CALIFORNIA OCEAN PROTECTION COUNCIL

Staff Recommendation
May 12, 2011

Cooperative Fishery Management Plan for California Spiny Lobster

File No.: 11-022
Project Manager: *Valerie Termini McCormick*

RECOMMENDED ACTION: Authorization to disburse up to $990,000 to the California Wildlife Foundation to develop a proposed fishery management plan for the California Spiny Lobster

LOCATION: Statewide

STRATEGIC PLAN OBJECTIVE: Governance, and Ocean and Coastal Ecosystems

EXHIBITS

Exhibit 1: Letters of Support

RESOLUTION AND FINDINGS:
Staff recommends that the Ocean Protection Council adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code:

"The Ocean Protection Council hereby approves the disbursement of an amount not to exceed $990,000 to California Wildlife Foundation (CWF) to develop a proposed fishery management plan for California Spiny Lobster.

This authorization is subject to the condition that prior to disbursement of funds, CWF shall submit for the review and approval of the Secretary to the Ocean Protection Council a work plan, including schedule and budget, and the names of any contractors it intends to use to complete the project."

Staff further recommends that the Ocean Protection Council adopt the following findings:
"Based on the accompanying staff report and attached exhibits, the Ocean Protection Council hereby finds that:

1. The proposed project is consistent with the purposes of Division 26.5 of the Public Resources Code, the Ocean Protection Act.
2. The proposed project is consistent with the Ocean Protection Council's grant program funding guidelines."

PROJECT SUMMARY:
Staff recommends that the Ocean Protection Council (OPC) grant up to $990,000 to CWF to develop, in close coordination with the Department of Fish and Game (DFG), a fishery management plan (FMP) for the California spiny lobster fishery.

California spiny lobsters are listed as one of DFG's highest priority species for FMPs. The goals of the FMP are to develop a cost effective, innovative approach to sustainable fisheries management. This FMP will help to inform management so that the fishery is well regulated and can support a sustainable level of fishing effort for the long term. The proposed project will split the costs between the OPC and DFG to develop the FMP. Additionally, DFG and CWF will leverage the necessary staff resources to support developing this comprehensive plan.

Throughout the world and in California, the management of fisheries has historically been undertaken in a piecemeal fashion. The Marine Life Management Act (MLMA) mandated new and comprehensive approaches to fisheries management. One key element of the new approaches is the development of fishery management plans for each and every fishery. Fishery management plans are essentially planning documents. FMPs assemble information, analyses, and management alternatives that allow DFG to provide a coherent package of information and management measures to the Fish and Game Commission for adoption. The preparation of an FMP is a complex process that requires considerable research and discussion before adoption.

Under the MLMA, FMPs must include at least the seven following elements:

- Description of the fishery
- Fishery science and essential fishery information
- Basic fishery conservation measures
- Habitat provisions
- By-catch and discards
- Overfishing and rebuilding
- Procedure for review and amendment of an FMP

Additionally, it is important to note that a "fishery" includes both the fish being caught as well as the fishermen. Fisheries can be a single species and group of fisherman, e.g. lobster trap fisherman in Santa Barbara, or a whole complex of different species and methods.

The spiny lobster FMP project will use a collaborative approach involving state agencies, the commercial and recreational fisheries, scientists, the CWF foundation, and members of the public. The FMP builds on a number of key actions the OPC has taken to advance the development of sustainable fisheries and fishing communities in California. Funding this FMP will implement recommendations from the Marine Life Management Act (MLMA) lessons learned project to develop new approaches to inform FMPs. It will also advance the California Sustainable Seafood Initiative (CSSI) by providing useful population data to help prepare the spiny lobster fishery for possible certification as sustainable.

Spiny lobsters are native to Southern California and are a long-lived and slow-growing species. Spiny lobsters are both a popular commercial and recreational fishery and are subject to an unknown level of illegal take. Recently, the recreational harvest of spiny lobster has soared, resulting in an unprecedented level of fishing effort. An increased level of fishing effort and gear modifications have made traps much more effective and has resulted in a substantial increase in the overall take of the recreational harvest of spiny lobster. Basic studies of population ecology and habitat use are ongoing, but more information is needed to understand population size and habitat requirements to support a sustainable commercial and recreational harvest.

