



~California Dungeness Crab Task Force~

<http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

DCTF MEETING UKIAH, CALIFORNIA April 22-23, 2014 MEETING SUMMARY

NOTE: This summary was deemed final following the task force's approval and posted online at: <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

INTRODUCTION

The purpose of this meeting summary is to:

- Inform all Members of the DCTF and the wider public of ongoing work of the DCTF
- Provide a summary of discussions and outcomes from the April 22-23, 2014 DCTF meeting held in Ukiah, California

ATTENDEES

John Atkinson, Jr., San Francisco High Tier
Jim Anderson, Half Moon Bay, Low Tier
Geoff Bettencourt, Half Moon Bay, High Tier
Bill Blue, South of Half Moon Bay
Ron Blodgett, Alternate for Chuck Cappotto, Bodega Bay Low Tier
Joe Caito, Alternate for Bill Carvalho, Crab Processor
Tony Cannia, Alternate for John Yearwood, Fort Bragg Low Tier
Larry Collins, San Francisco, Low Tier
Mike Cunningham, Eureka, High Tier
Ricardo di Solenni, Alternate for Lee Wilson, Crescent City Low Tier
Vince Doyle, Fort Bragg, High Tier
Bret Fahning, Crescent City, High Tier
Lt. Bob Farrell, CA Dept. of Fish & Game
Marc Gorelnik, Sport Fishing
Craig Goucher, Alternate for Mike Zamboni, Trinidad
Mark Horner, Alternate for David Bennett, Crescent City
Christy Juhasz, CA Dept. of Fish & Game
Joe Mantua, Alternate for Chris Lawson, Bodega Bay, High Tier
Brian Nolte, Alternate for Todd Whaley, Nonresident
Rick Powers, Alternate for Roger Thomas, Commercial Passenger Fishing Vessel
Rick Shepherd, Alternate for Gerry Hemmingsen, Crescent City High Tier
Don Standley, Eureka, Low Tier
Jim Yarnall, Sport fishing

ABSENT

David Crabbe, Nongovernmental Organization
Paul Johnson, Crab Processor
Carrie Pomeroy, CA Sea Grant
Richard Young, Nongovernmental Organization

DCTF ADMINISTRATIVE TEAM PRESENT

Rachelle Fisher, Strategic Earth Consulting
Kelly Sayce, Strategic Earth Consulting
Valerie Termini, Ocean Protection Council



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Day 1–Tuesday April 22, 2014
8:30am-5:00pm

1. Welcome, introductions, agenda review

Rachelle Fisher, member of the DCTF Administrative Team (Admin Team), welcomed everyone to the meeting. She mentioned the meeting agenda was full and would be managed efficiently so everyone would have an opportunity to participate and be heard on all issues. She asked members to participate in a problem solving approach based on respect for all members and openly discuss issues. Ms. Fisher reviewed the DCTF ground rules and respectfully requested the public adhere to the same ground rules.

Ms. Fisher explained that public comment would be taken on every agenda item and there will be an opportunity for public comment on non-agenda items. She asked members of public to fill out public comment cards, and clearly state their name and affiliation before speaking. The public was asked to adhere to a 3-minute time limit. DCTF Members and the Admin Team may call on the public for additional information and clarification as needed to support DCTF discussions. Finally, Ms. Fisher identified of California Department of Fish and Wildlife (CDFW) and Pacific States Marine Fisheries Commission (PSMFC) staff present in the audience, who may also be called upon to help inform DCTF discussions.

Ms. Fisher asked Ocean Protection Council (OPC) and CDFW staff to introduce themselves, followed by DCTF Member and Alternate introductions. She then reintroduced another member of the Admin Team, Kelly Sayce. Ms. Fisher explained the meeting would be recorded (via hand-held voice recorder), and explained the recording would be erased after 30 days in accordance with the Bagley-Keene Open Meetings Act.¹

The Admin Team reviewed the meeting agenda. One of the goals of this meeting will be to gain DCTF input on a [number of issues presented by the Coastal Dungeness Crab Tri-State Committee](#) (Tri-State Committee) so that CDFW and California tri-state fishing representatives can share the DCTF's position at the May 21-22, 2014 Tri-State Committee meeting. The DCTF will also have the option of voting on the [Coastside Fishing Club Proposal](#), and modifying to DCTF Executive Committee (DCTF EC) operating procedures.

The Admin Team provided an overview of events that have occurred since the last DCTF meeting on April 2, 2012.

- The DCTF submitted a report to CDFW to inform the drafting of the Title 14 regulations for the commercial trap limit program following the April 2, 2012 meeting.
- The DCTF EC has met six (6) times via conference call to discuss the crab quality testing funding guidelines and stay up to-date on the status of the trap limit program and to assist the Admin Team in planning the current DCTF meeting. Summaries from those conference calls are available on the [DCTF webpage](#).
- The Admin Team has been on hand to provide clarification to CDFW, the Fish and Game Commission (Commission), and the California State Legislature (Legislature) to provide clarification on DCTF recommendations, as needed.
- The Admin Team sends periodic email updates to the DCTF on their activities and the activities of the DCTF EC.

¹ Note: Due to the delayed production of this meeting summary, the voice recording will be available 60 days following the meeting.



- 2. Informal presentation on California Dungeness crab fishery and Dungeness Crab Task Force (DCTF) discussion. Discussion may include, but will not be limited to, review of commercial trap limit program to-date, changes in the fishery over the last 10 years and implications for management, and latent permits.*

Ms. Fisher reminded the group that SB 369 mandates the DCTF to review the commercial trap limit program and send initial recommendations to the Legislature, CDFW, and the Commission by January 2015. A [presentation](#) was made by Christy Juhasz to help inform the DCTF's discussion on the trap limit program. It was explained that the data in the presentation was not complete for the 2013-2014 commercial season since the season has not yet concluded and the data will be updated and shared with the DCTF at their next meeting later in the year.

One DCTF member requested further clarification on why some of the appeals were "settled." Another member expressed concern that CDFW was challenging the appeals that were won by the appellant. CDFW staff clarified that when CDFW felt the judge at the Office of Administrative Law misinterpreted the criteria established by SB 369, they challenged the ruling and filed a writ.

A DCTF member asked if CDFW could estimate how many end-of-season tags would be requested. CDFW was unable to answer that question at this time. Another DCTF Member requested a breakdown of the names of the people holding permits in each tier. CDFW explained that individual permit information could not be made public due to confidentiality restrictions. Although statistical information could be compiled, specific personal information could not be made publicly available.

One member asked how many "latent" permits were transferred before the program took effect. CDFW did not have that information available. Another member asked how many of the latent permit holders did not purchase their trap tags for the 2013-2014 season. CDFW explained that everyone was required to purchase their trap tags when they renewed their permit. In 2013 there were 569 permits and there are currently 557 permits. It is unclear how many of the 12 permits that were not renewed were "latent." Members requested clarification on the fate of a permit in which a permit holder did not purchase trap tags. CDFW clarified that as long as tags were purchased by March 31, there is no penalty. If a permit holder did not purchase tags for the 2013-2014 season they would not have the option to renew their permit during the 2014-2015 season.

Members asked for further clarification on the data related to the recreational Dungeness crab fishery and discussed the limitations with the data due to the small sample size. The group discussed the spawning rate of male crab under 6.25." One member clarified that the California Recreational Fishing Survey (CRFS) data that was shared in Ms. Juhasz's presentation is the same data that is used by the Pacific Fisheries Management Council (PFMC) to manage the recreational salmon fishery, and should not be criticized by the DCTF for its poor coverage since full coverage is nearly impossible.

