended or repealed:
Click here to enter text.



SECTION 3: FGC Staff Only

Date received: 03/12/2026

FGC staff action:

- ☒ Accept - complete
- ☐ Reject - incomplete
- ☐ Reject - outside scope of FGC authority

Tracking Number

Date petitioner was notified of receipt of petition and pending action: _____

Meeting date for FGC consideration: _____

FGC action:

- ☐ Denied by FGC
- ☐ Denied - same as petition _____
- ☐ Granted for consideration of regulation change

Tracking Number

From: CLTFA Friday, June 12, 2026 11:58 AM
Sent: FGC
To:
Cc: CLTFA Lobster Tailing Petition Additional Materials
Subject: CA Spiny Lobster Tailing Survey 2025 Results (CLTFA).pdf
Attachments:

Hello Fish and Game Commission,

We hope you are doing well!

We look forward to discussing our tailing petition with you in Sacramento next week. For some context, we know this isn't the first time a tailing petition has been put forth for the CA spiny lobster fishery, but in light of recent market fluctuations (largely due to tariffs), the topic resurfaced and CLTFA has spent a substantial amount of time discussing it at board meetings over the past couple years that have led us to have two separate unanimous board votes asking the Association to move forward with pursuing this option. I've attached our original [survey](#) results that helped drive forward the decision as well. This survey was sent through CDFW last year to *all* permit holders as we wanted to make sure non-members' voices were heard (CLTFA has 62 members which is more than half of the active permit holders in the state).

Please don't hesitate to reach out if you have any questions that you'd like to discuss ahead of time, otherwise we'll see you on Wednesday!

Thanks and have a wonderful weekend!

--

Kind Regards,
Ava Schulenberg
Executive Director | [CA Lobster & Trap Fishermen's Association](#)
Assistant Director | [Commercial Fishermen of Santa Barbara \(CFSB\)](#)
Deckhand

California Spiny Lobster Tailing Survey (CLTFA)

35 responses

[Publish analytics](#)



What is your name/vessel? (Optional)

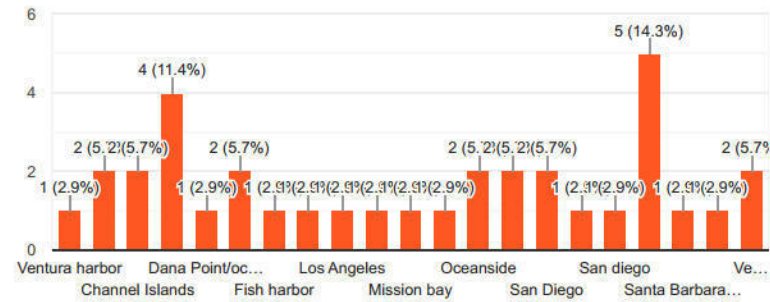
25 responses



What is/are your primary port(s)?

[Copy chart](#)

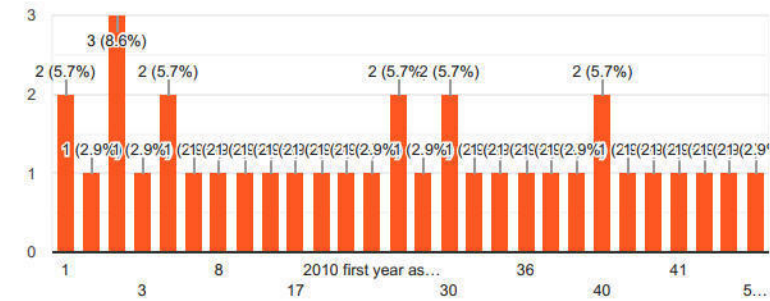
35 responses



How many years have you fished lobster (including any time spent as a deckhand)?

[Copy chart](#)

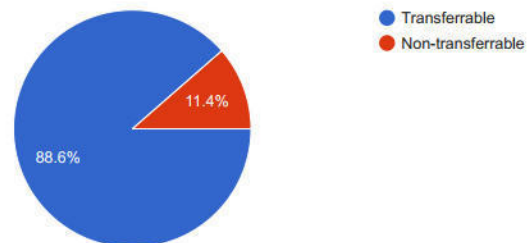
35 responses



What type of lobster permit do you have?