This FMP is intended to help provide the necessary information for sound management decisions in a fishery that developed some significant data gaps. In the commercial fishery, short- and long-term trends in catch are increasing. However, in the recreational fishery, data collection has been limited resulting in insufficient information to adequately inform stock assessments. In response to a need for more complete information, beginning in 2008 the recreational fishing community was required to report catch via a "lobster report card". Recreational fishermen must record the location, date, type of gear, amount of lobster retained, and location where each lobster was taken. Although there is general agreement that the data acquired in this effort is accurate, there exists a problem with recreational harvesters who fail to return the report cards when no lobsters were harvested. DFG is developing outreach efforts that educate the recreational fishing community on the importance of all data including "no-harvest".
Prior to 2008, little information had been gathered on level of effort and amount of lobsters taken through the recreational fishery. Throughout the spiny lobster fishery, many questions remain, such as the population size and the impact of changing ocean conditions on the population. Further, commercial landings have fluctuated through the years, and are influenced by some factors that are independent of the health of the population (such as weather, and the export market). Lastly, an illegal market has always existed for "shorts" (sub-legal-sized lobsters). Public education and adequate warden enforcement are key elements in reducing this problem. Understanding the interaction among the above variables and filling information gaps is important to effective fisheries management.

The California Department of Fish and Game has identified lobster as its number one priority among invertebrate fisheries for the development of a fisheries management plan. A spiny lobster FMP will meet an increasing need for a comprehensive review of the species and its fisheries, and will result in information necessary for DFG and the Fish and Game Commission (FGC) to make any regulatory changes to ensure long term sustainability. Supporting the development of more cost effective and efficient FMPs in general will advance California's efforts to develop "eco-labeling" standards through the California Sustainable Seafood Initiative and in particular advance efforts to label the spiny lobster fisheries as sustainable.

Generally, conducting an FMP is costly, time consuming and difficult, though the information derived is desperately needed to inform effective management decisions in

our fisheries. Partly because FMPs are so difficult to conduct, many of California's fisheries are generally considered to be data poor. The Marine Life Management Act (MLMA) Lessons Learned report noted that these challenges explained why only three FMPs (Squid, White Sea Bass, and the Near-shore fishery) have been conducted in the recent past.

The California Wildlife Foundation (CWF) is proposing a new cost sharing approach to complete the spiny lobster FMP. The partnership will make use of OPC's funds to carry out the work to develop the FMP while CWF and DFG staff will work together to gather the information needed to inform the FMP. The product of this collaboration will be an FMP for California spiny lobster which will be submitted to the Fish and Game Commission for adoption. Data collected in support of an FMP, as well as data collected through marine protected area (MPA) monitoring will inform the management of lobster fisheries. CWF anticipates the FMP will be ready for review and potential adoption by the FGC in 2014.

PROJECT DESCRIPTION:

Project Background:

The spiny lobster fishery is one of the oldest commercial fisheries on the West Coast. The range of the California spiny lobster, *Panulirus interruptus*, extends from Point Conception, California to Bahia Magdelena, Mexico. The primary fishing ports for the California fleet are found from Santa Barbara to San Diego. Lobsters are a temperate species and poor harvests and poor recruitment are often correlated with cold water oceanographic conditions. This FMP is intended to advance the integration of ecosystem variability into the development of fisheries management decisions.

DFG is responsible for managing the California spiny lobster in U.S. waters. The fishery consists of both a commercial and a recreational fishery in Southern California. DFG has monitored the commercial fishery through catch logs for the last 36 years, and landings records go back approximately 100 years. The recreational fishery, however, has not been monitored consistently and consists of creel surveys (which include fishermen interviews, measurement of lobster, boat counts, etc) conducted in 1992 and 2007 and more recently the lobster report card which began in 2008.

The California spiny lobster fishery is identified as one of the highest priority candidates for an FMP. This is based in part on the state's MLMA master plan prioritization of the fishery for FMP development. While the stock appears healthy, maintaining the lobster population's sustainability over time is a concern for DFG. Additionally, the California Lobster and Trap Fishermen's Association has expressed interest in FMP development to maintain the sustainability of the commercial lobster fishery.

The contents of an FMP are dictated by Fish and Game Code Sections 7080 to 7088. Every FMP must contain specified information about the fishery, a fishery research protocol to identify necessary research, a description of management measures necessary for the conservation and management of the fishery, measures to minimize impacts on habitat, a description of the fishery's bycatch and measures for minimizing that bycatch,

and criteria for identifying when the fishery is overfished and measures to prevent overfishing.

