



~California Dungeness Crab Task Force~

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

REPORT

TO: Tri-State Dungeness Crab Committee c/o
California Department of Fish and Wildlife, Charlton Bonham, Director
Oregon Department of Fish and Wildlife, Roy Elicker, Director
Washington Department of Fish and Wildlife, Philip Anderson, Director

CC: Pacific States Marine Fisheries Commission, Dave Colpo, Sr Program Manager
California Ocean Protection Council, Catherine Kuhlman, Executive Director
California Department of Fish and Wildlife, Craig Shuman, Marine Region Director
California Fish and Game Commission, Michael Sutton, President
California Fish and Game Commission, Sonke Mastrup, Executive Director
Joint Committee on Fisheries and Aquaculture, Wesley Chesbro, Chair
Joint Committee on Fisheries and Aquaculture, Noreen Evans, Vice Chair

FROM: California Dungeness Crab Task Force

DATE: May 9, 2014

RE: Recommendations from the California Dungeness Crab Task Force in response to the Tri-State Dungeness Crab Committee's May 2013 recommendations

This report provides recommendations from the California Dungeness Crab Task Force (DCTF) to the Tri-State Dungeness Crab Committee (Committee) in response to a request from the Committee regarding proposed changes to commercial Dungeness crab regulations. In accordance with the Tri-State MOU (1980, subsequently amended), California, Oregon, and Washington have agreed to take mutually supportive actions in the management of the commercial Dungeness crab fishery in each state. As such, at its [May 23, 2013 meeting in Portland, OR](#), the Committee discussed potential modifications to commercial Dungeness crab management measures, in addition to amending the crab quality testing protocols. Prior to the three (3) states agreeing to make changes to the commercial fishery in their respective jurisdictions, a request was sent to the DCTF to review proposals from the Committee and provide recommendations on how to address them. The Committee is scheduled to meet on May 21-22 2014, in Sacramento, CA, at which time the Committee may revisit these proposals and consider the DCTF's input. This document is intended to inform those discussions. The DCTF appreciates the ongoing working relationship with the Committee and looks forward to continuing to work together in the future.

Additional information, including a detailed summary from the DCTF's April 22-23, 2014 meeting, will be available on the DCTF webpage: <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>.

DCTF BACKGROUND

The DCTF was established pursuant to Senate Bills 1690 (Wiggins, 2008) and 369 (Evans, 2011). The California Ocean Protection Council (OPC) is designated as the body responsible for establishing and administering the DCTF. The DCTF is directed to review and evaluate Dungeness crab fishery management measures, including the newly implemented trap limit program for California permits, and provide its recommendations to the Joint Committee on Fisheries and Aquaculture, the California Department of Fish and Wildlife (CDFW), and the California Fish and Game Commission (CFGC). Pursuant to SB 369, the DCTF will make initial recommendations by January 15, 2015 and final recommendations by January 15, 2017.

As mandated in SB 369, The DCTF is composed of 27 members including seventeen (17) members representing commercial fishing interests, two (2) members representing sport fishing interests, two (2) members representing crab processing interests, one (1) member representing Commercial Passenger Fishing Vessel interests, two (2) members representing nongovernmental organization interests, one (1) member from Sea Grant, and two (2) members from CDFW.

DCTF PROCESS AND PROCEDURES

Together, [SB 369](#) and the [DCTF Charter](#) describe the DCTF's operating and voting procedures. The DCTF Charter was developed and ratified by the DCTF in September 2009 and amended in March 2012 and April 23. The charter establishes ground rules, member roles, and voting procedures for the group. In keeping with those procedures for the Committee's request, the DCTF charter states that, "a proposed recommendation that receives an affirmative vote of at least 15 of the non-ex officio members of the DCTF may be transmitted ... [and] shall be considered to be the consensus of the task force, and shall be considered to be evidence of consensus in the Dungeness crab industry." The following voting protocol, described in the DCTF Charter, was used to conduct straw polls and final voting on the Committee's proposals to the DCTF:

- **Thumbs Up:** I think this proposal is the best choice of the options available to us.
- **Thumbs Sideways:** I can accept the proposal although I do not necessarily support it.
- **Thumbs Down:** I do not agree with the proposal. I feel the need to block its adoption and propose an alternative.
- **Abstention:** At times, a pending decision may be infeasible for a Member to weigh in on.

Thumbs up and thumbs sideways were *both* counted as affirmative votes to determine a 15 member majority on each recommendation. In the interest of informing the Committee of the full DCTF's perspective on these issues, recommendations that did not receive an affirmative vote of at least 15 members have been included in this memo.

TRI-STATE DUNGENESS CRAB COMMITTEE REQUEST

During its meeting on May 23, 2013, the Committee requested the DCTF's feedback on the following proposals:

- 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.

During its April 22-23, 2014 meeting, the DCTF reviewed and discussed these items in the context of the California fishery. Detail about the outcomes of the DCTF's discussion is below.