Lt. Bob Farrell, CDFW Enforcement, gave an overview of and updates on enforcement regarding the trap limit program. He said compliance has been pretty high. In the areas with high enforcement coverage there were relatively few violations, but there may be more violations in the north where enforcement coverage is less. Enforcement has been working with other departments within CDFW on investigations related to the appeals process and investigations involving vessels pulling gear assigned to another vessel. There were few problems associated with replacement tags since only a small number of tags were issued. There are pending violations for traps in marine protected areas (MPAs), destruct device violations, and a 30-day rule violation. Since it is a new program, CDFW has been focusing on outreach and education. Only one person made use of the waiver process to recover their gear. Lt. Farrell expressed interest in having the DCTF discuss and make recommendations on a process for recovering tags on stuck gear to accommodate people wanting to use the tags on stuck gear.



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A DCTF member expressed concern about individuals receiving MPA violations when 1 or 2 traps are found in an MPA (due to drifting gear) versus an entire string of traps in the MPA. CDFW explained that they would look at each violation on a case-by-case basis and assess the totality of the circumstance. Since buoys are required to be labeled with L numbers, a member requested the DCTF and CDFW reevaluate and discuss how to label buoys so permit holders do not need to get new buoys every time they get a new captain. Members asked for additional clarification on the labeling of the trap tags, the difference between in-season and between season replacement tags, and [accounting costs](#).

The group discussed the issue of California-Oregon dual permit holders who carry traps on board without California trap tags, with the intent of setting gear in Oregon. CDFW explained that a commercially permitted vessel is in violation if there are traps onboard without California-issued tags. Although CDFW made an accommodation for vessels transiting California waters with the intent to drop traps in Oregon to carry traps that did not have California tags attached, this issue may need to be addressed by modifying the regulations so that traps with only Oregon tags are not in violation. Members said regulations should be drafted so that vessels can carry Oregon-tagged traps (with no California tags) as long as there is no crab on board. The group continued to discuss other options to address this issue, including waivers.

The group discussed potentially revisiting the issue of barging to allow commercially permitted vessels to barge others' traps. Some Members expressed interest in allowing this during the presoak period so the smaller vessels have the ability to finish setting their traps before the opener. A member of the public commented asked a question

- Michael Medvin, member of the public- asked for further clarification on how the appeals process would affect tier allocations. He expressed concern that SB 369 has no limits on how many individuals could be moved to higher tiers and requested the DCTF discuss limits for the number of individuals allowed in each tier. CDFW explained that no one would be bumped from a tier if a new person were added through an appeal. DCTF Members mentioned that very few traps have been added to the program as a result of individuals moving to higher tiers. Therefore, it may not be an issue at this time, but rather something to be addressed down the road.

Members, especially Alternates, expressed concern with the trap limit program. Some stated that they felt restricted and that the design of the trap limit program is not conducive to younger guys or new fishermen entering fishery or trying to build a business. Some Members suggested modifying the trap limit program to create opportunities for individuals to move up in the fishery. However, some Members felt that currently there is sufficient opportunity for people to enter the fishery since new fishery entrants can purchase the lowest tier permits and increase their individual trap limit incrementally.

The group discussed the lowest tier permits. One member said that he felt that the tier 7 permits that were transferred before the program was established and are actively being fished should be treated like any other permit and should be allowed to be transferred. However, he proposed that the permits that continue to be latent and unfished be nontransferable and attached to a boat. This would allow new guys to enter the fishery and prevent abuses from larger vessels. Conversely, a Member suggested allowing the low tier permits to be stacked (such that the stacked trap would only be worth half) to reduce the number of permits and traps while also allowing individuals to build their business. Other Members opposed this suggestion stating that the 7-tier trap limit system was put in place to maintain the structure of the fleet and felt that stacking would reduce the number of small vessels in the fleet. One member stated that time is needed to better understand the full impacts of the trap limit program before drawing major conclusions. One member suggested postponing a discussion on what to do with the latent permits until after better understanding the impacts of the trap limit program and consulting with latent permit holders. Various DCTF members stated that the goal of the trap limit program was to reduce the



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arms race, which they felt was successful, and now is the DCTF's opportunity to fine-tune the program. Members of the public commented on the discussion:

- Jim Roberts, Commercial Fisherman- suggested stacking latent permits onto active permits to decrease the number of latent permits in the fishery.
 - Some DCTF members were opposed to this option stating that such an option would prevent the ability for new guys to enter the fishery.
- Tommy Ancona, Commercial Fisherman and Permit Broker- stated that he feels the latent permit holders are disenfranchised by the DCTF and expressed concern about the way in which the DCTF is approaching the trap limit program. He stated that attrition is a natural part of the fishery and there is no need to make restrict latent permits.
- Michael Medvin, member of the public- expressed that the transfer process was not simple and therefore moving to a higher tier would be difficult.

One Member asked how many of the 58 latent permits had been activate before the 2013-2014 season. CDFW said they could compile that information for the next meeting.

The group asked for clarification on what will happen to latent permits after the 2-year moratorium on transfers is over. CDFW explained that transfers would be allowed after the 2-year moratorium under normal transfer conditions. A member of the public commented on the discussion:

- Tommy Ancona, Commercial Fisherman and Permit Broker- expressed support for allowing the moratorium to sunset and allowing transfers on latent permits.

The Admin Team circulated a [letter from DCTF Member, Mike Zamboni](#) for the group's consideration. One DCTF Member stated that if someone is legitimately sick and unable to work, they should be allowed a waiver on their trap tag fees. He proposed that the individual be required to renew the permit, but not be required to purchase all of their trap tags. The group discussed what parameters should be placed on a trap tag fee waiver and what would constitute an illness. Some DCTF Members expressed concern that allowing such a waiver would be detrimental to CDFW's revenue stream to pay for the program, whereas other Members felt the program would be cheaper to run with fewer participants. CDFW suggested letting another person run a boat to generate the revenue to pay their fees instead of allowing a waiver. One DCTF Member suggested that allowing fee waivers would encourage individuals to use less gear and not force others to fish to pay their fees. A member of the public commented on the discussion:

- Tommy Ancona, Commercial Fisherman and Permit Broker- stated that allowing such a waiver would help encourage people to keep their gear out of the water and decrease the overall number of traps in the fishery.
 - A DCTF Member disagreed and stated that permits that are already inactive do not have gear in the water anyway, so this will not decrease the amount of gear in the water.

CDFW discussed the costs of the program. They directed the group to the [trap limit program accounting document](#) and stated that the revenue generated may be different than what is reflected since the figure in the document was an estimate. There are now fewer participants in the fishery since some people did not renew their permits. CDFW also stated that the lawsuit filed in response to the trap limit program was won by CDFW, but cost \$300,000 to prosecute. These expenses are not listed in the accounting document. DCTF Members stated that the lawsuit would not be a continuous cost. CDFW stated that there might be unforeseen lawsuits and appeals that should be considered.



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The DCTF discussed the idea that any boat may be allowed a waiver, which would greatly impact CDFW's revenue stream. One Member expressed concern that if allowing a waiver negatively impacted the budget, the guys who are actively fishing would have to pay more for their tags. Other Members stated that by looking at the current budget, CDFW should still have sufficient budget if these waivers were allowed. One member stated that Oregon and Washington requires everyone to purchase their permit every year, but not their tags. CDFW explained that to do this in California, the law would need to be changed and there may be repercussions for other fisheries. CDFW explained the trap tag ordering process and explained that the only way they could accommodate a fee waiver is if they received notice by the permit renewal deadline. Mid-season requests to opt back in to the fishery could not be accommodated. The DCTF discussed how to accommodate a waiver for 1 year since the tags are valid for 2 years. One member asked if any excess funds from the trap tag program could be used to fund the DCTF. The group agreed that those seeking a waiver must put in their request before CDFW orders the trap tags.

- Tommy Ancona, Commercial Fisherman and Permit Broker- stated that individuals should be required to purchase a 2-year tag if they only plan on fishing one year. He stated that the legislature should put a bill together to do this.