The MLMA was adopted in 1998 and codified in the Fish and Game Code. This statute requires improved science to inform decision making, wider constituent involvement, and the prioritization of long-term sustainability over short term harvest. The Fish and Game Code (Section 7070) requires that the state's fisheries be managed by means of fishery management plans. FMPs based on a wide range of Essential Fishery Information (EFI) are intended to be the primary tool for sustainable fisheries management. As noted above, a consistent challenge in meeting the goals in the MLMA is the fact that FMPs are difficult to develop and implement. Producing an FMP is a major undertaking that is costly and resource intensive. In the 11 years since the MLMA was signed, only three FMPs have been adopted by the California FGC. The new approach proposed by CWF will bring down the cost of conducting an FMP while still providing the EFI needed to complete the FMP. The spiny lobster is a prime candidate for the next FMP because of its role in the Southern California near-shore marine ecosystem and because it supports important commercial and recreational fisheries.

Sport fishing in California

Lobster season runs from the beginning of October through the middle of March. Recreational fishermen may catch lobsters with hoop nets or by SCUBA diving or snorkeling/free-diving. According to DFG, California spiny lobsters reach breeding maturity (2 ½ inches carapace length) before they reach the minimum legal size (3 ¼ inches carapace length) for both recreational and commercial fisheries. DFG estimates that recreational fishers caught more than 200,000 spiny lobsters in the first half of the 2008/2009 season, amounting to around 280,000 pounds, compared with commercial fishermen, who caught a total of 580,000 pounds in the same time.[1]

Recent years have seen the introduction of a modified, rigid hoop net into the recreational fishery which a DFG study indicates can catch 57 percent more lobster than a traditional hoop net with the same effort. The recreational harvest is monitored through the use of a lobster report card which was introduced in the fall of 2008. The report card requests location and date of catch, gear type, and the number of lobster kept. In 2009, 32,400 report cards were sold as required by DFG. Based on the cards returned for 2009, a recreational catch of 331,000 lobsters or 431,000 pounds was estimated.

Harvest information from these cards is considered critical for a stock assessment and evaluation of the management rules currently in effect. Unfortunately, the recreational fishery is more diverse than the commercial fishery and there is not one major organization representing the divers and hoop netters who seek lobster off California's coast, which makes collecting information and reaching out to the recreational community for educational purposes challenging. The FMP process is a critical tool

[1] Travis Buck, Douglas J. Neilson, Pete Kalvass, Kristine Barsky & Deborah A. Aseltine-Neilson (March 2010). "A Summary of Preliminary California Spiny Lobster Report Card Data from the First Half of the 2008/2009Recreational Lobster Season" (PDF). *Administrative Report No. 2010-1*. California Department of Fish and Game. http://www.dfg.ca.gov/marine/pdfs/lobstercardsummary1011.pdf.

needed to evaluate the effect of this fishery on the overall health of the lobster population.

Commercial fishing in California

The commercial fishery for the California spiny lobster is a restricted access program with 203 lobster operator permits as of 2009, running from early October to mid March (roughly the same season as the recreational fishery). Most (142) of these permits are transferable. There are no limits on the amount of lobster that commercial permittees can land or the number of traps they can use. Typically fishermen set between 100 and 300 traps in the vicinity of kelp beds along the mainland and at all the Channel Islands. Permittees with larger boats or crewmembers may set more traps. Spiny lobsters are also one of the more economically rich fisheries in the state. For example, 728,000 pounds of lobster were landed in the 2008-09 season by the state's commercial lobster fishermen. Sales to local markets, as well as Asia, generated about $8 million in economic activity. Commercial fishery information is collected using fishermen-submitted logbooks, and dealer-submitted landing receipts. Logbooks require location and date of catch, number of traps, and number of kept and released lobster. Landing receipts record catch location, size of catch in pounds, and the price paid per pound. Commercial fishermen may use individually buoyed traps, but may not dive for lobsters.[2]

For those using lobster traps, the fishing effort is greatest at the beginning of the permitted season in California, and declines towards the end of the season, 24 weeks later. Although the fishing effort becomes better concentrated in areas with more spiny lobsters during the season, the fishing efficiency nonetheless decreases throughout the season.[3]

By-catch is low in this trap fishery, and there is no indication that this fishery damages habitat. According to DFG, California spiny lobsters are caught in traps, made either of wire or plastic mesh. The traps are required to have a destruct device to open lost traps. Since 1976, traps have also been required to contain an escape port for undersized lobsters.