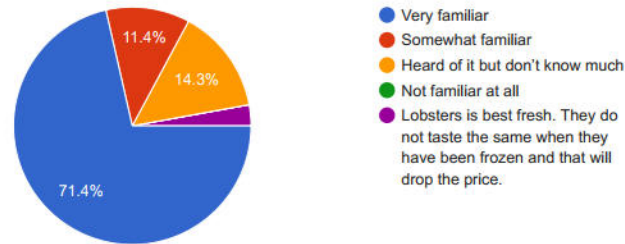
[Copy chart](#)

35 responses



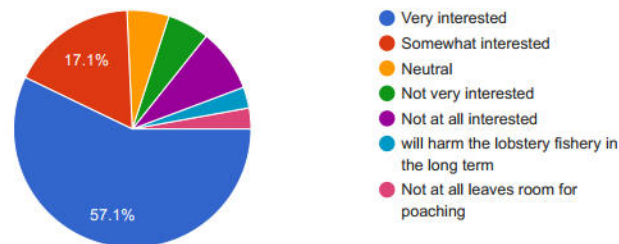
How familiar are you with the concept of lobster tailing (removing the tail and potentially freezing it for sale)?

35 responses



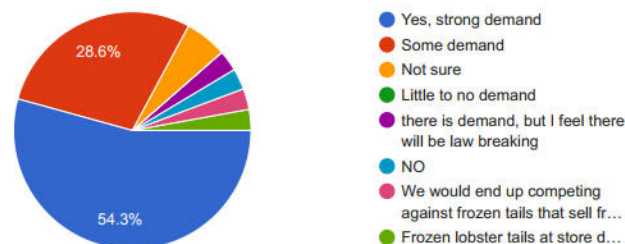
If lobster tailing were allowed under current regulations, how interested would you be in participating?

35 responses



Do you believe there is a sufficient market for frozen lobster tails?

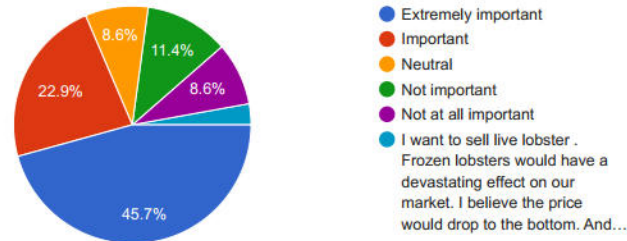
35 responses



How important is it for you/your business to have tailing as an optional marketing channel?

[Copy chart](#)

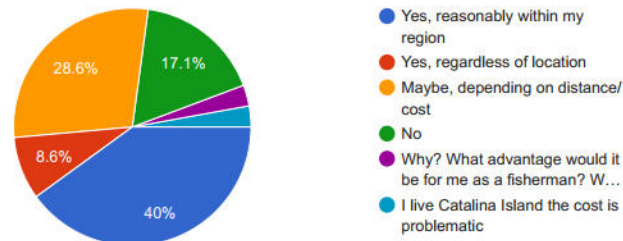
35 responses



Would you be willing to transport your catch to a tailing facility if needed?

[Copy chart](#)

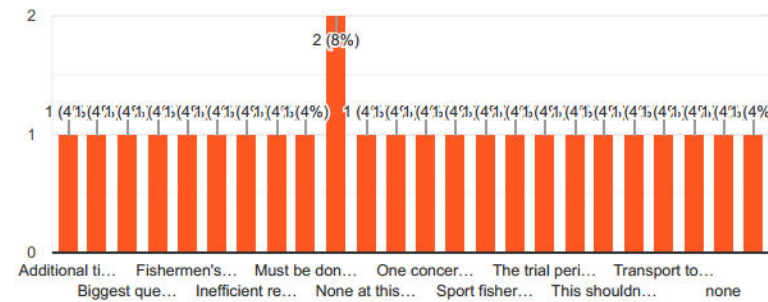
35 responses



What logistical concerns, if any, would you have about tailing (e.g., equipment, time, freezing, transportation)?

[Copy chart](#)

25 responses



What are your thoughts on exploring different gauge sizes or regulations for male and female lobsters as part of a tailing program?

29 responses

Establish a minimum width of tail to ensure all tails came from legal size lobsters

Horrible idea

don't allow it

Sounds like a good plan.

Keep it the way it is currently

I'm down for that but concerned it will take many years for the law to be passed.
And it will be a confusing mess at the start.

thats the only hard part ! If there is a guage change for males we need to be part of the decision !!

Not a problem. To be expected if one chooses to participate in the tailing of lobsters for sale.