A straw poll was used to assess the level of agreement surrounding allowing waivers on trap tag fees. **Note: This was not a formal vote. Support shown through a straw poll does not reflect adoption of an idea.**

Straw Poll- Allow buoy tag fee waiver for permitholders based on any issue (e.g. sick or just not fishing) upon renewal of permit. There is no limit on how many times a permitholder can do this. An individual cannot purchase tags mid-season and start fishing (13 up; 5 sideways; 0 down; 3 abstain)

Straw Poll- If an individual decides to not fish 1 year and wants to fish the next year, they will still need to pay for 2 full years. No discounting or prorating fees. (18 up; 1 sideways; down; 2 abstain)

The Admin Team explained that the straw poll shows general support for a trap tag waiver and would put the topic on the agenda for the Fall 2014 DCTF meeting.

The Admin Team opened the floor for **public comment**. Since public comment was taken sporadically throughout the discussion, there were no new comments to be added.

3. *Discussion of Dungeness crab tri-state issues including, but not limited to, a discussion about crab quality testing protocols, modifications to the season opener, revising the presoak, the role of district 10 in the tri-state agreement, and prioritization of funds collected for the purposes of crab quality testing.*

Tom Barnes, CDFW, gave a brief overview of the [last Tri-State Dungeness crab committee meeting](#). He mentioned that changes were made to the testing protocols and explained that there is a list of issues that the Tri-State Committee requested the DCTF address including:

- Consider flexibility in setting start date outside of 15-day increments.
- Consider Dec. 15th target start date.
- Consider how to move the Tri-State southern boundary line to the CA/Mexico border to include the District 10 area using the current Tri-State protocol as a template and starting point. Recommendations developed by the Task Force would be brought back to Tri- State for review and discussion.
- Consider revising the pre-soak period and start time to avoid a 12AM start time for pulling gear.



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He explained these issues are in statute, and since the DCTF has a report due to the legislature, it would be appropriate for the DCTF to address them. To aid the DCTF in their deliberations, CDFW, with support from the Admin Team, developed a [summary of options for addressing the Tri-State issues](#).

DCTF Members from Crescent City discussed their [proposal](#) to address the Tri-State issues and stated that the purpose of the proposal was to begin a conversation and hear perspectives from other ports. DCTF Members asked if there would be a fair-start provision for those fishing the early opener in District 10. The Crescent City representatives proposed that individuals would be allowed to fish the District 10 opener for 2 weeks, but those who were planning to leave the area could not fish in the region in December and would be required to sell their crab by December 1. If they did not, they would be subject to a 30-day delay. DCTF Members from the north and south expressed concern about losing the holiday market by having a January 1 northern opener. Some DCTF Members felt the holiday market was not as valuable in the north. One Member stated that the Crescent City proposal might positively impact the price for crab in District 10. Another Member stated that the proposal would encourage more pressure from northern boats in District 10, which would force more boats from District 10 to travel north and put pressure on small, northern boats. Members stated that a January 1 opener would cause Oregon boats to fish a November 15 opener in District 10, followed by a December 1 opener in Oregon and then travel to northern California to fish a January 1 opener allowing opportunities to fish three (3) openers thereby making the fleet more mobile. Members expressed concern that the proposal would increase the “race to fish” and would not encourage a higher price throughout the season.

The DCTF discussed alternatives to a January 1 northern opener and how to manage effort shifts into District 10. One Member suggested a single opener throughout California so that District 10 opens at the same time as northern California to prevent strong effort shifts south of Point Arena at the beginning of each season. He stated that District 10 would prefer an opener closer to December 1 or 15 to retain the Christmas market, but suggested there was flexibility if there was a single opener. Some DCTF Members explained if the entire coast opened at the same time, the market would be saturated and fishermen would get poor price for their crab. A crab processing DCTF Member confirmed this concern and stated that a staggered opener with a November 15 opener in the south was his preferred option. Another Member stated that a single December 1 opener would force District 10 to participate in Oregon price negotiations. One Member stated that as an alternative to a single coast-wide opener, a fair-start provision could be implemented to prevent effort shifts to District 10 and market saturation. He acknowledged that with a staggered opener, there would be some years when there is a large effort shift to the south (or north) regardless of a fair-start because people will follow the crab. DCTF Members from District 10 stated that something needed to be done to “even the playing field” and “protect” District 10 from out-of-area vessels. Various Members from northern ports suggested District 10 join the Tri-State agreement (Tri-State) to address their concerns.

The DCTF discussed single versus multiple openers in California. One Member stated that if there are multiple openers in California, a fair-start clause is imperative to “protect” District 10. However, he further stated that if a fair-start cannot be agreed to, there should be a single opener in California. The DCTF continued discussing the pros and cons of each opener option. One Member from the north stated that a staggered opener was valuable because the District 10 guys could continue fishing while others travel north. A Member from District 10 clarified that crabs only lasted 2 weeks in District 10. One Member suggested that the best way for the DCTF to address the issue of the openers was to agree upon goals: (1) how to maximize profit and; (2) how to come home safe. One Member stated the way to accomplish getting the best price is through systematic harvest, which he felt was impossible. Another DCTF Member stated that if the current protocol for pick rate had been in place longer, the northern fishery would have been delayed longer. Therefore, with the current protocols there will be many years when the fishery is delayed and there will be “protections” for District 10 and California. Therefore, he felt a fair-start clause was not necessary.



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A straw poll was used to assess the level of agreement surrounding the issue of a single versus multiple openers in California. **Note: This was not a formal vote. Support shown through a straw poll does not reflect adoption of an idea.**

Straw Poll- 1 opener for the entire state of California commercial fishery (1 up; 2 sideways; 9 down; 6 abstain)

Some Members questioned the count on the vote and asked for a recount, while other Members asked to postpone the recount until day 2 when they could revisit the idea of a single California opener. Some DCTF Members said they would call some of their constituents overnight and would like to come back to the table the next day and do another vote on the issue.

DCTF Members from San Francisco shared their [proposal](#) and stated that the goal of the proposal was to give District 10 more “protection” from out of area boats during the early opener. One Member expressed concern about adding more regulations in the fishery. Another Member suggested keeping the staggered openers and designating a district so fishermen can only fish the region that has been designated instead of a fair-start. Representatives from the north stated that the southern boats had the same opportunity to travel and follow the openers as the northern boats. Therefore, they felt that a fair-start or “designate your region” type regulation was not necessary. Some Members from District 10 disagreed. A DCTF Member from District 10 reminded the group that a statewide opener would be an alternative to a fair-start. Various Members reiterated that the only way to “even the playing field” is for District 10 to join Tri-State such that they retain a November 15 opener, but must test into the opener.

Various DCTF Members stated that District 10 and California needed “protection” from out-of-state boats. One DCTF Member expressed frustration with the notion that California needs “protection” from Oregon and Washington. Another Member said that he wanted to create fewer incentives for northern boats to fish the District 10 early opener. One member stated that he doesn’t take issue with all vessels coming from Oregon and Washington, just the “big rigs” that negatively impact the price because they are under a timeline and don’t operate in a fashion that gets the optimal price. One Member stated that District 10 has “protection” more than 40% of the time because of soft shell delays in the north, but felt there was still a need to address Washington vessels that are not impacted by season delays due to tribal openers. He stated that he wanted protection 100% of the time. Another Member thought a fair-start was unattainable and a single opener would be a better approach since it would maximize the price while also evening the playing field. One Member suggested tabling a discussion on a single opener or a fair-start for District 10 until he had an opportunity to have a discussion with his port. DCTF Members requested the Admin Team add the topic to the next DCTF meeting agenda.

The Admin Team opened the floor for **public comment**.

- Tommy Ancona, Commercial Fisherman and Permit Broker- asked about the rationale for a January 1 opener. He also stated that he has been a long-time supporter of a single coastwise opener and that boats should have the ability to travel where they need to make a living.
 - A DCTF Member stated that a January 1 opener would benefit the market and decrease the need for testing, and get away from price negotiations with Oregon.
- Bill Debacker, Commercial Fisherman- stated that a January 1 opener would be detrimental to small boats in Crescent City and expressed support for a statewide opener of December 1.
- Jim Roberts, Commercial Fisherman- expressed support for a January 1 opener since the Chinese market comes online at that time. He stated that the District 10 fishermen have every right to move to northern California and create the same issues they are experiencing in the south. Especially since they have more boats.



