

**Final Meeting Summary
DCTF Executive Committee
Tuesday, April 11, 2017**

Meeting Participants

EC Members Present Geoff Bettencourt, Bill Blue, Bill Carvalho, Larry Collins, Mike Cunningham,
Vince Doyle, Brett Fahning

Other Meeting Participants Paige Berube, Ocean Protection Council
Ruth Flores, CA Department of Fish and Wildlife
Christy Juhasz, CA Department of Fish and Wildlife
Pete Kalvass, CA Department of Fish and Wildlife
Sonke Mastrup, CA Department of Fish and Wildlife
Craig Shuman, CA Department of Fish and Wildlife
Cpt. Mike Stefanak, CA Department of Fish and Wildlife
Tom Weseloh, Senator McGuire's Office

Rachelle Fisher, DCTF Administrative Team
Kelly Sayce, DCTF Administrative Team

Meeting Summary

All "next steps" are in bold below.

1. Welcome, introductions, agenda overview

- The Dungeness Crab Task Force (DCTF) Administrative Team (Admin Team) introduced call participants and welcomed everyone to the meeting. During the call the DCTF Executive Committee (EC) will receive updates on a number of priority topics, discuss a [proposal](#) introduced during the March 2017 EC call regarding modifying openers and fair-start clauses in districts 6 and 7, prioritize sunseting Fish and Game code clauses, and continue discussing the structure of a future DCTF.
- The Admin Team explained the EC is a subcommittee of the DCTF. The EC cannot make decisions on behalf of the DCTF and will report back to the full DCTF with the outcomes of this conference call. During the October 25-26, 2016 DCTF meeting, the EC was directed to address priority topics, such as developing proposals to inform the long-term functioning of the DCTF. Additionally, the EC is tasked with moving DCTF recommendations forward between DCTF meeting, including supporting CDFW's efforts to design a lost fishing gear recovery program (per SB 1287).
- Meeting ground rules and [guidelines for providing public comment](#) were reviewed, and the Admin Team walked through the agenda. The Admin Team reminded those on the call that public comments are also welcomed via email at info@dungenesscrabtaskforce.com if they are having trouble getting through on the line. Emailed comments received during the conference call may be read aloud during the call as time permits, and also included in the meeting summary (which may be paraphrased to improve readability).
- The Admin reminded call participants this is a working meeting of the EC. Public comment is welcomed, however will be limited if we are unable to get through the agenda in a timely fashion.

2. Updates on issues involving the Dungeness crab fishery including, but not limited to, gear recovery program design (per SB 1287), 44th Annual Zeke Grader Fisheries Forum, Pacific States Marine Fisheries Commission (PSMFC) Gear Innovations Workshop, and the 2017 DCTF schedule.

- The Admin Team, along with support from other call participants, walked through a number of updates.

