

CALIFORNIA OCEAN PROTECTION COUNCIL

Staff Recommendation
September 10 - 11, 2008

COLLABORATIVE FISHERIES RESEARCH ORGANIZATION

File No. 08-095
Project Manager: Cina Loarie

RECOMMENDED ACTION: Authorization to disburse up to \$300,000 to the Pacific States Marine Fisheries Commission to create a collaborative fisheries research organization in California. The proposed authorization will fund the first two years of operations, which will focus on establishing the oversight, outreach, and infrastructure needed to ensure the long-term vitality of the organization.

LOCATION: Statewide

STRATEGIC PLAN CATEGORY: Research and Monitoring

EXHIBITS

Exhibit 1: [CFR Workshop Summary](#)

Exhibit 2: [Photographs of CFR](#)

Exhibit 3: [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 \$300,000 to the Pacific States Marine Fisheries Commission (PSMFC) to create a collaborative fisheries research organization in California. The proposed authorization will fund the first two years of operations, which will focus on establishing the oversight, outreach, and infrastructure needed to ensure the long-term vitality of the organization.”

Staff further recommends that the Council adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the 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 project selection guidelines.”

PROJECT SUMMARY:

Staff is recommending that the Ocean Protection Council authorize disbursement of up to \$300,000 to the Pacific States Marine Fisheries Commission (PSMFC) to create a collaborative fisheries research (CFR) organization in California. The proposed authorization will enable the PSMFC to establish a CFR organization (the “CFR organization”) that will support collaborative research throughout the state. The CFR organization will develop, solicit, and fund projects with the goal of creating partnerships between fishermen and scientists to develop and collect fisheries data necessary to the Department of Fish and Game, the Fish and Game Commission, the Pacific Fishery Management Council, and the Ocean Protection Council.

The proposed authorization will fund staff salaries and operational expenses needed to establish the CFR organization, including: creating an advisory body; establishing outreach mechanisms through local partnerships, stakeholder meetings, and a website; hiring consultants; and developing long-term funding sources. Once the CFR organization has developed the necessary infrastructure to oversee a long-term funding program, it is envisioned that staff will return to the OPC for approval of additional grants to fund future fisheries research projects.

PROJECT DESCRIPTION

Background

Collaborative fisheries research, as defined by OPC staff, involves creating partnerships among fisheries stakeholders (commercial and recreational fishermen, university scientists and fisheries scientists, coastal managers, NGOs, funders, and tribes) to encourage collaboration on fisheries research design, including defining goals and research questions, to ensure that necessary data gathered in a manner that will improve resource management.

With the passage of the Marine Life Management Act (MLMA) that calls for the establishment of fisheries management plans, and the Marine Life Protection Act (MLPA) that requires baseline monitoring of newly established marine protected areas (MPAs), there is an increasingly strong need for comprehensive fishery data to inform fisheries management. Coordination among state, federal, regional management agencies and donor organizations is necessary to develop collaborative approaches to fishery and ecosystem management, which will be critical to implementing the MLMA and MLPA. CFR offers far-reaching and effective means to satisfy data needs while simultaneously improving coordination through the active involvement of stakeholders.

The main premise behind and clear benefit of collaborative research is fishermen participating in the collection of data. They are also able to provide an “on-the-water service” by making available their fishing vessels, equipment, etc., to CFR projects. The degree of collaboration that takes place on fisheries research projects can vary and strongly depends on the questions driving the needs and stakeholders involved.

Previous CFR projects have demonstrated many benefits to the fishing industry, individual fishermen, fisheries scientists, and managers, including:

- Increasing timeliness and affordability of data collection, reporting and analysis
- Providing supplemental information to fisheries dependent data
- Improving access to vessels and other research platforms, as well as analytical capacity
- Improving fishermen's understanding of how fisheries information is collected and used in management
- Filling critical data gaps left by current monitoring programs
- Increasing the accuracy and expanding the scope of fisheries resource surveys
- Monitoring stock or ecosystem response to management changes
- Using the knowledge gained from fishermen to help design and implement research and inform management
- Building mutual understanding and respect among participants
- Developing effective partnerships between collaborative research participants
- Providing fisherman additional economic opportunities to supplement fishing income

Collaborative research funded through the CFR organization can address a broad range of topics including:

- Conservation engineering (i.e., gear, methods) development and testing
- Information technology development and testing
- Fish stock, habitat, and ecosystem monitoring
- Fish biology and ecology
- Stock assessments
- Socioeconomics impacts
- Stock and ecosystem changes due to MPAs, climate change, climate variability (i.e., El Niño), and other factors such as pollution

There is growing interest in collaborative approaches to research in California and nationally. Collaborative research was included as an essential component in the California Ocean Protection Act (described below) and in the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act:

Sec 204: The Secretary of Commerce, in consultation with the Councils, shall establish a collaborative research and management program to address needs identified under this Act and under any other marine resource laws enforced by the Secretary. The program shall be implemented on a regional basis and shall be developed and conducted through partnerships among Federal, State, and Tribal managers and scientists (including interstate fishery commissions), fishing industry participants (including use of commercial charter or recreational vessels for gathering data), and educational Organizations.

Should the OPC approve funding for the startup costs of the CFR organization in California, the goal is to leverage substantially greater and more stable funding sources from the federal government. Hopefully, the benefit reaped from this small, initial OPC grant will be significant future federal funds.

CFR Workshop

The impetus for moving forward with this collaborative endeavor came after OPC staff and the

Resources Legacy Fund Foundation convened a CFR workshop in Oakland, California on April 29-30, 2008. The workshop summary, which provides an outline of key workshop outcomes, is attached as Exhibit 1.

Nearly 70 invited stakeholders participated in the workshop including representatives from West Coast commercial and recreational fishing groups, California Department of Fish and Game (DFG), NOAA Fisheries, Pacific States Marine Fisheries Commission (PSMFC), Sea Grant, several California universities, the Nature Conservancy, and Environmental Defense Fund. Though the majority of participants came from California, there was also a presence from Oregon and Washington and representatives from similar efforts on the East Coast, including the Northeast Consortium. At the workshop participants expressed *strong support* for establishing a formal CFR organization in California and an interest in coordinating with complementary state or federal programs or research initiatives along the West Coast.

Project Details and Scope of Work

The CFR organization will be a venue for commercial and recreational fishermen, academic scientists, coastal managers, tribes, non-governmental organizations, and funders to come together to discuss and prioritize existing and emerging fisheries management data needs. Once established, it will also provide grant funding to support collaborative research projects that address these needs in the future.

It is currently envisioned that the CFR organization will be primarily virtual with staff and liaisons located in different locations or ports. The structure of the CFR organization will likely consist of five essential components: (1) the Executive Director (ED) hired through PSMFC; (2) a small executive board made up of representatives from the fishing sector, academic institutions, the public sector, and coastal management; (3) a larger advisory committee with broad statewide or coastwide representation; (4) community outreach to ports via local liaisons or a similar mechanism; and (5) grants management.

1. Executive Director (ED) – The PSMFC will hire an ED to promote and develop the CFR organization in California, but would coordinate, and potentially link, with similar or developing programs or initiatives along the West Coast in order to promote sharing of resources and expertise on topics of mutual interest or concern (see the regional discussion below). The success of the CFR organization will depend heavily on hiring the right person for the ED position; someone who can bridge the cultural differences found in the scientific and fishing communities. OPC staff would work closely with PSMFC to identify and review candidates for this position to ensure that the best candidate is identified and secured.
 - a. Short-term (< 6 months) – The ED would be tasked with:
 - i. Determining general operating principles and scope of mission.
 - ii. Identifying key ports and cities to initiate coastwide community outreach.
 - iii. Visiting representatives of fishing community to promote the goals of the organization.
 - iv. Seeking long-term funding sources, including private funders.
 - v. Assembling the executive board and advisory committee through extensive stakeholder input.

- vi. Hiring a contractor to create a website through which managers, scientists, fishermen, and others can learn about the organization, share information and survey protocols. Such a website may also be useful as a forum for finding partners with needed gear or expertise to initiate collaborations.
 - b. Mid-term (6 months – 1 year) – The ED will work with managers, fishermen, non-governmental organizations (NGOs), and scientists to create partnerships and identify research priorities that can benefit from collaborative work. The ED will also oversee the work of the executive board and the advisory committee: scheduling meetings, setting agendas, and providing background materials for discussions. It would be the responsibility of the ED to pursue and establish a diverse portfolio of long-term funding sources for the CFR organization.
 - c. Long-term (beyond 1 year) – The most critical tasks include ensuring: long-term funding of data collection and partnerships, data dissemination, and data accessibility to coastal managers and the public. On an ongoing basis, the ED will verify that data collected is being used to directly inform management. The ED will also establish protocols for frequent evaluation of the success of the organization and prepare “Lessons Learned” reports of organizational efforts.
2. Executive Board (“Board”) (Established in first 6 months) – The Board might be comprised of approximately 15 people including:
- a. Members of the fishing community (commercial and recreational)
 - b. Representatives of NOAA
 - c. Representatives from PSMFC and/or Pacific Fishery Management Council
 - d. Representatives of DFG
 - e. Scientists
 - f. Members of the NGO community