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The DCTF discussed District 10's potential inclusion in Tri-State and what regulatory changes would be acceptable for such an inclusion. Some Members from District 10 supported crab quality testing that would allow the Director of CDFW to delay the season during a poor crab quality year in District 10. Another Member from the District 10 expressed concern about giving the Director of CDFW the authority to delay the season since there were already mechanisms in place to assess the quality. Various Members from the north agreed that District 10 should join Tri-State and be subject to delays if the crab is poor quality. A couple of Members from District 10 expressed concern about the validity of crab quality testing in the north and expressed reluctance to join Tri-State with the current loopholes in testing. One DCTF Member stated that District 10 should not join Tri-State for fear that Oregon and Washington will not work with California, and he saw no benefit to California especially with respect to price negotiation issues. Other Members asked if joining Tri-State would give District 10 more "protection." Multiple Members didn't think District 10 joining Tri-State was necessary since California legislation could be used to add more "protections" for District 10 regardless of Oregon and Washington laws. Other Members suggested simply moving the Tri-State line to the Mexico border, but not requiring District 10 to join Tri-State. One Member said his constituents were opposed to District 10 joining Tri-State.

The Admin Team opened the floor for **public comment**.

- Jim Roberts, Fisherman- explained that the boats from Oregon and Washington were locked out of their home states because they fished in District 10 so it is not true to say District 10 has no protection.
- Tommy Ancona, Fisherman- had some suggestions for what is good for California fishermen. He believed it was important to remove California from Oregon price negotiations and setting an opening date that gives California crabs value outside Oregon's process. He further explained that if there is a coastwise opening date, there is no need for a fair-start clause.

Members expressed concern that District 10 soft-shell delays did not apply to Washington boats when the Washington season is delayed due to tribal issues, not soft-shell issues. Various Members suggested creating legislation and amending the Fish and Game code so that out-of-area boats will be delayed under any type of season delay, not just soft-shell delays. They discussed bringing the issue to Tri-State for consideration. One Member expressed doubt that Oregon and Washington would amend their laws to accommodate the issue while another Member stated that California laws could be changed regardless of Oregon or Washington. One Member stated that if this type of regulation became effective, Washington would be delayed every year. Another Member stated there would be less of a concern about Oregon and Washington boats fishing in District 10 as long as they attempted to get the best price possible for their crab.

The Admin Team redirected the DCTF to the request from the Tri-State Committee and the 4 bullets provided to them. CDFW and the Admin Team suggested the group review [summary of options for addressing the Tri-State issues](#). CDFW explained the group is not locked into the December 15 recommendation and that the DCTF could consider alternative dates as well. They explained that the [summary of options for addressing the Tri-State issues](#) shows that statistically, there is no difference when the crab is ready between Dec 1 and Dec 15. One Member suggested moving the opener to December 10 while another suggested December 15.

While discussing the recommendations from the Tri-State Committee, DCTF Members expressed concern about the Tri-State process. Some DCTF Members said they wanted to do what was "best for California" and felt that California needed to unite or Oregon and Washington would force regulatory changes on California without California's approval. Another Member expressed doubt that Oregon and Washington would change their opener without agreement from California. He further stated that the three (3) states have not always been in lockstep.

The group discussed "Consider revising the pre-soak period and start time to avoid a 12AM start time for pulling gear." DCTF Members questioned the need to change the soak time and whether it would cause market saturation



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at the opener since more crabs may be on board due to the extra soak time. They discussed the pros and cons of starting the season at 8am, 4am, or 12am. One Member stated that even if the season opened at 8am, fishermen would still fish through the night the next day so, it would not resolve any potential safety concerns. Various DCTF members said a 12am start time spreads out production while an 8am start time would cause the whole fleet would begin fishing at the same time. Another Member stated that since some boats start at 12am while others start during daylight hours. Various DCTF Members expressed concern about extending the presoak period. DCTF Members and CDFW stated that an 8am start time would be better for enforcement than 12am.

A straw poll was used to assess the level of agreement surrounding the time of the opener. **Note: This was not a formal vote. Support shown through a straw poll does not reflect adoption of an idea.**

Straw Poll- Change 12-midnight season opener to 8AM to match dump day start time of 8AM for safety and enforcement reasons. North of District 10 (0 up; 4 sideways; 3 down; 13 abstain)

Straw Poll- Status quo 12-midnight season opener with opener time north of D10; 64 hour presoak north of D10 (8Up; 3 sideways; down; 8 abstain)

The Admin Team explained that the neither of the straw polls would have passed if they were a formal poll. The Admin team asked the DCTF for alternative proposals. Various DCTF Members stated that they did not have strong opinions about this issue, but liked the fact that a 12am start time helped the fishery to spread out at the opener. Some of the Members who abstained from voting stated the reason for their abstention was that south of Point Arena the proposed change does not matter because District 10 is not in Tri-State. Others expressed concern that the issue may be more contentious within their port than it appears to be.

One Member expressed concern about the structure of the DCTF. He explained the original intent was for the DCTF be representative of the number of vessels in each port. Based on the data shared by CDFW earlier in the day (see Agenda Item 2), a couple of Members felt District 10 and nonresident vessels were underrepresented. He requested the DCTF revisit and discuss the structure of the DCTF and make recommendations to modify it to be more reflective of the make-up on the fleet. The Admin Team explained that any changes to the DCTF structure would have to be made through legislation. The Admin Team asked the group to consider the longer-term repercussions of sending a message to the Legislature that the make-up of the DCTF was unfair. One Member stated that he could not operate in good faith with the way the DCTF is currently structured. Another Member cautioned the DCTF that if there was a vote to change the structure of the DCTF, the body could not function or make any new recommendations until the structural changes were amended in the Legislature. Some Members disagreed and felt the structure of the DCTF was appropriate and that members could go beyond their residences to do what is best for California. Some Members stated the composition of the DCTF was based on production (not number of permitholders). The DCTF agreed that production between northern and southern ports changes yearly and discussed whether it would be appropriate to modify the composition of the DCTF annually based on production. Members discussed whether or not to vote on the structure of the DCTF. Some members (and the Admin Team) expressed concern that such a vote could be detrimental to the DCTF's future work and invalidate DCTF recommendations. Members suggested the following language to be included in a potential recommendation: *Consider the composition of the Dungeness crab task force to ensure that it is representative of the fleet.* The DCTF agreed to pause on the issue for the day and would discuss it the following day to discuss how to characterize the vote appropriately so as not to invalidate the DCTF's current and future work.

The Admin Team asked the DCTF to continue thinking about the Tri-State issues overnight and decide what they would like CDFW and their fishing representatives to bring to the May 2014 Tri-State meeting.



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The Admin Team opened the floor for **public comment**. Since public comment was taken sporadically throughout the discussion, there were no new comments to be added.

4. Discussion of Dungeness crab sport fishery

The Coastside Fishing Club developed a [proposal for modifications to the Dungeness crab sport fishery](#) that was shared with CDFW and the Fish and Game Commission (Commission). The Commission directed the DCTF to provide recommendations on the proposal. The Admin Team presented an [analysis of the proposal by CDFW](#) and [written public comment on the topic](#). One Member stated that as the DCTF discusses the proposal, they should consider the fact that data shows that the sport fishery only takes 2% of the total catch. He said the reason sport anglers are allowed a smaller minimum size is because once the commercial season starts, it is very difficult to catch a commercial sized crab. Some Members stated they were not comfortable saying what should happen in the sport fishery and that it should be left up to the sport fleet and fisheries managers.