- *Lost Fishing Gear Recovery Program (SB 1287)*: During the [March 2017 EC call](#), the California Department of Fish and Wildlife (CDFW) provided a list of [options for the basic framework for implementing SB1287's Lost Fishing Gear Recovery Program](#). The EC generally agreed that CDFW should move forward with the “Minimal Department Support for NGO-run Model.” CDFW is continuing to work internally to develop a process and procedures for implementing an NGO-run program. Additionally, CDFW staff will begin reaching out and discussing capacity with each port to support the program’s implementation. The program is on track to be implemented during the 2018-2019 fishing season.
- *Disaster Relief*. In early 2017, the National Oceanic and Atmospheric Administration (NOAA) declared the west coast Dungeness crab fishery a federal disaster. Congresswoman Speier and Congressman Huffman have circulated a [bipartisan, bicameral letter](#) asking for relief to be included in the fiscal year 2017 supplemental appropriations. They also plan to reintroduce the Crab Emergency Disaster Assistance Act to appropriate the relief funds. Note: the DCTF/EC is not actively engaging in the disaster relief efforts, however updates are being provided due to the industry’s interest on this topic.
- *44th Annual Zeke Grader Fisheries Forum*: The Fisheries Forum was held Wednesday, March 29, 2017 in Sacramento, CA. Admin Team member Rachelle Fisher provided an update on behalf of the DCTF. The hearing had a robust conversation on salmon and landings fees. Director Bonham provided additional context to the discussion of the landing fees by sharing details about CDFW’s budgets. The proposed landing fee increase is part of the Governor’s budget and is in a Department of Finance Bill. The issue should be resolved no later than June 15 when the budget is signed. There continues to be discussion about this issue by the Legislature and members of the fishing industry. Video and audio of the hearing is [available online](#).
- *PSMFC Gear Innovations Workshop*: The PSMFC Gear Innovations Workshop was held in Portland, Oregon on March 29-30 and attended by Admin Team member Kelly Sayce. The Workshop brought together West Coast fishermen and state and federal agencies to engage in a constructive dialogue focused on gear innovations and other ideas to reduce the risk of whale entanglements in Dungeness crab fishing gear. A [press release](#) was issued following the Workshop and a summary will be available in the coming weeks. Ideas generated during the Workshop will be brought back to the California Dungeness Crab Fishing Gear Working Group for further discussion.
- *2017 DCTF Schedule*: The [2017 DCTF schedule](#) and calendar was introduced during the March 2017 EC call. Based on feedback from EC Members, the Admin Team will proceed with planning a single DCTF meeting in October 2017. The contract to fund Strategic Earth to continue administering the DCTF through The Nature Conservancy (TNC) will be complete in July 2017. Until that time there is budget for one more EC call. The DCTF requested at the October to 2016 meeting to use funds from the Dungeness Crab Account to support administration of the DCTF until a long-term solution could be established legislatively. CDFW has indicated they can use the funds in the Dungeness Crab Account for the purposes of managing the DCTF, but due to state timelines with contracting it will not be possible to have this funding/contract in place in time for an October 2017 meeting. CDFW will need to develop a request for proposals (RFP) and a formal bidding process in the new fiscal year (beginning July 2017) to contract with an Admin Team to support the DCTF. CDFW offered to convene the October 2017 meeting without an Admin Team to keep DCTF conversations moving forward or to have a “Q&A Session” at each of the ports hosted by CDFW. TNC also indicated they could supply funds to Strategic Earth to support the October 2017 DCTF meeting.
- EC Members discussed the updates.
 - One EC Member followed up on an inquiry from the March EC call and asked CDFW Enforcement whether a waiver could be made available for pumping and retrieving lost or stuck gear in season.

- CDFW indicated such a waiver is not possible at this time. There may be a need for Legislation or changes to Title 14 to address this issue, or addressed during the Lost Fishing Gear Recovery Program's rulemaking. While there is value in being opportunistic and removing derelict gear, it is important to be mindful of potential loopholes such a waiver may inadvertently cause. There may be a provision associated with waivers when a vessel is broken down or unable to retrieve their gear that could address this issue. There may be a need to have a focused discussion about this during the October 2017 DCTF meeting. **Enforcement and Marine Region will continue discussing how waivers could be used to pull derelict gear in season.**
 - An EC Member explained that, although not ideal, fishermen could pump and remove six pots at a time during the season and then have the Lost Fishing Gear Recovery Program come in after the season to retrieve the remaining gear.
 - **Strategic Earth will add a discussion of the six (6) trap rule to the October DCTF agenda.**
 - All EC Members expressed appreciation for CDFW's offer to fund a DCTF meeting without Admin support in October 2017. However, due to the large amount of work on the DCTF's plate, the EC indicated there was a need to retain the current Admin Team to ensure the DCTF can walk away from the October meeting with tangible outcomes. Concerns were expressed about the difficulty in making progress without an Admin Team in place.
 - EC Members also indicated that permanent funding of the DCTF is a critical issue and should be discussed at the October 2017 DCTF meeting.
 - CDFW indicated the DCTF already gave direction to CDFW to utilize the Dungeness Crab Account to fund the October meeting and they will move forward with making that happen. The contract will be a public process with multiple facilitation teams bidding. The contract will likely be 2-years.
 - EC Members expressed thanks and support in TNC's offer to fund the administration of the October 2017 DCTF meeting. **Strategic Earth will work with TNC to fund the October DCTF meeting. CDFW will also move forward with acquiring Dungeness Crab Account funds and contracting an Admin Team, with the goal to have a new contract in place shortly following the October 2017 meeting.**

Public Comment

No public comment was received.