Marine Protected Areas and Implications for Management

Management measures in place as of 2001 include a fishing season set to avoid the lobsters' prime breeding time; a minimum size limit that allows lobsters several seasons to breed before they reach catchable size; gear restrictions to protect undersized lobsters and to minimize "ghost fishing"[4] and limited entry licensing for commercial fishers.

Current fishing regulations are designed to protect individuals during key periods in their life history and to limit harvest. These measures however, do not explicitly protect the

[2] *Commercial Fishing Digest for 2009-2010*. California Department of Fish and Game, pp. 53–55. http://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=10770.

[3] P. Ed Parnell, Paul K. Dayton & Francesca Margiotta (2007). "Spatial and temporal patterns of lobster trap fishing: a survey of fishing effort and habitat structure" *Bulletin of the Southern California Academy of Sciences* 106 (1): 27–37.

[4] 'Ghost fishing' refers to unmanned fishing devices that have been left or lost by fishermen in the ocean, including; fishing lines, hooks, fishing nets, crab pots and fishing traps. The gear's potential to ensnare animals, damage boats and alter the natural landscape plagues coastal waters around the world.

habitats or marine communities that lobster rely on. Additional management that fills this gap includes marine protected areas, such as those created in the Channel Islands and under California's Marine Life Protection Act (MLPA). Marine protected areas (MPAs) are designed explicitly to protect habitat and marine communities, including habitat utilized by lobster. Further, trophy-size lobster of both sexes, which are also the most fecund, are becoming scarce, and a network of reserves, such as those in the Channel Islands and created under the MLPA should protect these individuals allowing them to reproduce. The absence of these large adults also has ecosystem effects, as they are predators on species like mussels and urchins. Marine protected areas are designed to also protect natural ecosystem structure.

The closures associated with the MLPA however, need to be complemented with strategic management of fisheries under the Marine Life Management Act (MLMA). Revisiting fishery management regimes after MLPA's implementation will not only help maximize the MPA network's ecological benefit, but it will help key California fisheries to remain economically viable by potentially adjusting their management strategies in a controlled and deliberate way.

A novel approach to FMPs

As a solution to the mounting costs, staffing needs and time to generate a typical FMP, CWF is proposing a new model for developing FMPs that shares costs between DFG and the OPC which will help to leverage staff resources and develop a collaborative approach to carry out the work. CWF will perform much of the work; however, DFG will retain oversight of the FMP process.

Developing a successful cooperative FMP model may help to pave the way for additional FMPs. Moving forward with a lobster FMP, in particular, also represents an opportunity to integrate information generated by monitoring California's MPAs into the management of one of California's key fisheries. This is an opportunity to capitalize on many years of investment from DFG, fishery participants, academics, stakeholders and non-governmental organizations (NGOs) working to encourage more creative, collaborative, and progressive approaches to advancing sustainable fisheries.

Project Details and Scope of Work:

<u>Program description</u>

The goals of the FMP are to provide for the sustainability of the California spiny lobster resource and associated fisheries through the development of an FMP that:

- Explores innovative ways to promote sustainability in the spiny lobster fishery through effective fisheries management
- Explores means of sharing the costs of developing and implementing an FMP
- Seeks to integrate MPA monitoring information into spiny lobster fishery management
- Includes mechanisms that facilitate adaptive management and research that are able to be sustained over time
- Is cost effective

- Proves to be a successful cooperative model for the development of other California FMPs.

CWF will assist DFG in developing the essential information to support the new model FMP. This will include, among other things, developing chapters for the FMP and organizing and facilitating technical workshops and various meetings. Additionally, CWF will help coordinate the scientific peer review of the draft FMP. The peer review process CWF has outlined has at least three subject experts who would prepare an evaluation report which DFG would use to amend the plan and address any deficiencies found. The Fish and Game Commission's regulatory process will provide an open and objective venue for public review. Lastly, CWF will help to develop the California Environmental Quality Act (CEQA) compliance document for the FMP, covering the proposed action and considered alternatives, the existing environment, and the potential direct, indirect, and cumulative impacts associated with the proposed action and alternatives.

DFG will provide oversight of the entire FMP process working in close consultation with CWF. DFG is currently conducting a stock assessment for spiny lobster and will conduct a scientific peer review of the stock assessment. DFG will provide information for the development of the fishery overview chapter, the fishery research protocol chapter and the fishery management and conservation measures chapter of the FMP. DFG will be the lead agency for the CEQA review and will implement the FMP if adopted by the Fish and Game Commission.