If the carapace is still connected to the tail we could circumvent any new legislation

I think one measurement would make everything a lot easier.

The size of a tail gage would have to be different for males and females obviously. Another thought is it would have to be a pretty big tail to be obviously legal, as far as the carapace goes. So I think that would be difficult to navigate.

Only tail very large lobsters. Sell questionable to market whole.

I think it's a good idea

Already done

None leave it alone
The regulations we have already worked

Sounds logical

It should be assumed there legal size. Enforcement's opportunity to measure has passed.
Same way a 10 oz halibut fillet can no longer be measured to verify the fish was of legal size.

I'm OK with exploring them, just not moving forward without discussion.

N/a

Ridiculous option to go into the frozen market and degrade the premium product we currently provide.

Very interested



I'm open to it

Not particularly excited.

Not interested

I think it would be a good idea to have a two gauge system - evens out the playing field for areas that catch more male lobster with smaller tail and provides the ability to sell more tails for a frozen market

Keep the same

Not sure

Leave it alone

I am not interested in gauging lobsters any other way. The way we do it allows you to gauge the Lobster then let it go without harming it fast and easy.



In your opinion, what are the **main benefits** of offering lobster tailing as an option?

35 responses

Being able to compete in global markets to get a higher price

Direct marketing

more money, but it will harm the lobster industry in the long run

More options and opportunity to sell and store lobsters

Being able to sell to US, restaurants, grocery stores and direct to consumer. Also will help stabilize market pricing with consistent product available for market.

For certain people that sell small amounts it helps but not all

Freezing and selling as a package in markets and grocery stores worldwide. It expands our market in a huge way.

it would give a whole new market for all of us . especially in Japan ! we lost that market because they didnt want to deal with live product. Japan brings in frozen tails from all over the world now ! most likely China will not be an option !!

- 1) liberation from the current power of the live export market players.
- 2) allows California lobsters to stay local and compete fairly in the market place
- 3) would let a fisherman avoid peaks and valleys of marketing booms and gluts. Meaning for an example if price is low on the opener because of a large harvest by the fleet, a fisherman could tail and freeze his catch until the market price increases later in the season for holidays or decreased of lobsters in the market place.
- 4) flexibility to expand demand to local consumers (restaurants, parties, direct to market farmers markets, there is no end since a tailed lobster is less perishable and easier to be stored in bulk than live ones.
- 5) a huge one is the possibility to avoid fishery closures due to Domoic acid toxicity. Since tailing is avoiding the viscera it would be difficult to have a complete shut down of a region by DFW if they test hot.
- 5) tailing would allow an individual to market his own catch (or if a successful marketer other lobster fisherman too) . This enables the fisherman to negotiate his price which they can't legitimately do now. I would envision tailing would increase the price received per lobster over current export "set" prices.

Opening new markets

Having options is the main benefit

Help with the domestic market and not having to depend on our live market overseas.

another way of marketing

To make more money from your un-shippable lobsters/ make money in summer

Sell catch year round

Help a domestic market



Year round market

None

It could possibly open up new markets that are unable to deal with live product. This MAY allow buyers to purchase more lobster to service these alternative markets.

Makes a perishable product less perishable. Product could be held in the case of a glut in the market. Also retail shops could hold product until needed.

It opens up new markets and offers alternatives to the Chinese market.

Expanding markets

Another option for sales

There are none!

None

off season market

More options markets etc

It opens lots of potential new markets. Direct to consumer, restaurants, and wholesalers that don't have live tanks or the desire to handle live product.

To create a stronger market.

Another out let

We will not be dependent on the Asian market to sustain our business. More local and sustainably caught seafood that stays in our backyard.. provides for our own local economy rather than China or wherever else they get shipped over seas. Also, the ability to provide lobster all year around instead of just the season will encourage more restaurants to buy them because they won't have to deal with a live product that could possibly die or spoil before someone buys it for dinner.

So people don't have to deal with the whole lobster

Good question

Eliminating only "live" market

For me, there isn't much.



What are your **biggest concerns** about implementing lobster tailing?

35 responses

Poaching

No comment

Devaluing the fishery and creation of for government regulations to a then devalued fishery

some fishermen will tail the short lobster population

Buyers hosing fishermen on price

Short lobsters from bad actors or scab operators/traceability

Shorts being sold and not as fresh as live lobster

Losing the quality of fresh catch.

the fish & wild lifes overreach !!!