One Member questioned whether decreasing the minimum size limit for sport anglers would have an impact on the breeding stock. Another Member mentioned pointed to an article on the CDFW website that states that male crabs reach sexual maturity at 4.5” and should breed at least once if caught at 5.75”. One Member suggested airing on side of caution and maintaining a higher minimum size limit for sport fishermen and commercial passenger fishing vessels (CPFVs). CDFW explained the current set of regulations (5.75” for sport crabs and 6” for CPFVs) has not yet caused harm to the stock of the crab.

One Member asked how many CPFVs are in the fishery. Another Member estimated there are about ten (10) CPFVs that catch Dungeness crab.

One Member stated he would like to see the bag limit and minimum size throughout the state to be consistent, regardless what it is. Various Members supported the first four (4) parts of the proposal.

It was acknowledged that CPFVs currently have a trap limit and Members asked if the rest of the sport fleet ever considered a trap limit. One Member felt there was no need for a trap limit with a bag limit since people tend to only fish as many traps as they need. CDFW explained that Oregon has a 3-trap limit for CPFVs and private vessels, and a bag limit. One Member stated that Oregon also has a 12-crab limit, can fish year round except for 6 weeks, and has area that accessible to sport fishermen that prohibit commercial fishing. He said that unless those conditions could be replicated, it did not make sense to require a trap limit for the sport fleet in California. One Member clarified that in a 48-hour soak, you can get one crab per trap. Therefore, it would make sense to allow sport fishermen at least 10 traps to meet the bag limit. One Member suggested requiring a trap limit for the sport fleet only during certain times of year. CDFW explained they generally oppose regulatory complexity. They further explained that some sport fishermen use a lot of traps to claim a fish ground. Such behavior could be addressed with a trap limit. One Member stated that a trap limit decision could not be made at this meeting and required a great deal more discussion.

One DCTF Member stated that most CPFVs already use rotten cottons, do not take females, and label their traps and buoys. He added that CPFVs currently have a trap limit. He stated that although the fishery is fine as is, many fishermen agree that regulations should be consistent along the coast. However, the fishery is split on whether the bag limit is 6 or 10 although a 6-crab minimum has been fine in District 10. Another DCTF Member stated that the CPFVs in the north are concerned about dropping the bag limit to 6 crabs fearing it would negatively impact their businesses. One Member suggested raising the CPFV and reducing the private boat bag limit to 8 crabs as a compromise. One Member it does not make sense to lower the northern bag limit since there is no resource issue. Members generally agreed uniformity and consistency in the sport regulations would also make enforcement’s job easier.



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<http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

The Admin Team opened the floor for **public comment**.

- Tommy Ancona, Commercial Fisherman and Permit Broker- expressed concern with CDFW's analysis since it is easy to tell the difference between male and female crabs. He didn't think sport take of females has harmed the fishery. While this is a resource issue, it is a perception issue and CPFVs by in large don't take females and therefore would be good to put in regulations.

DCTF Members and CDFW said CPFVs and private boaters are generally not taking females because of the stigma associated with it. CDFW further explained that if a regulation were made to prohibit take of female crabs, for example, they would have to go to jail for taking a female crab. Many Members recognized the point that individuals could get punished for taking female crabs or reading a size gauge incorrectly and suggested maybe a regulation wasn't essential.

One Member stated he wasn't sure if rotten cotton should be a law since there are so many different kinds of sport traps it would be very complicated.

The DCTF discussed the best way to send a recommendation to CDFW and the Commission and whether it would be useful to have a position on each of the recommendations or the proposal as a whole. One member stated that whatever comes out of the group is just an opinion and the Commission will decide what they want to do with it. DCTF members took a straw poll to assess the level of agreement surrounding the Coastside Fishing Club Proposal. **Note: This was not a formal vote. Support shown through a straw poll does not reflect adoption of an idea.**

Straw Poll: Prohibit retention of females (8 up; 3 sideways; 7 down; 0 abstain)

Straw Poll: Require use of rotten cotton (9 up; 6 sideways; 5 down; 0 abstain)

Straw Poll: Label Pots (5 up; 8 sideways; 3 down; 0 abstain)

Straw Poll: Uniform Bag Limit 10 (5 up; 14 sideways; 0 down; 2 abstain)

Straw Poll: Uniform size limit of 5.75 (3 up; 8 sideways; 9 down; 1 abstain)

The Admin Team recapped the vote and said the DCTF can decide on Day 2 if they want to send a recommendation to CDFW and the Commission on the individual topics or the topics as a package.

5. General Public Comment

Public comment was heard on non-agenda items:

- Jim Roberts, Commercial Fisherman- has a 6-pack license and used to be able to run charters prior to the opening of the commercial Dungeness crab season. The DCTF made recommendations to prevent that from happening. He asked why the DCTF made the recommendation to prohibit sport fishing prior to the commercial season opener.
 - A DCTF member said dual permitholders were illegally setting traps prior to the presoak and that is why the DCTF made such a recommendation. Mr. Roberts said since there is now a trap limit program in place this regulation is not necessary. He requested the DCTF revisit the recommendation.

6. Adjourn

The Admin Team adjourned the meeting at approximately 5pm



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Day 2 – Wednesday, April 23, 2014

7:30am-2:00pm

ATTENDEES

John Atkinson, Jr., San Francisco High Tier
Jim Anderson, Half Moon Bay, Low Tier
Geoff Bettencourt, Half Moon Bay, High Tier
Bill Blue, South of Half Moon Bay
Ron Blodgett, Alternate for Chuck Cappotto, Bodega Bay Low Tier
Joe Caito, Alternate for Bill Carvalho, Crab Processor
Tony Cannia, Alternate for John Yearwood, Fort Bragg Low Tier
Larry Collins, San Francisco, Low Tier
Mike Cunningham, Eureka, High Tier
Ricardo di Solenni, Alternate for Lee Wilson, Crescent City Low Tier
Vince Doyle, Fort Bragg, High Tier
Bret Fahning, Crescent City, High Tier
Lt. Bob Farrell, CA Dept. of Fish & Game
Marc Gorelnik, Sport Fishing
Craig Goucher, Alternate for Mike Zamboni, Trinidad
Mark Horner, Alternate for David Bennett, Crescent City
Christy Juhasz, CA Dept. of Fish & Game
Joe Mantua, Alternate for Chris Lawson, Bodega Bay, High Tier
Brian Nolte, Alternate for Todd Whaley, Nonresident
Rick Powers, Alternate for Roger Thomas, Commercial Passenger Fishing Vessel
Rick Shepherd, Alternate for Gerry Hemmingsen, Crescent City High Tier
Don Standley, Eureka, Low Tier
Jim Yarnall, Sport fishing

ABSENT

David Crabbe, Nongovernmental Organization
Paul Johnson, Crab Processor
Carrie Pomeroy, CA Sea Grant
Richard Young, Nongovernmental Organization

DCTF ADMINISTRATIVE TEAM PRESENT

Rachelle Fisher, Strategic Earth Consulting
Kelly Sayce, Strategic Earth Consulting
Valerie Termini, Ocean Protection Council

7. *Welcome and recap of Day 1*

The Admin Team gave a recap of the events from day 1 and provided an overview of the modified agenda for day 2. They reviewed the results of the straw polls from day 1. Due to the nature of the discussion topics, the DCTF is tasked with addressing during this meeting, the Admin Team explained there may be value in conveying the results of all votes taken, including failed measures,² to provide context to the Tri-State Committee, CDFW, and

² This approach would deviate from the DCTF Charter that identifies that recommendations will only move forward with an affirmative 2/3rds vote.



the Commission on where there is and is not agreement among DCTF members. The meeting summary and policy statements can be developed to help provide background and context to the reason/rational for votes that fail to pass.

Day 2's agenda topics include continued conversations about tri-state, general public comment on non-agenda items, and continued conversation about the sport proposal. The Admin Team suggested modifying the day's agenda and begin with a discussion on the sport topics before revisiting the tri-state topics. Additional agenda items include a review of the operating procedures of the DCTF Executive Committee.