PROJECT GRANTEE:

The California Wildlife Foundation

Since 1990, CWF has worked to protect the state's wildlife species. Collaborating with its many partners, CWF supports programs of DFG and its agency and resources partners. It manages funds designated to strengthen the stewardship efforts and long-term management of publicly-held wildlife areas and reserves. CWF facilitates the development of regional land management plans. It promotes the judicious and ethical use of California's wild resources by working with cooperating agencies to bid and contract for habitat conservation projects in the areas of research and planning, acquisition, restoration, and long-term management through endowments.

The California Department of Fish and Game

DFG is part of the Natural Resources Agency, managing nearly 969,911 acres of wildlife habitat, including 108 wildlife areas and 123 ecological reserves. DFG manages California's diverse fish, wildlife and plant resources and habitats for their ecological values and enjoyment by the public. DFG also manages oil spill prevention programs and enforces environmental laws such as the California Endangered Species Act. The mission of DFG is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.

Established in November 1997, the Marine Region is one of the seven DFG regions that divide California into discrete, manageable areas. The Marine Region extends along the entire California coastline from border to border and approximately three nautical miles out to sea, including offshore islands. Through development of specific projects, field staff provide for fisheries and habitat management, environmental review, and water quality monitoring statewide.

PROJECT HISTORY:
Developing and implementing FMPs are challenging due to the cost, staff time, and lengthy process it takes to develop a thorough plan. The MLMA Lessons Learned report (funded by the OPC in 2008) identified the need for different approaches to conducting FMPs to become a priority to help inform management decisions. DFG's master plan for the prioritization of fisheries lists the spiny lobster as a high priority fishery for which to conduct an FMP. This is due to the high exploitation rate and presumed long lifespan of spiny lobster. Additionally, the data generated by completing the FMP will help to provide the information needed to move this fishery toward a sustainable seafood eco-label that the OPC is also charged with implementing.

PROJECT FINANCING

Ocean Protection Council	$990,000
Total Project Cost	**$990,000**

The anticipated source of funds will be the fiscal year 2009/2010 appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). Proposition 84 authorizes the use of these funds for purposes consistent with Section 35650 of the Public Resources Code, establishing the California Ocean Protection Trust Fund (Pub. Res. Code § 75060(g)). Under Section 35650(b), Ocean Protection Trust Fund monies may be expended for projects authorized by the OPC that are identified as appropriate Trust Fund purposes. The project is consistent with the Trust Fund purposes as discussed in the following section.

This project is also appropriate for prioritization under the selection criteria set forth in Section 75060(g), which provides that the OPC will give priority to projects which develop data needed to adaptively manage the state's marine resources and reserves. Specifically, this project will develop data needed for a thoughtful fishery management plan that will result in a sustainable fishery over the long term.

DFG will contribute services, materials and staff time valued at $815,000 to carry out all aspects of the development of the spiny lobster FMP. This project is a high priority for DFG's Marine Region and they have committed to provide staff to support successful completion of this project.

CONSISTENCY WITH CALIFORNIA OCEAN PROTECTION ACT:
The proposed project is consistent with the Ocean Protection Act, Division 26.5 of the Public Resources Code, because it is consistent with trust-fund allowable projects, defined in Public Resources Code Section 35650(b)(2) as projects which:

(B) Improve the management of fisheries
(C) Foster sustainable fisheries
(F) Improve management, conservation, and protection of coastal waters and ocean ecosystems
(G) Provide monitoring and scientific data to improve state efforts to protect and conserve ocean resources.

The proposed project will help to foster improved management of the spiny lobster fishery by filling critical data gaps necessary to inform fisheries management. By developing partnerships, CWF will serve to expand the scope of current FMP process by undertaking many of the responsibilities generally undertaken by DFG. The proposed project will also result in increased data collection that will better inform management decisions for the state and develop stakeholder buy-in.

The proposed project will also help to promote coordination between DFG, the OPC, CWF and the stakeholders for the lobster fishery. The project will accomplish this by integrating each agency into the process as well as ensuring that the FMP will also inform MPA management. There will be several workshops including stakeholders and members from the relevant agencies.

CONSISTENCY WITH THE OPC'S STRATEGIC PLAN:
The project is consistent with the 2005 OPC strategic plan in the following respects:

A. Governance
Objective 4: Ecosystem-based Management
Develop practical approaches to implementing ecosystem-based management and encourage their implementation throughout the State.
A primary focus of this project is to identify how best to incorporate MPAs and ecosystem based management principles into the management of the fishery. Ecosystem-based management recommendations will be identified through a major science workshop and forwarded to various working group meetings, DFG, and contractors working on external tasks such as the FMP's research protocol.