The Board will work with the ED to assist in creating the CFR organizational structure, and developing different outreach mechanisms and review processes. The Board will also be tasked with identifying and resolving issues that may have led to the instability of previous collaborative research projects. These tasks will likely include:

- a. Resolving insurance and liability issues for research project, both broadly and on a project specific basis.
- b. Identifying and pursuing multiple and long-term funding mechanisms with the eventual objective of building an endowment.
- c. Identifying means to disseminate and publish data to directly inform management and other interested parties, as well as means to maintain the confidentiality of certain data.
- d. Designing a selection process that balances top-down approaches to CFR (driven by management needs, funding requirements, research requirements) and bottom-up approaches (where the project has support and interest from local fishing communities and researchers).
- e. Establishing and identifying preliminary statewide research priorities, including regional areas of urgency.
- f. Understanding state agency needs and staffing limitations, as well as existing programs, platforms, or expertise, and delegating tasks accordingly.

- g. Navigating the permitting process and related issues (i.e., catch limits, by-catch restrictions, endangered species limitations, collecting within closed areas, etc.).
 - h. Establishing formal communication plans with specific protocols for how stakeholders can communicate during projects (i.e., face-to-face, teleconference, and email).
 - i. Identifying leaders in the fishing community who can be trained to work as members of CFR teams.
 - j. Ensuring CFR project selection is based on transparent and competitive procedures.
 - k. Preparing an annual report.
3. Advisory Committee (“Committee”) (Established in first 12 months) – Using the large (25+ person) Northeast Consortium (discussed below) model as a guide, the Committee might be composed of:
- a. Members of the fishing community
 - b. Representatives of NOAA and the Pacific Fisheries Management Council
 - c. Representatives of DFG
 - d. Representatives of the OPC and the OPC Science Advisor
 - e. Representatives of the PSMFC
 - f. Scientists (Representing University of California, Cal State, and private organizations)
 - g. Members of the NGO community

The exact number and composition of the Committee will be determined in discussions between the ED, the Board, the OPC, and PSMFC.

The ED and Board of the CFR organization will work with the Committee to:

- a. Consult with regional and national experts to identify short, mid, and long-term focus areas for the organization.
 - b. Identify core science and technical capacity (researchers and platforms) and locations with high densities of expertise in California or along the West Coast with which to partner.
 - c. Determine annual funding priorities.
 - d. Perform scientific review of submitted proposals to determine which of the final proposals would receive funding from individual grant rounds.
 - e. Establish a Project Review Subcommittee to review and rank research proposals. This membership could rotate among Committee members.
4. Community Outreach (through “Port Liaisons”) (Ongoing) – Once the ED is hired, he or she will be tasked with creating the community outreach framework through hiring of Port Liaisons. The Port Liaisons would serve to:
- a. Conduct outreach to identify willing and capable researchers, fishing participants, vessels, and technologies.
 - b. Pair experts with participants for research proposals.
 - c. Participate in research project development and execution.

The Port Liaisons will be selected based upon their familiarity with the needs and capabilities of the area in which they are located and will become the area advisor for industry, government, and public inquiries. As the point person for a specific region, the Port Liaison

will be able to assist in identifying high priority regional fisheries issues and provide information and advice to a wide variety of constituents. The extent to which the Port Liaisons are utilized will be determined by the ED, the Executive Board, the Advisory Committee, and vary depending on regional needs, staffing capabilities, and available funding.

While the final decision about the mechanism for hiring Port Liaisons has not yet been made, staff's initial concept is to potentially build upon the existing California Sea Grant extension agents program. The number, time commitment, and location of the agents in the ports would have to be determined based on funding availability and existing California Sea Grant capacity. Such a partnership might require a Memorandum of Understanding between PSMFC and California Sea Grant to formally establish roles and responsibilities.

