bay restoration commission

STEWARDS OF SANTA MONICA BAY

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October 12, 2012 **Agenda Item #3d**

To: Governing Board, SMBRC

From: Shelley Luce, Executive Director

Subject: Resolution Supporting Continued Prohibition of Specific Commercial Fishing Activity in the Santa Monica Bay and off Catalina Island

Action Requested of the Governing Board:

- Approve a resolution supporting the continued prohibition of specific commercial fishing activity in Santa Monica Bay and on the leeward side of Catalina Island.

Background

The California Department of Fish and Game (DFG) is currently developing a Fishery Management Plan (FMP) for California spiny lobster. An FMP's primary purpose is to examine conservation and management measures that should be considered to maintain the sustainability of the resource and its fisheries and define the circumstances that would trigger taking conservation and management actions. Once adopted by the Fish and Game Commission, the FMP will replace all prior regulations related to the fishery, *where there are conflicts*.

To assist in developing the Lobster FMP, the DFG has established a Lobster Advisory Committee. A representative of the Santa Monica Bay Restoration Commission (SMBRC) and a representative from Heal the Bay (also on the SMBRC Governing Board) are on that advisory committee.

Commercial fishery representatives on the Lobster Advisory Committee have asked that the removal of bans on lobster fishing within Santa Monica Bay, off the leeward side of Catalina, and within 750 feet of any pier, breakwall and jetty, be considered in the FMP. Their reasoning is that this would replace fishing grounds now included in Marine Protected Areas (MPAs).

The timeline for the spiny lobster FMP is as follows:

2012 – Develop draft FMP with input from the public and the Lobster Advisory Committee
2013 – Get public feedback on draft FMP, revise with input from the Lobster Advisory Comm.
2014 – Formal scientific and public review, present final draft to Fish and Game Commission
2015 – Fish and Game Commission starts CEQA process to adopt the FMP and regulations

The lobster fishery consists of three modes: commercial trap, recreational hoop-net, and recreational hand-capture (diving). The commercial fishery began in the late 1800's and has been regulated since 1900. Today, there are between 150-198 commercial lobster fishermen, fishing between 100-500 traps. Landings have been relatively stable since 2000 at ~660,000 lbs. In 2010, the commercial lobster fishery in the Los Angeles area (including Catalina) produced nearly $2 million of product (ex-vessel value). Lobster was also the most valuable commercial fishing product for all ports within the Santa Monica Bay[1].

Historically, the recreation participants were scuba divers and the recreational take was thought to be negligible when compared to commercial landings. However, current estimates of recreational landings range between 30-60% of commercial landings.

The following commercial fishing activities are currently prohibited in the Bay and off Catalina. Commercial fishing has been restricted in these areas in some form since 1931[2]:

- Commercial abalone fishing
- Fishing with traps for rock crab, lobster, and finfish
- Fishing with purse seine (bait or round-haul) nets when catch sold for human consumption
- Fishing with gill nets, trammel nets, and trawl nets
- Commercial fishing with slurp guns

The closure does NOT include:

- Harvesting urchin and sea cucumber
- Fishing with handlines or troll lines (rod & reel lines)
- Fishing with purse seine nets, bait nets, or round-haul nets when catch sold as live bait
- Fishing sablefish traps deeper than 200 fathoms (~350m)
- Fishing hagfish traps (bucket traps)
- Using hand held appliance (rakes, shovels, etc) to take mollusks, sand crabs, and shrimp
- Using spears, harpoons, and bows and arrows to fish for skates, rays, and sharks

If all commercial fishing were allowed in the Bay, the commercial fisheries that would likely benefit would be:

- Coastal pelagic fisheries (squid, sardines, anchovy, mackerel)
- California spiny lobster

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[1] Department of Fish and Game (2011), Final California Commercial Landings for 2010, Table 20PUB. State of California Resources Agency. Accessed online on 10/9/12 [http://www.dfg.ca.gov/marine/landings10.asp]

[2] Scofield, W.L. 1954. California Fishing Ports. DFG Fish. Bull. No. 96. Pp 123. Online [http://content.cdlib.org/view?docId=kt667nb1cg&query=&brand=calisphere] accessed on 9/12/12.

