

MEETING SUMMARY | August 1, 2012

Spiny Lobster Fishery Management Plan

Lobster Advisory Committee

Meeting in Brief

LAC members gathered for the second advisory committee meeting to learn more about DFG contractors hired for the FMP and key aspects of the fishery, complete review and adoption of the charter, gain clarity on the role of the Fish and Game Commission, and report back initial discussions with member constituents. DFG staff distributed and discussed brief summaries describing the various FMP project contractor roles and responsibilities. Scientists from DFG and Shoreline Resource Consultants provided introductory presentations on lobster population dynamics and the Management Strategy Evaluation (MSE) that will assist with the development of the lobster FMP. Additional presentations described the commercial and recreational fishing gear for lobster currently in use, along with associated rules, regulations and recent catch statistics for each sector. Members approved the final version of the charter as the LAC governance structure. The Executive Director of the Fish and Game Commission offered advice about the LAC process and responded to member questions and concerns. Finally, members reported constituent feedback on a general list of conservation and management measures and learned more about DFG interests and concerns as the FMP process gets underway.

Next Meeting

September 5, 2012 | 8:00 a.m. – 3 p.m. | DFG office in Los Alamitos (time by Committee request)

Action Items

| Timeline | Name | Action Item |
|----------------|-----------|--|
| Ongoing | DFG | Target review period for committee review of draft FMP components is increased to 3-4 weeks; deadline date included in subject line of email; and reminder notices sent out. |
| September 2012 | Claudette | Volunteered to tutor other LAC members on the track changes function in Microsoft Word. |
| August 2012 | DFG | Further develop project work plan and timeline. |
| Ongoing | CCP | Facilitation team support for member outreach as requested by members. |
| September 2012 | DFG | Distribute brief summary for commercial fishing logbook contract. |

Spiny Lobster Natural History Component

DFG began the meeting by sharing member feedback provided on the natural history component of the draft FMP. LAC members confirmed the effectiveness of using track changes during the review process but remained open to other methods. One member offered assistance to those not familiar with track changes. Others requested additional review time and specific notification updates. As future draft FMP components are distributed, members will be given three to four weeks for review with deadline dates included in the subject heading of email notifications and reminders.

Overview of Lobster FMP Contracts

DFG staff distributed and discussed written material describing the roles, responsibilities and expected outputs of lobster FMP contractors. DFG manages each contract with funds provided by the Ocean Protection Council. Members also received a brief overview of the commercial and recreational fisheries. Contracts supporting the lobster FMP include the following:

- An economic profile of the lobster fishery by H.T. Harvey & Associates coordinated by Dr. Steve Hackett;
- Chapters on conservation and management measures and research protocol from Shoreline Resource Consultants coordinated by Dr. Matt Kay; and
- A management strategy evaluation (MSE) overseen by Dr. Yong Chen of the University of Maine in collaboration with DFG scientists.

Concurrent contracts, not specific to but supportive of the lobster FMP work, involve development of an electronic fishing log for commercial fishermen and ongoing marine protected area (MPA) research looking at lobster movement and species characteristics. Interested parties may obtain contract descriptions on the project website. A one-page description of the logbook contract will be drafted and distributed in September.

Following the contract review, some members expressed concern about project time constraints while others sought clarity on how LAC work informs the MSE. In response, Kristine Barsky noted that the LAC provides recommendations on management measures that may be modeled and subsequently evaluates feedback provided from the modeling effort. It is important at this stage of the FMP process to have open discussion with a view towards comprehensive consideration of all available management and conservation measures. Marine manager Tom Barnes suggested the LAC work to narrow down a set of concepts that are perceived as reasonable or even preferred. DFG, with advice from the committee, seeks to develop an FMP that is biologically, economically and socially defensible. All contract work supporting FMP development is driven by the primary goal of ensuring a sustainable resource and viable sport and commercial fisheries.