8. Discussion of Dungeness crab sport fishery

The Admin Team reviewed the sport issues, outlined in Coastside Fishing Club's proposal, and reviewed the straw polls that were taken the previous day. Some DCTF members expressed interest in voting on a bag limit of eight (8) and a minimum size limit of 6".

DCTF Members representing commercial fishing interests asked sport representatives for guidance on what type of input on the Coastside Fishing Club proposal would be useful. A DCTF sport representative requested the DCTF weigh in on the proposed modifications to the minimum size limit and bag limit. One Member asked the sport representatives if voting on a bag limit of eight (8) and/or a size limit of 6" would be helpful or a hindrance. A DCTF sport representative expressed concern that if the DCTF were to vote on a bag limit of eight (8) versus ten (10) it may be viewed as the commercial fleet redirecting allocation away from the sport fleet. He explained that the proposal was put forward to address perceived inequities between CPFV boats in District 10 versus the north. Therefore, a recommendation from the DCTF for a statewide bag limit of eight (8) or minimum size limit of 6" moves away from the intent of the original proposal. It is also important to consider the make-up of the DCTF and whether it is an appropriate body to recommend bag limits and/or size limits for the sport fleet. One Member suggested developing a statement that explains the group is not willing to vote on aspects of the sport proposal due to limited available information to make a qualified decision/recommendation.

A DCTF Member asked what the percentage of CPFVs versus private boats makes up the fleet, and what percentage of sport take comes from CPFVs. One Member stated there are more people on a CPFV, so the catch per unit effort (CPUE) is higher than on a private boat. The Admin Team confirmed that data on these questions is not currently available. One Member asked if Coastside Fishing Club represents sport fishermen or the CPFV fleet. A DCTF sport representative stated that the Coastside proposal is designed to support the individual sport users who may not be able to afford their own boat and therefore frequent CPFVs, From Coastside's perspective these individuals fishing aboard CPFVs in District 10 should not be penalized or limited by the inequity of the current circumstances.

The Admin Team revisited the need to form a sport fishing work group to address the proposal. Various Members continued expressing discomfort with making recommendations on the sport fishery. One Member suggested that the sport fleet continue to work with CDFW rather than having sport-related issues be redirected to the DCTF. A representative from CDFW asked the DCTF if CDFW should only look to the DCTF to comment on commercial fishery issues. DCTF members expressed an interest in maintaining an open line of communication with CDFW on all Dungeness crab issues, including sport. The Admin Team suggested sport discussions had between DCTF meetings could take place within the DCTF EC, and recommended the DCTF revisit this idea later in the day when the operation of the DCTF Executive Committee is scheduled to be discussed. The DCTF agreed and decided to move forward with voting on a recommendation to forward to CDFW and the Commission.



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<http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

ACTION: *Consideration and possible adoption of recommendations pertaining to Commercial Passenger Fishing Vessels (CPFVs) and the Dungeness crab sport fishery.*

APPROVED: Per the Commission's direction, the DCTF has discussed the Coastside proposal. The DCTF feels strongly that these issues need to be vetted through and decided on by the Commission with input from CDFW and members of the sport fleet.

The DCTF agrees that there should be a uniform bag limit and minimum size for the sport fishery throughout California. However, the Commission should decide on the details of this with input from CDFW and members of the sport fleet.

The DCTF looks forward to discussing future sport issues.

Vote of all DCTF Members (nonvoting Members abstained):

Thumbs up (21): Anderson, Atkinson, Bettencourt, Blodgett, Blue, Caito, Cannia, Collins, Cunningham, de Solenni, Doyle, Fahning, Gorelnik, Goucher, Horner, Mantua, Nolte, Powers, Shepherd, Standley, Yarnall

Thumbs sideways (0): None

Thumbs down (0): None

Abstain (0): None

Absent (1): Johnson

9. *Continued discussion of Dungeness crab tri-state issues including, but not limited to, a discussion about crab quality testing protocols, modifications to the season opener, revising the presoak, the role of district 10 in the tri-state agreement, and prioritization of funds collected for the purposes of crab quality testing.*

The Admin Team recommended discussing the [proposal from the Eureka High Tier representative](#) to begin discussion on this agenda item. The DCTF Member from Eureka explained his proposal and stated that it suggested modifications to the [Pre-Season Testing Protocol for the Tri-State Coastal Dungeness Crab Commercial Fishery](#) in light of the challenges that were experienced during the 2013-14 pre-season testing. One Member stated their port would like to see greater flexibility in the dates to test crab to avoid the issues experienced in 2013.

The DCTF discussed the topic of a 10-day test interval and whether or not there was a need for flexibility in instances when the 300lb minimum required for testing is not available. One Member explained that during the 2013-14 pre-season testing, the first test was short by a minimal amount and CDFW requested second test sample be conducted 3-4 days following the first test, even though it was shorter duration than 10 day interval because processors wanted to finish testing prior to the District 10 opener. Some Members expressed concern that testing at shorter intervals would show low quality crab and precipitate unwarranted delays. One Member suggested this could be avoided by changing the protocol so that after the first pull, traps would be reset immediately and pulled the following day. This would provide a larger sample size and not waste the crabs caught during the first pull if the load is too small. CDFW identified the need for an observer on the second day under these circumstances. He reminded the DCTF that the protocol that allows flexibility to accommodate such things as bad weather, however, there continues to be concerns that the current protocols may need additional flexibility to ensure a high quality test. DCTF Members stated that the results of a Crescent City port vote showed there was agreement to make the protocols more flexible to address circumstances where there is a need to deviate, such as the 10-day testing interval.



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One Member stated that in the northern ports, crab quality testing is extremely important, however there is an issue with credibility. He suggested that having observers on the boats at all times may help to improve credibility. CDFW explained that observers are no longer required on the set day due to the need to save costs associated with crab quality testing. One Member raised the question of how to ensure observers are adequately trained.

The Admin Team asked the DCTF to consider how changes to the 10-day test interval may or may not effect ensuring high quality crab on the market. CDFW expressed that there times where added flexibility in the protocol would help inform difficult management decisions. For example, should CDFW have the ability to shorten the 10-day test interval under circumstances when a test is short by 0.5-1%, when waiting the prescribed 10 days between tests would result in a delay in the season?

The Admin Team opened the floor for **public comment**.

- Tommy Ancona, Commercial Fisherman and Permit Broker- stated that the buyers should have more input on what the interval is between successive rounds of testing.

A Member from District 10 stated that pre-season testing begins too early, and if testing started November 15 then it would limit information gathering from northern ports that would influence decisions to fish in District 10 (see #4 in Eureka proposal). A number of Members stated the geographic areas where pre-season testing is conducted limits the possibility for crab tested earlier to meet testing standards. One Member asked if the protocols should be modified to allow additional testing in other areas. CDFW reminded the DCTF that the geographic areas for pre-season testing are defined by Tri-State and the issue would need to be vetted through Tri-State. They spoke about the need to have a “good-faith” effort from industry volunteers to follow the protocols and conduct the tests to the best of their abilities, regardless of how clearly defined the protocols are. One Member suggested an outside entity could perform the pre-season quality testing instead of industry volunteers to help improve credibility of the process.

The DCTF discussed the primary purpose of quality testing. Most Members agreed that the primary purpose of quality testing was to ensure a quality product was on the market. A Member agreed, but also stated that testing has shifted so that it now informs fishermen’s business decisions, including whether or not to begin the season in District 10. He went on to state that this takes away from the credibility of crab quality testing. One Member stated that effort shift is one of the biggest concerns that exists within the fishery, which is influenced by both quality testing and the dual openers. One Member did not believe that effort shift was a negative issue, but, rather part of a fisherman’s business strategy. Another Member agreed that fishermen should have the right to travel, however there is still an issue with understanding if quality testing is designed to inform the effort shift. A Member explained that the testing protocol states that the first test must be made on or about November 1, which was originally decided on at a time when projections were made to inform the start date, which the testing protocol no longer allows. One Member suggested beginning tests later (e.g., November 15-17), which would limit planning time to travel to District 10. Additionally, pushing the first test to a later date would decrease the costs associated with the testing program because there would be fewer tests. A Member from District 10 stated that while District 10 is not part of the quality test protocol it is affected by quality testing in the form of effort shifts.