- Nearshore finfish (sheephead, shallow water rockfish)
- Rock crab

The original arguments for the ban are not clear, but the sport fishing industry strongly favored the ban and believes it has benefited from it. There is evidence that this closure can improve catch rates and the size of the catch for some species, such as rock crab[3]. The closure has also been used to measure the localized effect of commercial fishing on crab populations and could be used in the future to compare localized effects of recreational fishing to localized effects of commercial fishing to unfished areas in State Marine Reserves.

The SMBRC's mission is to "improve water quality, conserve and rehabilitate natural resources, and protect the Bay's benefits and values." The Bay Restoration Plan identifies the recovery of depleted fish populations as a goal (Goal 4: Protecting Natural Resources) and identifies two objectives toward protecting fishery resources: 1) establish an MPA network in southern California, and 2) establish additional regulatory measures, including the development of FMPs. In addition, staff has been discussing how to encourage local consumption of sustainable seafood caught by local fishermen with a few local fishermen, including lobstermen.

Recent scientific studies have developed models for larval transport in the Southern California Bight. Results from these models demonstrate that marine life in the Santa Monica Bay can be self-seeding and can also seed areas along the Ventura coast and on the leeward side of Catalina. These results also show that the leeward side of Catalina Island can be self-seeding and for certain species can also provide larvae to the Santa Monica Bay[4].

Four MPAs surrounding Santa Monica Bay and three on the leeward side of Catalina predicted to afford at least a high level of protection for marine life were established on January 1, 2012. These MPAs were created as part of a larger network with intense public involvement. In developing their proposals, stakeholders recognized the existence of the commercial closed areas in the Santa Monica Bay and off Catalina Island[5]. The network of MPAs ultimately implemented in 2012 contains some gaps in protection in the Los Angeles area as a result of these and other compromises.

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[3] DFG. 2003. Status of the Fisheries Report: Rock Crab. Online [https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=34395&inline=true] last accessed on 9/12/12

[4] Mitarai, S., D. A. Siegel, J. R. Watson, C. Dong, and J. C. McWilliams (2009), Quantifying connectivity in the coastal ocean with application to the Southern California Bight, J. Geophys. Res., 114, C10026, doi:10.1029/2008JC005166.

[5] Illustrated by the design considerations identified in the Palos Verdes SMR in the Group 1, Round 3 proposal.

Spiny lobster is one of the species likely to benefit from the protection of MPAs due to their smaller home ranges and shorter larval dispersal distances[6]. Studies of reserves in the Northern Channel Islands MPAs found lobsters to be six times more abundant inside reserves[7] and have a higher proportion of larger individuals[8]. A recent study of the Columbretes Islands reserve off the coast of Spain demonstrated commercial lobster fishermen in the surrounding area received a mean annual net benefit of 10% of the catch in weight[9].

MPAs are expected to have some initial negative impact on commercial fishing as fishermen adjust to the new regulations; however long term impacts are unclear and may become positive[10]. Furthermore, the biological changes within MPAs are not expected to be seen for at least 1-3 years[11], while benefits outside could take much longer. For these reasons removing existing protections for marine life in the Bay and off Catalina may be premature.

SMBRC Staff Directed to Prepare Resolution

At the August 2012 Governing Board meeting, Governing Board member Sarah Sikich, Coastal Resources Director for Heal the Bay, mentioned the request by the commercial lobster fishing representatives and noted that this may be an issue the Governing Board would like to address. The issue was discussed at the September 2012 Executive Committee meeting and staff was directed to draft a resolution in support of maintaining the existing commercial closed areas in the Santa Monica Bay and off the leeward side of Catalina. The draft resolution was reviewed by the Executive Committee prior to the October 2012 Governing Board meeting.

A draft resolution is attached.

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[6] DFG 2008, California Marine Life Protection Act Master Plan for Marine Protected Areas, Appendix G: Master List of Species Likely to Benefit from MPAs. Accessed online on 10/9/12 [http://www.dfg.ca.gov/mlpa/masterplan.asp]

[7] Lafferty, K. D., (2004), Fishing for lobsters indirectly increases epidemics in sea urchins, Ecol. Appl. 14(5) 1566-1573.