MSE, Lobster Biology, and Population Dynamics

DFG marine biologist Doug Nielsen provided a brief introduction to lobster population dynamics and the methodology used for the recent stock assessment. A stock assessment evaluates the current status of the fishery and reflects current management strategies. The upcoming MSE aims to enhance knowledge of the stock, refine management objectives (based on the Marine Life Management Act),

identify problems or issues of concern with the fishery and develop options for corrective action as needed. As noted above, the committee provides MSE with optional management and conservation measures that may be modeled and subsequently evaluates the modeling results as it considers advice and recommendations for DFG.

Member questions about the MSE generally focused on the timeline and basis for the modeling effort. The FMP is meant to contain a comprehensive array of management options and thus serve as a valid management tool well into the future. The model is based on the current stock assessment and existing management structure. One member inquired about the role of newly established MPAs in southern California. Dr. Nielson stressed the importance of incorporating MPAs into the overall effort and acknowledged the need to gather additional data from these sites. Finally, in response to a question about zonal management, marine manager Tom Barnes reminded members to consider the costs associated with any management options considered by the committee.

Dr. Matt Kay subsequently presented a biological review of spiny lobster (*Panulirus interruptus*). His presentation focused briefly on lobster reproduction, larval recruitment and growth. He described factors that drive recruitment and suggested that most reproduction is not coming from Mexican waters. One member questioned the analysis of recruitment from Mexico while others inquired about the effects of El Niño and ocean currents. Many species see recruitment pulses during warm water years, another member noted, but lobster recruitment appears to be happening every year. Finally, another member posed various questions about the impact of catching “shorts” and the effectiveness of escape ports introduced to the fishery in 1976. Dr. Nielson noted that the San Diego area sees the most catch of shorts. Some people suggest that the area is a nursery environment, but no data exists yet to support such a conclusion.

DFG plans to further discuss and clarify MSE and lobster population dynamics at the September LAC meeting. Scientists with Shoreline Resource Consultants will present a global review of spiny lobster management, a case study on harvest rate assessments in the Santa Barbara Channel Islands, and methods for integrating MPAs into stock assessments.

Recreational and Commercial Fishing Gear Types, Associated Regulations and Recent Catch Statistics

Committee members Jim Salazar (recreational) and Jim Colomy (commercial) gave brief demonstrations on gear types associated with the recreational and commercial sectors respectively. Each utilized actual gear to support their educational presentation. Mr. Salazar described the method for using both styles of hoop net and answered questions about soak time, methods for pulling and the use of weights. Mr. Colomy described commercial trap use, demonstrated some basic features such as the entrance funnels and escape port, and noted operational costs for commercial fishermen. He responded to questions focused on lost gear retrieval and the effectiveness of intentional self-destruct devices built into traps. He further noted that current regulations prohibit lobster fishermen from having diving equipment aboard their vessels.

Some members showed interest in helping the commercial sector recover lost gear. Others expressed concern about bycatch and stressed the need to ensure that the self-destruct devices are actually working. Mr. Colomy highlighted how improvements in commercial gear and weather forecasting have helped reduce the incidence of lost gear. DFG biologist Travis Buck followed with a presentation summarizing

current regulations and recent catch statistics for the commercial and recreational sectors. He answered various member questions about capture methods, poaching, survivorship of “shorts”, recreational report card returns, and auditing of the fishery.

FMP Charter Approval

The LAC briefly reviewed the final three sections of the charter: outreach and communication, open meetings and amendments to the charter. Suggested revisions sought to clarify how and in what manner members would speak to the media and report any contact during committee meetings. Members subsequently approved the final version of the charter.

The LAC and the Fish and Game Commission

Sonke Mastrup, Executive Director of the Fish and Game Commission, spoke briefly about the role of the Commission relative to the lobster FMP process and outcomes. He provided advice on how to keep the Commission informed and gain support for the collaborative efforts of the LAC. The lobster FMP should be simple, feasible, enforceable, and have broad stakeholder support. The Commission also wants to see the LAC thoroughly explore and address any current or future problems facing the fishery, as the FMP is meant to be adaptive over time. He recommended that DFG and the LAC explore what is known about the fishery, and then identify what is still needed to inform appropriate research. Once a draft FMP is complete, he suggested scheduling a meeting with the Marine Resource Subcommittee to educate Commissioners about the final FMP product. He reiterated the Commission’s mandate to ensure a sustainable and accessible lobster resource for the public. Finally, he implored the LAC to proactively lead the FMP process and outcomes.