E. Ocean and Coastal Ecosystems
Objective 1: Marine Life Protection Act
Help complete and implement a statewide network of Marine Protected Areas (MPAs).
Developing an FMP for spiny lobster would provide an opportunity to integrate MPA monitoring information into fishery management practices and strategically manage both commercial and recreational effort levels. This would help maximize the ecological effectiveness of the MPA network and help manage its socioeconomic impacts.

Objective 2: Marine Life Management Act
Help to establish ecologically and economically sustainable fisheries.
As described above, a cooperative approach to FMP planning with OPC funding will allow DFG to implement one of its highest priority FMPs despite DFG's existing budget limitations. If successful, cooperative FMP development could pave the way for additional FMPs that allow fisheries to adjust their management regimes to ensure their biological and economic sustainability over time. It is also an opportunity to draw upon the depth of national and international fishery experts who have expressed interest in helping to develop an FMP in this way.

Additionally, a primary focus of the MLMA is constituent involvement. While developing an FMP for spiny lobster has been a top priority for DFG, in large part this new approach is in response to the commercial fishery leaders' strong interest in finding a way to adjust to the new MPAs and maintain a sustainable fishery over the long term. Moving forward with the FMP process would be supportive of this constituency, and the potential management regimes that result would also likely foster participant ownership in the long term sustainability of the resource. The environmental community has been similarly engaged in the crafting of this effort and supports this proposal not only for its benefit to the lobster resource but as a model for additional efforts to integrate MPAs into fishery management.

CONSISTENCY WITH THE OPC'S GRANT PROGRAM FUNDING GUIDELINES:
The proposed project is consistent with the OPC's Grant Program Funding Guidelines adopted November 20 2008, in the following respects:

Required Criteria
1. **Directly relate to the ocean, coast, associated estuaries, or coastal-draining watersheds:** The proposed project will result in a fishery management plan for the California Spiny Lobster fishery.
2. **Support of the public:** Please see attached letters of support (Exhibit 1).
3. **Greater-than-local interest:** The result of this project is important statewide in terms of developing a new approach to completing FMPs and integrating adaptive management decisions into the MPA process.

Additional Criteria
4. **Innovation:** The cooperative FMP is an innovative approach to traditional FMP's, where DFG is coordinating with an NGO to produce an FMP at a reasonable cost. Such partnerships will help provide the staffing and monetary resources that DFG does not currently have available. If this approach works well, it may be duplicated for other fisheries in California.
5. **Improvements to management approaches or techniques:** The end result of the project will be improvements to management from conducting the necessary research to inform DFG to make informed decisions on the fishery.

6. **Resolution of more than one issue:** This project will provide desperately needed scientific information to help inform management decisions and will also help to move the spiny lobster fishery closer to a sustainable seafood eco-label.
7. **Leverage:** See the "Project Financing" section above. DFG will be providing extensive staff time and expertise.
8. **Timeliness or Urgency:** The recreational aspect of the spiny lobster fishery is at unprecedented levels. Data on level of fishing effort is critical to maintain the resource and maintain fishing opportunities.
9. **Coordination:** The spiny lobster FMP will be a coordinated effort between the OPC, DFG and CWF as well as the numerous stakeholders, fishermen and scientists.

CONSISTENCY WITH THE OPC'S PROGRAM PRIORITIES FOR 2009 THROUGH 2010:

The proposed project is consistent with the OPC program priorities because of its focus on sustainable fisheries management and maintaining California's fishing heritage, while also helping drive research that will inform management decisions, and aiding in agency coordination on ocean management activities. Results from this project will:

- Provide much needed data to inform management decisions about the fishery
- Via the FMP process, help elucidate the effect of the fisheries on overall health of the lobster population
- Be incorporated into MPA management
- Help achieve top priorities for DFG for FMPs
- Help to maintain a sustainable lobster population over the long term
- Continue to provide fishing opportunities for both commercial and recreational fishermen
- Increase coordination between the OPC and DFG and CWF.

COMPLIANCE WITH CEQA:

The proposed project is categorically exempt from review under the California Environmental Quality Act ("CEQA") pursuant to 14 Cal. Code of Regulations Section 15306 because the project involves only data collection, research and resource evaluation activities that will not result in a serious or major disturbance to an environmental resource. Staff will file a Notice of Exemption upon approval by the OPC.