5. Grants Management – The oversight organization, PSMFC, would be in charge of accepting funds from various sources, including the federal government, state governments, non-governmental organization, and foundations. PSMFC would grant these funds to meritorious collaborative research proposals, decided by the Committee, and track expenditures for each of these awards.

Evaluation of Progress

Though backed with ample stakeholder support, there still remain many unknown variables associated with this endeavor. Moreover, many of these variables may not become evident until after the ED starts to establish the required infrastructure of the CFR organization.

Consequently, a critical component of the proposed project is a means to evaluate the progress and efficacy of the ED and the organization as a whole. Significant milestones will be established by PSMFC and OPC staff to assess progress (these milestones would likely mirror the expected tasks outlined in the previous section). PSMFC and OPC staff will assess the progress of the CFR organization to ensure that these milestones are being met in a timely and practical manner and will evaluate the propriety of continuing funding for the CFR organization on an ongoing basis.

Regional vs. California specific focus

Initially, the CFR organization will focus on California fisheries, primarily addressing the needs of DFG and the California Fish and Game Commission as well as those identified by other California stakeholders (including fishing participants and researchers). However, OPC staff will work with the CFR organization to determine if it can (and should) be coordinated or linked to address region-wide needs, including sharing resources or expertise. As the California Current ecosystem spans all three states, a tri-state coordinated effort ultimately could be the most beneficial approach allowing for constructive partnerships and offering greater opportunities to leverage federal funding.

Priority Area 6 of the West Coast Governors Agreement Action Plan is to “expand ocean and coastal scientific information research and monitoring.” A regionwide CFR organization could provide California, Oregon, and Washington an opportunity to fulfill part of this mandate of the Action Plan. Additionally, building on or supplementing existing federal collaborative research efforts could play an important role in addressing the data needs of regional management

organizations, including the Pacific Fishery Management Council and PSMFC.

The OPC staff has approached Oregon and Washington to gauge their interest in coordinating or linking a region-wide collaborative effort in the future. Representatives from both Oregon and Washington have expressed interest in this endeavor and have supplied letters of support (Exhibit 2).

The Northeast Consortium

The CFR organization will draw from the experience of an analogous existing cooperative fisheries research effort called the Northeast Consortium created in 1999. The Northeast Consortium encourages and funds effective, equal partnerships among commercial fishermen, scientists, and other stakeholders to engage in collaborative research and monitoring projects in the Gulf of Maine and Georges Bank. The Consortium consists of four research institutions (University of New Hampshire, University of Maine, Massachusetts Institute of Technology, and Woods Hole Oceanographic Institution). The Northeast Consortium administers nearly \$5 million annually from the National Oceanic and Atmospheric Administration for collaborative research on a broad range of topics including gear selectivity, fish habitat, stock assessments, and socioeconomics.

PROJECT GRANTEES:

The Pacific States Marine Fisheries Commission (PSMFC) is an interstate commission created by Congress in 1947. PSMFC supports policies and actions to conserve, develop, and manage fishery resources in California, Oregon, Washington, Idaho and Alaska. Its purpose is to promote the better utilization of fisheries (marine, shell, and anadromous), which are of mutual concern, and to develop a joint program of protection and prevention of physical waste of such fisheries. PSMFC accomplishes this through coordinating research activities, monitoring fishing activities, and facilitating a wide variety of projects. PSMFC is seen as an unbiased broker of fisheries data, a key criterion needed to ensure full participation of all potential partners (NGO, fishermen, academic researcher, etc.)

PSMFC should offer objective, effective means to assist in the West Coast fisheries data collection. As one of only three Interstate Commissions in the United States today, PSMFC would also be an ideal entity for oversight of the CFR organization should the organization decide to expand regionwide to include OR and WA.

PROJECT COORDINATION:

The CFR organization could help to alleviate some of the enormous data needs associated with the MLPA Initiative that is administered by the MPA Monitoring Enterprise. The ED would be tasked with coordinating with the MPA Monitoring Enterprise and identifying needs that could be satisfied by the CFR organization.

PROJECT FINANCING:

Ocean Protection Council	<u>\$300,000</u>
Total Project Cost	\$300,000

Staff anticipates using the Ocean Protection Council’s tidelands oil funds, appropriated to the Secretary of Resources in the FY 04 budget for projects authorized pursuant to the Ocean Protection Act. The Resources Agency has entered into an interagency agreement with the Coastal Conservancy to administer these funds on behalf of the Council and recommend projects for funding.