Members shared comments and questions with Mr. Mastrup on a variety of topics. Some highlighted the need to improve recreational report card compliance and inquired about taking the system online, or drawing lessons learned from other state-managed species. Others cited concerns that the FMP process may lead to a speculative commercial market, particularly in relation to permit transfers. One member inquired as to why the recreational season is managed on a calendar versus a seasonal basis. Mr. Mastrup acknowledged member concerns on a host of issues. He noted that improving report card compliance remains a priority but that it takes time to educate the public on new reporting requirements and work out any “bugs” in the system. He reminded members that any management changes based on the FMP affect the whole fishery, not just individual sectors. He summarized by again imploring the LAC to collaborate with DFG and produce a plan that is simple yet comprehensive in scope, scientifically informed, and broadly supported by the public.

Initial Constituent Feedback

DFG tasked members to seek constituent feedback on a generalized list of management topics for the recreational and commercial fishery following the first LAC meeting. Kristine Barsky provided opening comments to set the context for member reports. She acknowledged that the recent stock assessment highlighted the apparent sustainability of the lobster population. However, DFG data has also documented a recent increase in the amount of recreational and commercial gear in the water. Furthermore, DFG and other constituencies are concerned about both lost traps and bycatch associated with the commercial fishery, and the small, but unknown number of hoop netters who are commercializing the sport. The LAC, she noted, has an opportunity to engage in a candid and honest discussion on these issues and how they affect the lobster fishery. All parties should consider how their sector impacts others. She

summarized by emphasizing that DFG does not consider the fishery broken, but sees warning signs that the LAC must address in the FMP. Members subsequently reported the following constituent feedback:

Commercial interests

Commercial LAC members held a meeting of the California Lobster Trap and Fishermen's Association (CLTFA) with fifty-five fishermen and some buyers. Most in attendance agreed that the current management system is effective. Kristine Barsky and Dr. Matt Kay attended the meeting and answered questions about the FMP process and outcomes. Association members then discussed management issues amongst themselves. LAC members also conducted a survey of fishermen opinions on the general list of management topics. The president of the association briefly reported results of the survey to the LAC. He noted that many fishermen have different fishing styles and therefore have multiple perspectives on fishery management for the commercial sector. His constituency generally requests that any changes resulting from the FMP be simple, economically feasible and easy to follow.

Recreational interests

Recreational LAC members shared information on the lobster FMP process and outcomes in a variety of settings, including dive club meetings and recreational member organizations, facebook groups and individual conversations. Two members expressed frustration at the difficulty of acquiring constituent feedback to date. Another noted that the freediving community has been extremely effective at both outreach and acquisition of feedback. The SCUBA community has expressed a marked interest in the lobster FMP, but at this point has yet to engage. There has also been limited engagement by the hoop net community to date. Greater engagement from both the SCUBA and hoop net community is expected as lobster season approaches. Members reported broad desire to improve report card compliance. One member noted no support for a slot limit amongst his divers but some openness to a size increase if benefits can be demonstrated. Another stated that he would like to hear more scientific information on a slot limit before making a decision that may affect hoop netters. One member noted that comments he received have generally been constructive, articulate and conservation-minded. Recreational interests want to first identify the problem being addressed and then discuss relevant management goals before coming up with solutions. Finally, recreational harvesters want to see the rationale and biological justification behind any recommended management changes.

Environmental interests

The environmental LAC member noted that at this stage her constituency has more questions about the FMP process than answers about management. Questions from the environmental community center on fishing methods, the seasonal nature of the fishery and how MPAs will be incorporated into the process. Environmental interests would like to see the goals, expected outcomes and scientific basis for any proposed management changes. Generally this constituency wants to learn more about the fishery as well as the FMP process and outcomes. The difference between hoop netters and divers seems to be well understood in the environmental community. Relative to the commercial fishery, there are some questions and concerns about bycatch and lost gear, and many environmental groups are interested to help the fishery on these issues.