A Member suggested that item 4 outlined in the Eureka proposal could be a possible solution for addressing the effort shift and focus the pre-season testing program on its purpose: testing the quality of crab. He outlined that #4 would move to a single pre-season test, which would address the issues that arise when too much testing is conducted and reduce burden on CDFW. One Member expressed an interest in maintaining multiple tests with the first one beginning on November 1 and the next on November 13 since the tests provide information that inform



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his decision to fish in early opener in District 10. CDFW stated that data collected shows about 50% of the time testing meet the standards defined in the Tri-State testing protocols. However, since the standard was recently increased it's likely there will be delays more frequently. The Admin Team asked if there was a need to conduct a test in the north prior to the District 10 opener, especially if projections are no longer allowed in the testing protocols. A number of Members stated that the last test is the most important for crab quality. A representative from the PSMFC encouraged the DCTF to consider how testing can be improved to address the biological quality and to address effort shift. Members expressed difficulty in separating out quality and effort shift when discussing the impacts of pre-season crab quality testing. One Member said tests should be designed to will ensure good quality and any other information gathered during the process would address priorities other than crab quality.

The Admin Team opened the floor for **public comment**.

- Tommy Ancona, Commercial Fisherman and Permit Broker- stated that testing was designed to ensure dealers would receive a quality product that would uphold a price. Over time, testing has morphed into an information gathering process. He asked the DCTF to consider how the pick-out rate and competency of the observers contributes to the credibility of the testing.

Many DCTF Members agreed they could not discuss modifications to the pre-season crab quality testing without first addressing the issue of effort shift. One Member suggested that California move to a single opener, while being aware that the trade-off of a single opener may include reducing competitive markets. The DCTF discussed a fair start clause to address the effort shift. A Member from District 10 stated that he is in support of quality testing, however there is a great deal of support within his port for maintaining the flexibility of an early opener, particularly to retain the Thanksgiving market. He stated that a fair start would address the effort shift issue, and encourage District 10 be more supportive of joining Tri-State. Another Member stated that by becoming part of Tri-State, the effort shift would be alleviated. One Member suggested the current 30-day waiting period during soft-shell years in the north be decreased to a 15-day waiting period regardless a delay (i.e., soft shell). A Member stated that a 15-day fair start would help reduce effort shift and improve quality of crab on the market. One Member suggested moving the Point Arena line to the Mexican Border. Another Member identified that 30-days is a beneficial time to negotiate prices. One Member asked the DCTF consider if they would protecting their value or protecting volume with a fair start.

The issue of tribal fishing in Washington and its effect on the effort shift was discussed. CDFW encouraged the DCTF to think about what Oregon and Washington might want in return if District 10 agreed to Tri-State without a single coast-wide opener.

One Member stated that Oregon and Washington might be interested in a December 15 opener for the northern ports, but he could only support a December 15 opener if there was a fair start regardless of a delay. Another Member stated that December 10 would be preferable to a December 15 opener, since 55% of the time the crab would be good quality. Members from the north suggested a January 1 start date for the northern opener. The Admin Team asked if District 10 would be comfortable moving to a December 10 northern opener with a fair start for California. One Member agreed that a December 10 start date would support the Christmas market. Another Member said December 7 would be more beneficial to the Christmas market and limit season delays and the number of quality tests conducted. The Admin Team pointed out that [data provided by CDFW](#) shows there is little change in quality from December 7 to December 10. One DCTF Member suggested that when crabs are still poor quality by December 10, the opener should default to January 1 to maintain market advantage. Another Member expressed preference in maintaining the holiday market, including the New Year's market. One Member suggested December 15 for all northern ports, as requested by Tri-State.

The Admin Team opened the floor for **public comment**.



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- Jim Roberts, Fisherman- expressed that a single opener would be a simple way to reduce effort shift. He also stated that the Chinese market comes online in early January, which also influences price.
 - A DCTF member highlighted that a single opener would impact the value of the product, and that three openers would be most beneficial for market value.
- Tommy Ancona, Commercial Fisherman and Permit Broker - asked the DCTF to consider a single statewide start date.

One Member expressed concern that a single opener would limit the fleet's ability to negotiate a higher market price. Another Member stated that staggered openers result in a lower price because the processors are waiting for other areas to open before setting a fair price. A Member representing the processors stated he prefers a staggered open and believes that fishermen get a fair price. One Member asked if soft shell years would be subject to a single opener.

The DCTF discussed District 10's potential inclusion in the pre-season crab quality-testing program. The DCTF discussed creating a "line" that would divide the north from the south, which could be used for quality testing purposes and deciding when to delay the northern versus southern seasons. Ideas for where this line could be drawn include Point Arena, Bay Area, and the existing District 10 line at Gualala River. One Member asked when testing would begin in District 10.

The DCTF voted on recommendations to forward to the Tri-State Committee.

ACTION: *Consideration and possible adoption of Dungeness crab fishery management measures or policy statements, including season opener dates, changes to commercial fishing regulations, and future data needs.*

APPROVED: The California Dungeness crab task force has discussed the 4 topics directed to them by the Tri-State Committee. The DCTF agrees that the topics require more discussion with their constituents. A formal recommendation will be submitted to Tri-State following the Oct/Nov 2014 DCTF meeting. The DCTF continues to explore the following:

- Include D10 in tri-state (this will include testing into the opener using Tri-State protocols, pick rate, and Tri-State pre-soaks. Other details are TBD)
 - Move the tri-state line to Mexican Border
- Maintain Nov 15 opener in D10
- Fair start 15 days, except when soft-shell (retain current 30-day regulation)
- Consider the dates of the first test for the northern and central CA season opener.
- Explore an alternative northern opener including Dec 7, 10, 15 and Jan 1.
- Consider flexibility in dates to test for crab quality.

The DCTF would appreciate feedback from Tri-State on the issues above to inform the DCTF's continued discussion.

Vote of all DCTF Members (nonvoting Members abstained):

Thumbs up (13): Anderson, Atkinson, Bettencourt, Blodgett, Blue, Cannia, Collins, Cunningham, Doyle, Goucher, Mantua, Shepherd, Standley,

Thumbs sideways (6): Caito, de Solenni, Fahning, Gorelnik, Horner, Yarnall

Thumbs down (0): None

Abstain (2): Nolte, Powers

Absent (1): Johnson



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APPROVED: The DCTF will consider flexibility in setting start a date outside of 15-day increments, but they do not necessarily endorse it without further discussion within the DCTF and with their constituents.

Vote of all DCTF Members (nonvoting Members abstained):

Thumbs up (8): Anderson, Bettencourt, Caito, Cannia, Collins, Doyle, Mantua, Nolte

Thumbs sideways (8): Atkinson, Blodgett, Blue, Cunningham, Gorelnik, Goucher, Standley, Yarnall

Thumbs down (4): de Solenni, Fahning, Horner, Shepherd,

Abstain (1): Powers

Absent (1): Johnson

APPROVED: The DCTF continues to consider a December 15 target start date, but they do not necessarily endorse December 15 without further discussion within the DCTF and with their constituents.

Vote of all DCTF Members (nonvoting Members abstained):

Thumbs up (12): Anderson, Bettencourt, Blue, Caito, Cannia, de Solenni, Doyle, Fahning, Goucher, Horner, Mantua, Shepherd

Thumbs sideways (8): Atkinson, Blodgett, Collins, Cunningham, Gorelnik, Nolte, Standley, Yarnall

Thumbs down (0): None

Abstain (1): Powers

Absent (1): Johnson

NOT APPROVED: Revising the pre-soak period and start time to avoid a 12AM start time for pulling gear.