If approved, this initial grant of up to \$300,000 will be given to PSMFC to pay the salary of the executive director and operational expenses of the CFR organization for two years. As mentioned above, OPC staff will evaluate the progress of the CFR organization on an on-going basis and may consider withdrawing funds if milestones are not met in a satisfactory manner.

It is anticipated that staff will return to the OPC for approval of additional funding after the CFR organization is successfully established. The OPC will work with the ED and PSMFC to create a proposed project budget outlining the projected operating expenses of the CFR organization, ideal levels of available grant funding, and goals for future matching funds. The operating budget would include salaries and benefits of the ED; the funds PSMFC would require to solicit, review, award, and administer grant awards; and funds that would be used to cover expenses of the CFR organization, including those to support the advisory committee.

CONSISTENCY WITH CALIFORNIA OCEAN PROTECTION ACT:

The proposed project is consistent the Ocean Protection Act, Division 26.5 of the Public Resources Code (PRC), in the following respects:

The Ocean Protection Act identifies trust fund allowable projects in PRC Section 35650(b)(2) as including projects that:

- (C) Foster sustainable fisheries, including projects that: encourage the development of more selective fishing gear, promote collaborative research and demonstration projects between persons who fish commercially and scientists, promote value-added wild fisheries to offset economic losses attributable to reduced fishing opportunities, and/or create revolving loan programs for the purpose of implementing sustainable fishery projects;
- (F) Improve management, conservation and protection of coastal waters and ocean ecosystems; or
- (G) Provide monitoring and scientific data to improve state efforts to protect and conserve ocean resources.

The proposed project is consistent with the trust fund allowable projects listed above in that the project will foster sustainable fisheries and develop data necessary to improve fisheries management through promotion of collaborative research. By developing partnerships, the CFR

organization will serve to expand the scope of current fisheries resource surveys and fill data gaps. The proposed project will also result in increased data collection that will better inform management decisions for the state and develop stakeholder buy-in.

CONSISTENCY WITH OPC'S STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Goal B (Research and Monitoring) Objective 1: “Improve scientific understanding of our ocean and coastal ecosystems.” The CFR organization will identify data gaps for managers that may be addressed through collaborative research and will actively design and promote projects to fill these data gaps. This data will add to our growing knowledge of marine habitats and species statewide.

Goal B (Research and Monitoring) Objective 2: “Monitor and map the ocean environment to provide data about conditions and trends.” Long-term collaborative projects could be funded by the CFR organization and would allow the state to monitor species and habitats of interest on an ongoing basis. Trends of commercially important species, as well as changing oceanographic data, can be monitored and applied to more adaptive management programs. Information collected through these types of partnerships would supplement the comprehensive monitoring program focused on MPAs, which is currently under development as the statewide MPA Monitoring Enterprise.

CONSISTENCY WITH OPC'S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the OPC's Project Funding Guidelines adopted June 14, 2007, in the following respects:

Required Criteria

1. **Directly relates to the ocean and coast:** All research funded by the CFR organization would study marine fisheries.
2. **Support of the Public:** see Exhibit 3.
3. **Greater-than-local interest:** The CFR organization will have a statewide, and potentially regionwide, focus.

Additional Criteria

4. **Resolution of more than one issue:** This approach to research not only allows the state to collect the data it needs to manage, but also promotes cooperation between state and federal agencies, the NGO community, and fishermen, which is extremely beneficial as the data are applied in a management context.
5. **Innovation:** Although CFR programs have been developed in other regions, this project is unique in that it will create the organizational infrastructure and will develop long-term funding sources needed to promote this type of research and overcome the roadblocks experienced by previous CFR projects.

6. **Coordination:** It is hoped that the CFR organization will develop partnerships among local fishermen, state and federal agencies, and other members of the public to gather data and improve management decisions.

CONSISTENCY WITH OPC'S 2007/2008 FUNDING PRIORITIES

This project is consistent with the funding priority that places a focus on Fishery Management Plans. The research projects generated through collaborative efforts will supply data needed to conduct stock assessment and move certain fisheries from a "data-poor" state to "data-moderate" or data-rich.

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 would not result in a serious or major disturbance to an environmental resource. Staff will file a Notice of Exemption upon approval by the Council.