3. Review of a proposal from Executive Committee Member related to modifying openers and fair-start clauses in districts 6 and 7 during times of fishery closure due to issues including domoic acid and consideration of possible amendments and/or alternative proposals.

- During the March 2017 EC call, an EC Member introduced a [Draft Proposal, Management of Districts 6 and 7 Under Delay Scenario](#) in response to continued issues with domoic acid impacting season openers. The proposal would change the opening and fair start for Districts 6 and 7: if there is a delay for any reason, the entire Northern Management Area (north of the Mendocino/Sonoma county line) is delayed until the reason for delay is resolved or until January 15, whichever comes first. After January 15, fishing would begin over as much area as possible. Problem areas would be isolated and opened as soon as possible. Thirty-day effort shift protection would be applied, first to the entire area and then additionally to any isolated area that experienced further delay. Preset times would remain the same as now (64-hour preset).
- In March, EC Members indicated they would like the proposal to go through the DCTF for thorough review and discussion, and possible recommendation/modification. This EC discussion

is the first step in that process. The proposal is still in the very initial stages of consideration and has not yet been put in a bill or been discussed by CDFW or the full DCTF.

- One EC Member indicated that by running the proposal through the DCTF, a new law may not be a reality until 2019. To help ensure the proposal could be put into practice during the 2017-18 season, he suggested the proposal move forward at the port level without the DCTF's involvement. He explained the importance of returning some normalcy to the fishing season so that historic fishing patterns and areas can be maintained, even in the face of domoic acid. To move the proposal forward in bill form, there would need to be support from ports, Pacific Coast Federation of Fishermen's Association (PCFFA), and potentially the DCTF/EC.
 - Tom Weseloh, Joint Committee on Fisheries and Aquaculture and Senator McGuire's Office, explained that it would be important to include CDFW and the California Department of Public Health (CDPH) in the discussion to ensure the proposal is palatable to both agencies. Additionally, he expressed concern about the current legislative timeline and in identifying a spot bill to successfully get the proposal into legislative language and move it through the legislative process in 2017.
 - Many EC Members indicated that the proposal should go through the DCTF since it is a public process and open to anyone who wants to participate. Members also indicated there was a need to more broadly communicate the proposal to the fleet.
- A number of ports and associations have expressed support for the proposal including the Fort Bragg [Salmon Trawlers Association](#), [Trinidad Port Association](#), and [Humboldt Fishermen's Marketing Association](#). **Strategic Earth will post the letters of support on the DCTF webpage as they are received.**
- Crescent City and representatives from District 10 did not support the suggested January 15 opener as outlined in the proposal. Fort Bragg is split on the issue, and shared that larger boats that can travel to support the existing management approach and believe it contributes to more continuity in the markets. Smaller boats that don't travel tend to support the proposal. One Member stated that the traveling fleet is a small minority of the fleet and regulations should not be written to cater to any segment of the fleet.
- One EC Member indicated the importance of including processors in the discussion.
 - An EC Member representing processors stated that staggered openings (i.e., the current management approach) help support the markets since crabs can be sold at different times and make the markets more successful throughout the season. It is possible that if the proposal was to be approved then there could be too many crabs on the market from other areas (e.g., Oregon and Washington), which may limit opportunities for buyers to purchase California crabs.
 - A couple EC Members questioned the role of District 10 in the conversation.
 - Various EC Members expressed concern with the hardship Bodega Bay experienced during this season's opener and said he supported "protections" in partial area openers regardless of which district they are in. He reminded the EC that openers in one area will affect openers in other areas.
 - Concerns were expressed about Districts 6 and 7 receiving "protections" instead of the entire coast including those districts south of the Mendocino-Sonoma County border that may also experience staggered, intra-district openers in some years.
 - An EC Member stated that District 10 was intentionally omitted from the proposal because it would be inappropriate for Districts 6 and 7 to speak for the southern ports. However, amendments to the proposal that reflect District 10 concerns could be added.
 - Some EC Members expressed support for revisiting the presoak in District 10 so the entire state is subject to a 64-hour presoak period to give fishermen more time to prepare for the season after

a notification that a given area will open.