1)Complicating the physical aspect of tailing with a third party And red tape BS with DFW ,health, or other governmental types.

2) this needs to be a California commercial concept not a sport or imported lobster shared deal.

3) some realistic allowance for tailed lobsters after the season closes with out complicating or changing the current season closing days and subsequent trap removal.

No concern

Fish and game will take too long to consider doing it and I ll have to do another questionnaire

The length of time the department takes to make tailing legal.

sizing

Making less demand for them during lobster season/ people tailing and freezing them all summer during the off season.

Regulations.

Law breakers

Might be good for the wholesalers & processors, but will it really benefit the fisherman? If the buyers / processors are able to buy more lobster, will that effect the price in a negative way? Will that put more pressure on the species?

Complicated legal requirements that could result in legal liability. Regulation tends to be worded in ambiguous language and could result in citations and fines depending on the discretion of officers.

None, at this point.



Enforcement

I don't have any at this time

See statement above

I think it will make it easier sell under size lobsters.

may drop price

Don't have any

Decrease in market value of product

That the fisherman doesn't receive benefits.

People running shorts

Keeping recreational catch out of the market

Legal size

Crooked fisherman

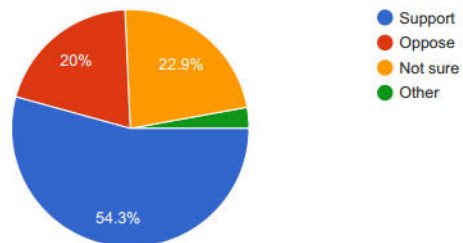
Shorts, crooked processors

Poachers selling frozen lobster tails .the price dropping even lower than it is now. Any additional cost to me will be harmful and unnecessary.

 [Copy chart](#)

Do you support or oppose the **option** of tailing lobsters for the year-round global and domestic tail market?

35 responses



Do you have any additional comments or suggestions regarding the possibility of a tailing option?

23 responses

No

Let's make it happen

Show the tailing reason and concept and expense from the dept before discussing further.

leave as is, it works well and is profitable

It benefits few fishermen in the fleet not the fleet as a whole

I think we need to figure out a way to freeze them whole as well as tailing.
A lot of people are very attracted to the whole lobster on a plate.

We have a multifunction fish business license and would like to be able to tail lobster for our customers !!!!

I think it's an added benefit for our fishery. I also think we should be able to sell frozen lobster year round

I don't think having frozen tails year round would be beneficial I think we should just follow our normal season maybe just a month after the season.

I think it has to be really thought out and not rushed because it's opening a lot of doors for big buyers to control the price and market for the fisherman.

Only tail size that leaves no question

Don't do it

There are still to many unanswered questions about the tailing process for me to give a definitive answer.

- 1 - Would it only be able to be done by "certified facilities" with a special license?
- 2 - Will the fishermen need to do the "gauging and sorting" of the lobsters that would be tailed, and will they need to take these lobsters to the "certified facility".
- 3 - Is it really going to increase the viability of the Spiny Lobster market, and if so, will that result in increased profitability for the fisherman?

I realize that the China market is unpredictable at the moment, but let me finish with a couple of questions.

In the past, have you ever NOT been able to sell you lobster catch?
And, yes the price has and does fluctuate, but will this change that?

Nope

Open option for all permittees

I am a fisherman not a frozen market executive. We should not degrade our product to that level!



I would think there is probably a market for tails and this proposal will make it easier for low life fishermen to sell their black market catch. I also think that it will hurt the fishery because you have fishermen selling undersized tails therefore reducing the number of spawning lobsters and next year's catch. I understand the plan is to have certified tailing facilities, but you are going to have individuals who will work around the system. It's a bad idea.

None

Leave things alone

Stop pushing your agenda. We already voted on this and did not want it. selling live lobsters is where it's at fresh not frozen. Frozen lobster do not taste the same. It changes the texture and the price will drop due to the fact that they don't taste good. Throwing the head away is not OK with me. There's a lot of food left in it and I know a lot of people that enjoy it. This is just some other thing that is going to cost me more money and make it less profitably. Leave the regulations the way they are. If you wanna do something that makes sense change the regulations on sport fishing hoop netting no more pyramid hoop nets. Go back to the original collapsible with a larger opening on the top, it took some skill to be able to catch lobsters with those. pyramid hoops are like a trap .one net per person.

Anyways,

I am very against selling frozen lobsters .

I am very against changing the way we gauge the Lobster

Terry Boyd

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