Non-consumptive recreational interests

The LAC members representing non-consumptive interests noted that their constituents are well aware of recreational diving regulations. Constituents suggested a variety of management options for consideration in the FMP, including such things as a slot limit, increase in minimum size, bag limit reduction and improved enforcement. Many believe the bag limit is abused and fostering an illegal commercial sector; the “7-in-Possession” limit encourages abuse because “everyone treats it as a *per day* bag limit.” They believe there should be an annual limit per diver/hoop netter. There is strong support of rule changes that would increase the return rate of the lobster report cards. Non-hunting divers believe abusively high levels of hunting and illegal hunting degrades the environment they dive in by increasing urchin barrens and decreasing kelp forests. One member reported that dive boat operators want a healthy environment for their divers to experience. He noted that most do not, however, want to see a decrease in the bag limit as the current allowable numbers create a market for lobster harvest off their boats, without which many would not be able to stay in business, and that would deny all divers access to many dive sites. Finally, another member stressed the need to increase data and suggested that increased license fees may support this.

Federal agency interests

The federal agency LAC member noted overlap amongst the many agencies involved in coastal and marine resource management in southern California. The member and alternate sent an email with a link to the DFG lobster website to all of the relevant federal agencies, such as the Department of the Navy and National Marine Fisheries Service. Many agencies would like to remain informed of the lobster FMP project. The US Fish and Wildlife Service would like the LAC to address bycatch of seabirds in lobster traps, and the Channel Islands National Park and Sanctuary noted that lost traps are a form of marine debris that should also be addressed. The Sanctuary offered the Channel Islands Sanctuary Advisory Council and its associated working groups (e.g. commercial and recreational fishing) as is an outreach forum for other LAC members conducting outreach in the Ventura/Santa Barbara area.

Science interests

LAC members representing science interests noted that their constituency is different from the other stakeholders represented and their interest in the outcome of the Lobster FMP is indirect. This and the schedules of their constituents make conducting broad outreach challenging. Many scientists conduct field research during the summer months. As such, LAC science members plan to conduct outreach as the field season winds down with a goal of providing perspectives on the lobster fishery management rather than positions.

Open discussion followed all constituent report backs. Kristine Barsky acknowledged common themes heard from the member reporting, including the need to provide a clear rationale on biological modeling and further define “triggers” that inform future management actions. Discussion generally centered on the issue of triggers, the role of MPA data in the modeling process, and the applicability of multi-day permits to the bag limit regulations. One member expressed interest to see the lee side of Catalina Island and Santa Monica Bay opened to commercial fishing. Another disagreed with the idea of opening Santa Monica Bay. Others expressed a willingness to discuss the issue with their respective constituencies even though it may be difficult to address. In response to a question about the CLTFA surveys, a commercial member noted that approximately sixty responses had been acquired from fishermen on a broad spectrum of management

schemes. Finally, Ms. Barsky reminded members that the September meeting would afford another opportunity to further explore these and other relevant issues.

Public Comments

The facilitation team allowed public comment at two different periods during the meeting. One member of the public asked whether the mathematics behind the MSE would be made publicly available and whether or not the issue of otters would be addressed in the FMP. DFG staff affirmed that the model would indeed be available, and also that the FMP would acknowledge the effects of sea otter expansion into southern California. DFG clarified that the upcoming September meeting is informational and aims to create an open forum for discussion amongst LAC members on key science issues.

Another member of the public requested a simple FMP that recognizes and respects the need for commercial fishermen to make a living. He requested that the LAC come up with a plan that is simultaneously good for the resource and the fishermen who make up the industry.

Closing Remarks

DFG staff thanked the LAC for a productive meeting and recognized that all members made significant contributions to the discussion. In the coming weeks members will be tasked to provide feedback on a draft FMP component which describes key aspects of the commercial fishery. In addition, DFG is working to produce a more detailed work plan and timeline of the project. The facilitation team offered continual support for constituent outreach and education as needed or requested by members.