- CDFW said they appreciated fishermen thinking about how to address these kinds of issues and they had no comment on the proposal at this time. Once the proposal is introduced as a bill, CDFW will be unable to speak about the bill.
- All EC Members agreed to continue moving the proposal through the DCTF process despite the resulting timing delays.
- **The District 6 and 7 proposal will be revisited during the October DCTF meeting** and will be discussed within the context of the sunseting Fish and Game Code. The Fish and Game Code provisions related to fair start would need to be amended to address the proposal.

Public Comment

- Craig Goucher, commercial fisherman and DCTF Alternate, said the port of Trinidad originally supported the proposal, although there was not much participation at the port meeting. After listening to the EC's conversation on the call, he expressed concern about the proposal including how it may impact markets. He suggested Trinidad pause on continuing to support the proposal and utilize the DCTF meeting in October to discuss the proposal more thoroughly.
- Tom Weseloh, Joint Committee on Fisheries and Aquaculture and Senator McGuire's Office, explained that the discussion about the proposal could be broken down into components. There are a number of Fish and Game code regulations that are sunseting and could be modified to address the proposal and other aspects of the domoic acid issue. For example, fair start could be reauthorized as is or it could be amended. It may make sense to discuss the proposal in the context of those codes. Although there appears to be support for the concepts, it may be challenging to advance the proposal separate from an overall Dungeness crab regulations package. Additionally, some have said the presoak should be changed. Should it always be 64 hours statewide? Only in times of delay? The more detail included in the regulatory changes the better to help ensure the intent of the regulations is understood and can be upheld.
- Scott Krepps, Humboldt Fishermen's Marketing Association, said the Association held two meetings on this proposal. Although there was low turn-out, the 20 people who participated in the meeting unanimously supported the proposal. There have been frustrations from fishermen fishing out of Eureka the past two seasons. Domoic acid is not going to show up in the same places every year. Regulating based on marketing conditions is important, but it is also too challenging to speculate on the market. He expressed support for the proposal moving forward through the DCTF process, but stated that DCTF Members need to do a more thorough job at reaching out to their constituents.

3. *Review and prioritization of sunseting Dungeness crab regulations to be discussed in detail during an upcoming DCTF meeting.*

- [Executive Committee Draft Options for the Composition of a Dungeness Crab Industry-Representative Body – March 21, 2017](#) contains a list of code sections that will sunset in 2019, including the trap limit program, the Lost Fishing Gear Recovery Program, pre-soak periods, etc.
 - The Admin Team explained that Fish and Game Code section 8276.4 (the DCTF) has already been prioritized and Fish and Game Code 8276.6 (the trap limit program) was already addressed in the DCTF's 2017 report.
- The Legislature has asked the DCTF to provide direction on any other adjustments or changes needed, including removing redundant code, amending regulations to better reflect current fishery needs, etc. Since the DCTF will not have sufficient time to address every bit of the code, the Admin Team asked the EC to consider which concepts or topics they would like to prioritize for the October 2017 DCTF meeting.
 - EC Members highlighted limited entry, permit transferability, presoak, and fair start as topics that

were highest priority for the fleet to address.

- One EC Member explained that when considering transferability, it is important to be mindful of how the fleet has evolved and the increasing horsepower that is needed to maintain the profitability of the fleet. Although the number of traps have been capped, vessels are getting larger and larger.
- EC Members and CDFW both highlighted the need to make the fair start provisions clearer especially as they relate to domoic acid.
- EC Members stated that CDFW would have a better understanding of which code sections could be removed and requested CDFW staff develop a red-lined document that could be reviewed by the DCTF. CDFW stated that upon first glance, the “Dungeness crab review panel” to review permits for limited entry program could be removed. Other provisions could also be deleted from the code, however it is a complex process that often necessitates a need to adjust other sections that may refer to deleted code. **CDFW will develop a document red-lining Fishing and Game code sections that are now redundant to share at the October 2017 DCTF meeting. Additionally, they will review the code sections that need further clarification (e.g. the sections related to the Frequently Asked Questions documents released during the last two fishing seasons). Strategic Earth will support CDFW in this effort.**
- **All EC and DCTF Members should read and familiarize themselves and their constituents with the Fish and Game code sections up for reauthorization prior to the October DCTF meeting.**

Public Comment

No public comment was received.