Vote of all DCTF Members (nonvoting Members abstained):

Thumbs up (3): Blodgett, Blue, Cannia

Thumbs sideways (1): Horner

Thumbs down (12): Anderson, Atkinson, Bettencourt, Caito, Collins, Cunningham, de Solenni, Doyle, Fahning, Goucher, Mantua, Nolte, Shepherd, Standley

Abstain (3): Gorelnik, Powers, Yarnall

Absent (1): Johnson

The DCTF requested the Admin Team put together a list of questions, topics, and options for consideration related to the Tri-State issues to help support port-level discussions. The Admin Team stated they will develop a report on behalf of the DCTF for the Tri-State Committee that summarizes the key outcomes of the DCTF's discussion for the Tri-State Committee's May 20-21, 2014 meeting.

The Admin Team summarized the current management of quality testing funding. Assembly Bill (AB) 2363 states that crab may be caught could be sold to fund crab quality testing in California. PSMFC manages those funds. The DCTF EC developed an [interim memo](#) to the DCTF outlining how monies should be prioritized and allocated. However, the DCTF EC suggested the DCTF review and finalize this allocation of funds. The Admin Team identified that there has been a surplus in funding over the last two years in the amount of approximately \$35,000. One Member asked if the surplus could be used to fund independent observers to be aboard boats when gear is set for the quality testing. CDFW shared that the observer costs are likely to be higher in future because in recent years CDFW staff have been used in place of observers for free. The Admin Team reminded the DCTF that fluctuations in surplus funding may arise from year to year depending on number of tests conducted, the use of paid observers, etc.



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The DCTF discussed whether \$4/pound was an appropriate price for crab. The processor representative could not confirm if this pricing was accurate, and will share updated information with the DCTF at the Fall 2014 DCTF meeting.

The DCTF discussed how surplus should be allocated. One Member suggested any surplus be used to fund DCTF operations. Another DCTF Member suggested it could support a gear-recovery program that is operating in California. CDFW reminded the DCTF that AB 2363 states that funds in excess to program costs should be donated for charitable purposes. One Member stated that donating for charitable purposes is good for public relations. Members agreed that the definition of “excess” funds is needed, which may become more apparent in the next few years. A PSMFC representative recommended the DCTC consider retaining a minimal amount in the account to seed the next year’s testing, which will help offset costs during lean years. The DCTF agreed and DCTF voted on recommendations to support the DCTF EC’s memo.

ACTION: *Consideration and possible adoption of a prioritized process/list of how to Pacific States Marine Fisheries Commission may distribute funds allocated for crab quality testing.*

APPROVED: The DCTF agrees with the EC’s memo on crab quality testing funding for the present time.

- Processors will come to a DCTF meeting with updated insights on accounting and DCTF will consider revisiting compensation for processors
- Excess Funds- TBD in another year or 2. This may include, but not be limited to, charitable purposes, reserved funds for light years, observers during the set, funding DCTF, and crab trap recovery program.

Vote of all DCTF Members (nonvoting Members abstained):

Thumbs up (20): Anderson, Atkinson, Bettencourt, Blodgett, Blue, Caito, Cannia, Collins, Cunningham, de Solenni, Doyle, Fahning, Gorelnik, Goucher, Horner, Mantua, Nolte, Shepherd, Standley, Yarnall

Thumbs sideways (1): Powers

Thumbs down (0): None

Abstain (0): None

Absent (1): Johnson

10. General Public Comment

Public comment was heard on non-agenda items.

- Jennifer Renzullo, Field Manager of the CA Lost Fishing Gear Recovery Project- shared an overview on the project. National Fish and Wildlife Foundation has awarded \$109,000 to implement the project and half of the grant will be allocated to Humboldt and Del Norte counties. Fishermen who participate will be compensated for gas and pulled gear.
 - A Member asked if the observer would report back on what was in retrieved pots (i.e., “ghost fishing”). Ms. Renzullo shared that in similar projects, this type of information helped fishermen to understand if the gear is catching, trap doors working effectively, etc.
 - One Member asked if the change of Title 14 regulations allowing individuals to have untagged traps onboard their vessel following the close of the commercial the season would impact the program. Ms. Renzullo stated that the hope is this regulatory change will help with this effort.



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- One Member asked if a pot is stuck, what are the options for retrieving it (i.e., cut lines at the bridle) and what is the role of a recreation fisherman? Ms. Renzullo stated this program will be primarily focused on involving commercial fishermen and if there are stuck pots call her directly.
- One Member asked what time of year the program takes place. Ms. Renzullo stated that most fishermen have expressed July 15 is a good date, however there are still details to be worked out.
- Jim Roberts, Commercial Fisherman – With the trap limit in place, he would like to see more flexibility in the restrictions of the length limit of a boat.

11. Discussion of the functioning of DCTF Executive Committee

The Admin Team provided an overview on the history of the DCTF Executive Committee (DCTF EC):

- During the April 2, 2012 meeting the DCTF unanimously approved the formation of a DCTF EC.
- The DCTF EC's roles and responsibilities include:
 - Providing CDFW, the Commission, and the Legislature with clarification on DCTF recommendations
 - Support the Admin Team in preparing for DCTF meetings, and
 - Develop proposals and recommendations for DCTF consideration.

The DCTF EC's operating procedures have been called into question by a number of DCTF members. The Admin Team directed the DCTF to a [draft addendum](#) outlining the DCTF EC's operating procedures for review and discussion. One Member expressed concern that DCTF EC meetings require 4 of the 6 members to be present and alternates cannot be used. The Admin Team shared that DCTF EC meetings are open, and any member of the DCTF or public can listen to the conference call meetings. After a brief discussion, the DCTF expressed support for the current functioning of the DCTF EC. One member reminded the DCTF that there was discussion on day 1 to add sport representative(s) to the DCTF EC. DCTF Members agreed that sport representative(s) or others should be invited to participate in DCTF EC calls to discuss related issues.

Administrative vote: *Consideration and possible confirmation of a sport fishery workgroup including, but not limited to, membership, tasks, responsibilities, and timelines.*

APPROVED: The DCTF EC may elect to request other DCTF members (e.g. sport representatives) to discuss related issues

Vote of all DCTF Members (nonvoting Members abstained):

Thumbs up (18): Anderson, Atkinson, Bettencourt, Blodgett, Blue, Caito, Collins, Cunningham, de Solenni, Doyle, Fahning, Gorelnik, Goucher, Horner, Nolte, Shepherd, Standley, Yarnall

Thumbs sideways (0): None

Thumbs down (0): None

Abstain (3): Cannia, Mantua, Powers

Absent (1): Johnson

DCTF members requested the Admin Team add a number of items to the Fall 2014 DCTF meeting agenda including, but not limited to how to deal with tags on stuck pots, gear restrictions, review of the 96-hour law, and size restrictions to the length of a boat. The Admin Team will consider adding these items to the next agenda.

The Admin Team recapped next steps. The Admin Team will forward a recommendation to CDFW and the Commission regarding the Coastside Fishing Club's proposal related to the sport fishery on behalf of the DCTF. A memo or report will be developed and shared with the Tri-State Committee in advance of its May 2014 meeting. A meeting summary from the April 22-23 DCTF meeting will be made available and posted on the



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DCTF website. On April 24, 2014, the Joint Committee on Fisheries and Aquaculture will host the Annual Fisheries Forum, during which Ms. Fisher will provide an update to the legislature on the DCTF's activities, remind them of the upcoming January 2015 report, and notify them to anticipate a request for legislation.

The Admin Team provided the DCTF a brief update on changes to external communications. The URL www.dungenesscrabtaskforce.com has been purchased on the DCTF's behalf, and info@dungenesscrabtaskforce.com will be used for future correspondence with the public. The Admin Team will have additional details on developing a new DCTF website at a future DCTF meeting.

12. The meeting adjourned at 2:00pm