

CALIFORNIA OCEAN PROTECTION COUNCIL

Staff Recommendation
November 29, 2010
As Amended November 29, 2010

COLLABORATIVE FISHERIES RESEARCH ORGANIZATION

File No.:08-095-02
Project Manager: Sheila Semans

RECOMMENDED ACTION: Authorization to disburse up to \$1,500,000 to the Pacific States Marine Fisheries Commission and to the Regents of the University of California, Sea Grant Program to further develop the collaborative fisheries research organization and to fund collaborative research projects in coordination with the Department of Fish and Game, National Oceanic and Atmospheric Administration (NOAA), the Ocean Protection Council, and other resource management agencies.

LOCATION: Statewide

STRATEGIC PLAN OBJECTIVE: Research and Monitoring

EXHIBITS

Exhibit 1: Ocean Protection Council [Staff Recommendation](#) for the Collaborative Fisheries Research Organization (File No. 08-095-01, September 2008)

Exhibit 2: [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 (OPC) hereby approves the disbursement of an amount not to exceed \$1,500,000 (one million five hundred thousand dollars) to support the management of the Collaborative Fisheries Research (CFR) Program and to fund grants awarded through the CFR Organization. The OPC authorizes funding to: (1) the Pacific States Marine Fisheries Commission to enhance the science, outreach, and administrative capabilities of the CFR Program; and (2) the Regents of the University of California, California Sea Grant Program to solicit, review, administer, and award grants to implement the CFR Program, provided the OPC concurs in the award of each Program grant utilizing funds from this authorization. Staff will provide a business plan for the CFR organization and a draft Request for Proposals to implement the research projects to the OPC for subsequent approval prior to awarding any grant funds for the research projects.”

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 recommends that the Ocean Protection Council (OPC) authorize disbursement of up to \$1,500,000 to further develop the collaborative fisheries research organization (the CFR organization) in California and fund research projects in collaboration with Sea Grant, the Department of Fish and Game (DFG), NOAA National Marine Fisheries Service, and other resource management agencies. In September 2008 the OPC authorized initial funding to the Pacific States Marine Fisheries Commission (PSMFC) to initiate development of the CFR organization, which enabled the hiring of an Executive Director, establishment of an Executive Steering Committee, and the preliminary identification of research priorities (Exhibit 1).

The proposed authorization will enable PSMFC to continue to build capacity within the CFR organization through enhanced science, outreach, and infrastructure support. These activities will be critical to successful program development and fund-raising, particularly in the early stages. The authorization will also allow the CFR organization to coordinate with Sea Grant to develop, solicit, and fund CFR projects with the goal of creating partnerships between fishermen and scientists to develop and collect fishery data necessary to the DFG, the Fish and Game Commission, the Pacific Fisheries Management Council, and OPC to adequately manage California fisheries. Projects will respond to priorities established by the CFR organization and its advisory council, and vetted through an outreach campaign. Once selected, the research projects will be presented to the OPC for final concurrence on the grant awards.

PROJECT DESCRIPTION:

Project Background:

Most people agree that new strategies for managing the marine commons are needed in response to degraded marine ecosystems and the fish and human populations they support. In light of environmental uncertainty and ecosystem complexity, adaptive management of our fisheries will require good, reliable sources of information about stocks, flows, and processes beyond those of traditional data collection. Collaborative fisheries research, as defined by OPC staff, involves creating partnerships among commercial and recreational fishermen, academic scientists, coastal managers, tribes, and non-governmental organizations to develop more comprehensive information on emerging fisheries management needs and ecosystem health.

The lack of communication and knowledge exchange between the fishing community and scientists, as well as managers, has often been at the root of fisheries management conflicts. The intent of the CFR organization and the projects it funds is to form fishermen/scientific/management partnerships that will collect data necessary to the DFG, the Fish and Game Commission (Commission), the PFMC, and NOAA, in order to further develop more sustainable fisheries. Recent experience has proven that collaborative research offers a far-reaching and effective means to satisfy data needs

while simultaneously improving coordination through the active involvement of all stakeholders, including:

- Increasing timeliness and affordability of data collection, reporting, and analysis
- Providing supplemental information to fisheries dependent data and filling critical data gaps left by current monitoring programs
- Improving access to vessels and other research platforms
- Improving fishermen's understanding of how fisheries information is collected and used in management
- Using the knowledge gained from fishermen to help design and implement research and inform management
- Building mutual understanding and respect among participants
- Increasing the accuracy and expanding the scope of fisheries resource surveys
- Encouraging stewardship of natural resources
- Providing resource agencies with the means to explore co-management strategies
- Restoring or building trust between stakeholder communities, resource agencies, and academic scientists

The impetus for creating the CFR organization came after OPC staff and the Resources Legacy Fund Foundation convened a CFR workshop in Oakland, California in April 2008. Nearly 70 invited stakeholders participated in the workshop and expressed strong support for establishing a formal CFR organization in California with an interest in coordinating with complementary state or federal programs or research initiatives along the West Coast. Following these recommendations, the OPC authorized the initial funding to PSMFC to create the CFR organization in September 2008 (Exhibit 1), but development of the organization was delayed due to the state budget crisis. Over this past year, OPC staff has worked with PSMFC and DFG to hire an executive director (ED) and establish an executive committee for the CFR organization. The initial authorization funded the ED for a period of two years, but is insufficient to create the infrastructure necessary for an independent organization, to develop an outreach program that can successfully bring together communities that are traditionally in conflict, or to oversee and administer and fund CFR projects.

Project Details and Scope of Work:

Building Capacity within the CFR Organization

The ED of the CFR organization has been tasked with implementing an ambitious program within two years, as articulated in Exhibit 1. The ED's initial tasks included creating and overseeing an Advisory Committee, working with DFG to determine short and long-term management needs for CFR data, creating a set of priorities for the organization to address through research projects, and launching an extensive outreach campaign to develop effective partnerships among stakeholders who typically do not work together. While this work is ongoing, it has become clear to both PSMFC and OPC staff that to be successful, additional capacity is needed within the organization to address the following objectives:

1. **Building a sustainable organization:** As envisioned, the CFR organization will eventually become a standalone entity, possibly an independent non-profit. Over the next two years, various options will be explored, as the ED consults with regional and national experts to identify short, mid, and long-term goals for the organization. If it is deemed preferable for this organization to expand along the whole west coast, functional relationships will have to be developed with Oregon and Washington. Whatever eventual form the CFR organization

takes, there will be substantial legal and administrative issues to work through and assess, requiring help from outside consultants. Additionally, both short and long-term funding sources will have to be developed, from state, federal, and private sources. The development of funding, especially sustained funding, will require the organization to show immediate success in its mission, including executing effective projects.

2. Developing an outreach campaign: The ED is currently working in key ports and cities and making contacts with individuals from all stakeholder groups in order to gain consensus about the program's objectives and create the partnerships needed to implement the program. Once the Advisory Committee has developed research priorities that address critical management needs and a RFP is developed to solicit projects, a more formal and extensive outreach campaign will begin. This will likely require additional support to plan and facilitate meetings, create background materials and annual reports, and develop an informative website.
3. Implementing effective CFR projects: The CFR organization's ED and Executive Committee quickly realized that effective projects are the only way to demonstrate the need for this type of non-traditional program to potential funders. The eventual form this organization takes depends largely on the monitoring and research niche it is able to fill. Furthermore, capacity at DFG is severely diminished, creating greater data needs but also affording less resources and project support for the ED. Therefore, considerable work will be needed up front to identify the highest priorities for management and create a project selection process that balances top-down approaches (driven by management needs, funding requirements, research requirements) with bottom-up approaches (where the project has support and interest from local fishing communities and researchers). This will likely require additional science support for the organization, especially as projects get implemented.

Approximately thirty percent of the proposed authorization will be applied to building capacity within the CFR organization. Recommendations for hiring any employees or consultants will be provided by the Executive Committee and PSMFC, with the assistance of OPC staff.