4. Discussion of the long-term structure and functioning of the DCTF including, but not limited to, the potential need to reevaluate the composition of the organization, long-term funding, management of the Dungeness crab trap tag account, etc.

- Funding from the Ocean Protection Council (OPC) to administer the DCTF is no longer available as of January 2017. The Admin Team’s efforts are currently funded by TNC at the request of the DCTF at the October 2016 meeting.
 - The DCTF has discussed this topic at a number of DCTF and EC gatherings since 2009. Unless recommendations are made this year for how the DCTF will continue to function beyond 2019, there will be a lag in operations if a new DCTF is ever re-established.
 - During the October 2015 and 2016 DCTF Meeting, the DCTF agreed that there was value in and a need for the DCTF. The DCTF requested the EC continue discussing this topic with the goal of providing the DCTF with options for a long-term vision for their consideration for the October 2017 DCTF Meeting. Although there is wide agreement from the DCTF on the value of the DCTF, there is less agreement on what the DCTF should look like moving forward (i.e. its structure).
 - During the March 2017 EC conference call the EC developed three proposed options for what the composition/structure of the DCTF’s commercial fishing seats could look like beyond 2019. The Admin Team updated the [Executive Committee Draft Options for the Composition of a Dungeness Crab Industry-Representative Body – March 21, 2017](#) to reflect the EC’s proposal for the DCTF to bring to their ports for discussion. These options will be discussed, deliberated, and finalized by the DCTF in October 2017.
- The goal of this conversation is to continue developing an EC proposal to the DCTF on the role of sport/recreational fishermen, CPFVs, processors, California Sea Grant/scientists, CDFW, the Legislature,

and/or nongovernmental organizations (NGO) (e.g., port and harbor associations, environmental groups, etc.) on the DCTF and whether these groups should have voting seats.

- One EC Member stated that it has been helpful having NGO and CDFW representatives serve as non-voting advisors on the DCTF.
- Generally, EC Members supported having a processor on the DCTF but questioned whether they should have a voting seat since processors do not pay into the Dungeness Crab Account.
- Some EC Members expressed support for recreational fishermen on the DCTF with a voting seat while others felt a voting capabilities were inappropriate if recreational fishermen do not pay into the Dungeness Crab Account. The Admin Team reminded the group that if representatives do not have voting seats, there may be less incentive for them to attend DCTF meetings.
- The EC agreed on two proposed options for the DCTF's consideration:
 - Option 1: 2 voting processors, 2 non-voting NGOs, 2 non-voting CDFW representatives, and 1 non-voting science advisor (no recreational or CPFV seats)
 - Option 2: Status quo- 2 voting recreational fishermen, 1 voting CPFV representative, 2 voting processors, 2 non-voting NGOs, 2 non-voting CDFW representatives, and 1 non-voting science advisor
 - **The Admin Team will update the [Executive Committee Draft Options for the Composition of a Dungeness Crab Industry-Representative Body – March 21, 2017](#) with the two new options outlined.**
- The Admin Team explained that a DCTF Member suggested the idea of a DCTF chair to support the Admin Team between meetings. This person would also be the “go-to” person for legislative and CDFW inquiries between meetings. The EC discussed the concept of a DCTF chairperson.
 - One EC Member believed that the role of a chairperson was redundant since the Admin Team generally plays that role. He also expressed concern about the constraints on the chairperson's time.
 - Various EC Members expressed concern about the challenge of selecting a neutral chairperson that could represent the diversity of the perspectives on the DCTF without advocating for their own agenda.
 - EC Members asked the Admin Team to consider whether a chair would be helpful to the Admin Team to improve their ability to support the DCTF.

Public Comment

No public comment was received.

5. *General Public Comment.*

No general public comment was received.

6. *Next Steps and Adjourn*

- There is budget for one more EC call between now and July. **The next EC call will be in June. The Admin Team will follow up with the EC to inform the agenda and circulate information via the DCTF public email list.**