[8] DFG, PISCO, CINMS, CINMP (2008), Channel Islands Marine Protected Areas: First 5 Years of Monitoring: 2003-2008, Airamé, S. and J. Ugoretz (Eds), 20 pp. Available online [http://www.dfg.ca.gov/marine/channel_islands/fiveyears.asp]

[9] Goñi, R., R. Hilborn, D. Díaz, S. Mallol, S. Adlerstein (2010), Net contribution of spillover from a marine reserve to fishery catches, Mar. Ecol. Prog. Ser., 400:233-243

[10] Carter, D. W. (2003), Protected areas in marine resource management: another look at the economics and research issues, Ocean and Coastal Mgmt., 46, 439-456.

[11] Halpern, B. S., and R. R. Warner (2002), Marine reserves have rapid and lasting effects, Ecology Letters, 5, 361-366.

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SANTA MONICA BAY RESTORATION COMMISSION

October 18, 2012

Resolution No. 12-XX DRAFT

Resolution supporting the continued prohibition of commercial fishing activity within Santa Monica Bay and off the leeward side of Santa Catalina Island

WHEREAS the areas within Santa Monica Bay from Malibu Point to Rocky Point (Palos Verdes Point) and off the leeward side of Santa Catalina Island from the West End to Southeast Rock are closed to most types of commercial fishing, including trap fishing for spiny lobster, rock crab, and near shore finfish and net fishing for anything except live bait, and have been closed in some way since before 1931; and

WHEREAS commercial lobster fishing representatives have asked that the Department of Fish and Game and the Lobster Advisory Committee consider opening these closed areas in the Lobster Fishery Management Plan currently under development; and

WHEREAS the commercial spiny lobster fishery is a profitable fishery, generating a valuable local product and rated a best sustainable seafood choice by the Monterey Bay Seafood Watch program; and

WHEREAS the Santa Monica Bay Restoration Commission is a state entity whose mission is to restore and enhance the Santa Monica Bay through actions and partnerships that improve water quality, conserve and rehabilitate natural resources, and protect the Bay's benefits and values and is represented on the Lobster Advisory Committee; and

WHEREAS the recreational fishing community generally supports these areas closed to commercial fishing; and

WHEREAS scientific models of larval transport and connectivity indicate that Catalina Island and the Santa Monica Bay are ecologically connected; and

WHEREAS the Bay Restoration Plan identifies several human activities that stress fish populations in the heavily urbanized Santa Monica Bay in addition to fishing, including the damming of creeks, polluting of waterways, filling and dredging of coastal wetlands; these have cumulative effects, which contribute to ongoing stress on local marine life and their habitats; and

WHEREAS the SMBRC is engaged in many actions to improve water quality and restore habitat important to marine life and is working collaboratively with recreational and commercial fishing groups and the Department of Fish and Game to improve sustainability, data collection, and management; and

WHEREAS the cobble and sand habitats in the north of the Bay, the submarine canyons in the middle, and the expansive rocky reef in the south are used by sensitive and protected marine life, including blue whales, juvenile great white sharks, yelloweye rockfish, and abalone and widespread commercial fishing activity in the Bay could disturb their habitats and reduce prey availability; and

WHEREAS the location, spacing, and size of the newly created Marine Protected Areas in Los Angeles area were selected to favor fishing interests in light of the existence of the commercially closed areas in the Bay and off Catalina and removing these commercial closed areas would further reduce protection for living marine resources in the Los Angeles area; and

WHEREAS in the northern Channel Islands spiny lobster inside MPAs are more abundant and individuals are larger than those outside; moreover MPAs in other parts of the world have been shown to be a net benefit for lobster fisheries by increasing the weight of the catch through spillover; and

WHEREAS the recently established Southern California MPAs became effective on January 1, 2012 and many local groups, including the SMBRC, are engaged in monitoring their effects; understanding how these MPAs effect local marine life will be important for long term adaptive management of the area and it may be several years before results are measurable; and

WHEREAS the commercial closed areas present several opportunities for research; including examining the localized effects of sport fishing on marine life and related fisheries, evaluating commercial fishing in open areas, and comparing commercially open and closed areas to unfished or partially fished areas in MPAs; and

WHEREAS sport fishing has a long history in the Santa Monica Bay and Catalina Island and these areas continue to be popular places to fish in part because anglers believe catch rates are higher and game sizes are bigger because commercial fishing is not allowed;

THEREFORE BE IT RESOLVED that the members of the Governing Board of the Santa Monica Bay Restoration Commission support the existing regulations prohibiting commercial fishing in the Santa Monica Bay and off the leeward side of Catalina Island in order to protect recreational use and ecosystem health.