Collaborative Fisheries Research Projects

As stated above, it will be critical to develop sound and effective projects early on if the CFR organization is to establish its value and attract future funding. The original, very ambitious vision articulated for this organization does not include secured funding for research projects. Working in close collaboration with the fishing community, DFG, and NOAA, the CFR organization will develop a list of management priorities that can be addressed effectively by collaborative research and vet this list with its stakeholders. The proposed authorization will then allow a grant round to solicit CFR projects to be developed through California Sea Grant. Sea Grant is a natural partner for this endeavor because they have an established, well-respected process for evaluating, prioritizing, and administering research grants related to coastal and ocean resources, and have successfully managed other solicitation and award efforts on behalf of the OPC. OPC staff will be involved in all stages of the review process, including the technical review and final decision-making. In addition, the OPC's Science Advisory Team will be engaged as needed for advice and review. Approximately seventy percent of the total proposed authorization will be allocated to administer the grant process and fund the first set of CFR projects that will address all of the following:

1. Data priorities identified by DFG or NOAA
2. Have the ability to lead to effective management change
3. Have demonstrated support from the fishing community
4. Demonstrate the benefit of CFR research by building partnerships and leveraging resources.

Once selected, the CFR projects will be presented to the OPC for final concurrence on the grant awards. Collaborative research funded through the CFR organization can address a broad range of topics including:

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

PROJECT GRANTEE:

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 is also uniquely positioned 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 region-wide to include OR and WA.

The California Sea Grant Program will coordinate the request for proposals, the review process, and post-award administration of contracts for data collection and research projects funded through this proposed grant. Sea Grant has a highly respected process for evaluating, prioritizing, and administering research grants related to coastal and ocean resources and has a proven track record of supporting state agencies' research efforts. PSMFC, CFR, and OPC staff will work with Sea Grant to tailor a review process for the CFR program. The California Sea Grant Program is experienced at managing large contracts and grants, has excellent knowledge of and familiarity with the state's scientific, management and fishing communities, and has successfully managed other solicitation and award efforts on behalf of the OPC.

PROJECT HISTORY

As previously stated, initial funding for the CFR organization was approved by the OPC in September 2008, following the recommendations derived through a stakeholder workshop earlier in the year (Exhibit 1). Initial funding was awarded to PSMFC to hire an ED and establish the organization. The state budget crisis delayed the implementation of the project, which has only

begun this year. An ED was hired this fall, and has formed an Executive Committee and begun initial scoping and outreach.

PROJECT FINANCING

Ocean Protection Council

Previous authorization (September 2008)	\$300,000
Current authorization	\$1,500,000

CFR Project Matching Funds (estimated)	<u>\$265,000</u>
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Total Project Cost	\$2,065,000.00
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The anticipated source of funds will be the fiscal year FY 09/10 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 projects 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 identifies as a priority projects which develop scientific data needed to adaptively manage the marine resources and reserves of the state, including projects that foster sustainable fisheries. Data developed under the grants to be awarded under this authorization will be used to manage California fisheries in a more sustainable fashion.

OPC research proposals funded through this partnership will require a match. In addition, the agreements with the Sea Grant program will place a cap of 25 percent on university overhead for proposed projects.

CONSISTENCY WITH CALIFORNIA OCEAN PROTECTION ACT:

This project is consistent the Ocean Protection Act, Division 26.5 of the Public Resources Code because it is consistent with trust-fund allowable projects as defined in PRC Section 35650(b)(2) as projects which:

(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 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.

The CFR organization could help to alleviate some of the data needs associated with monitoring the marine protected areas (MPA), established pursuant to the Marine Life Protection Act, which is currently being administered by the MPA Monitoring Enterprise. The CFR organization will continue to coordinate with the MPA Monitoring Enterprise and DFG to identify needs that could be satisfied by the CFR organization.

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

The project is consistent with the follow Strategic Plan goals and objectives:

Goal B (Research and Monitoring) Objective 1 (Research): “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 (Monitoring): “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 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 relates to the ocean and coast:** All research funded by the CFR organization would study marine fisheries.
2. **Support of the Public:** see Exhibits 1 and 2.
3. **Greater-than-local interest:** The CFR organization operates with a statewide focus, and could eventually expand along the West coast.

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:** The CFR organization is developing partnerships among local fishermen, state and federal agencies, and other members of the public to gather data and improve management decisions.

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

This project is consistent with the program priority that places a focus on sustainable fisheries management and maintaining California's fishing heritage. By working with managers, scientists, and fishermen, the research projects generated through collaborative efforts will supply data needed to conduct stock assessment and improve sustainability by:

- 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
- Providing fisherman additional economic opportunities to supplement fishing income.

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. While the research may result in follow-up actions by public agencies, those actions, if any, have not yet been approved, adopted or funded. Staff will file a Notice of Exemption upon approval by the OPC.