DCTF VOTES AND ANALYSIS

The recommendations below represent agreements of the DCTF members (per voting protocols defined in the DCTF Charter); however, in some cases they are not the *verbatim* language from when the votes were taken. Because of the iterative nature of the conversations at DCTF meetings, the language of some recommendations has been adjusted to improve clarity. The verbatim language from the meeting is available

on the DCTF webpage as part of the April 22-23 DCTF meeting summary for reference. Some recommendations are grouped together for clarity. Explanatory notes are provided below recommendations, when necessary.

Proposed DCTF Recommendations to the Tri-State Dungeness Crab Committee

Recommendation 1- The DCTF has discussed the four (4) topics directed to it by the Tri-State Committee. The DCTF agrees that the topics require continued discussion with their constituents. A formal recommendation on all four (4) topics will be submitted to the Tri-State Dungeness Crab Committee following the next DCTF meeting in fall 2014. In the meantime, the DCTF will continue to explore the following management options:

- Include District 10 in the Tri-State Dungeness Crab Committee and move the Tri-State line to Mexican Border.
- Maintain the November 15th opener in District 10.
- Implement a 15-day fair start provision for District 10, except during a soft-shell delay, at which point the current 30-day fair-start would remain in place.
- Explore an alternative northern opener including, but not limited to, December 7th, 10th, 15th, or January 1st.
- Revisit crab quality testing protocols including:
 - Consider and potentially re-designate the dates on which California will perform the first crab quality test(s) for the northern and central California (if District 10 is included in the Committee) season openers.
 - Consider allowing flexibility in the duration between each round of crab quality testing such that each successive round of testing may take place inside or outside 10-day increments.

The DCTF would appreciate feedback from the Committee on the issues above to inform the DCTF’s continued discussion.

Vote of all DCTF Members (nonvoting Members abstained):

| Thumbs up | Thumbs Sideways | Thumbs Down | Abstained | Absent |
|-----------|-----------------|-------------|-----------|--------|
| 13 | 6 | 0 | 2 | 1 |

NOTES:

The DCTF recognizes that if District 10 were to be included in the Tri-State Agreement, District 10 will be required to test into the opener using Tri-State Agreement protocols, use Tri-State Agreement protocols to determine the acceptable pick rate, and conform to the same pre-soak period used by the other states. Other details pertaining to the region’s inclusion in Tri-State, including the season start date, will be discussed further by the DCTF, with input from the Committee, and determined prior to District 10’s inclusion in the Tri-State Agreement.

The 15-day fair start provision under consideration by the DCTF would prohibit vessels participating in the early season opener in District 10 from fishing in other regions for 15 days following the open date(s) of districts and states north of District 10. During years when northern seasons are delayed due to soft-shell concerns, a 30-day fair start would be in place.

The DCTF would appreciate the Committee’s review and feedback on the topics listed above to inform the DCTF’s continued deliberations. The DCTF will revisit these topics in Fall 2014 and, informed by feedback from the Committee, will provide recommendations in its January 2015 report to the California Legislature, CDFW, and CFGC, which will be shared with the Committee.

Recommendation 2- 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 | Thumbs Sideways | Thumbs Down | Abstained | Absent |
|-----------|-----------------|-------------|-----------|--------|
| 8 | 8 | 4 | 1 | 1 |

NOTES:

With the understanding that California will still need a minimum of 7 days following receipt of the crab quality test results to open the northern season, the DCTF is open to exploring a recommendation to allow more flexibility in setting a start date after the crab quality testing results are available.

Recommendation 3- The DCTF continues to consider a December 15 target start date, but does not necessarily endorse that date without further discussion within the DCTF and with constituents.

Vote of all DCTF Members (nonvoting Members abstained):

| Thumbs up | Thumbs Sideways | Thumbs Down | Abstained | Absent |
|-----------|-----------------|-------------|-----------|--------|
| 12 | 8 | 0 | 1 | 1 |

NOTES:

The DCTF is open to considering a December 15 northern opener, but would also like to explore the viability of a December 7th, 10th, or January 1st northern opener. A thorough discussion with their constituents, feedback from the Committee, and an understanding of California markets will better inform their decision at the next DCTF meeting.

Recommendation 4- 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 DCTF would be brought back to the Tri-State Committee for review and discussion. NO VOTE TAKEN

Vote of all DCTF Members (nonvoting Members abstained):

| Thumbs up | Thumbs Sideways | Thumbs Down | Abstained | Absent |
|-----------|-----------------|-------------|-----------|--------|
| - | - | - | - | - |

NOTES:

The DCTF agreed not to vote on this recommendation because Recommendation 1 was sufficient to address this issue. See Recommendation 1 for more details.

Recommendation 5- The DCTF does not approve of 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 | Thumbs Sideways | Thumbs Down | Abstained | Absent |
|-----------|-----------------|-------------|-----------|--------|
| 3 | 1 | 12 | 3 | 1 |

NOTES:

The DCTF recommends that the commercial Dungeness crab fishery's soak period remain unchanged.

CONCLUSION

In addition to the votes above, the DCTF also provided recommendations for how to manage California's funding stream to pay for crab quality testing, discussed Dungeness crab sport regulations, and began review of the California trap limit program. The DCTF looks forward to keeping the Committee informed of this and its future work. For more information on DCTF discussions and additional detail and context for the votes above, see the April 22-23, 2014 meeting summary on the DCTF webpage: <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>