



~California Dungeness Crab Task Force~

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

DCTF MEETING 2 SAN FRANCISCO, CALIFORNIA SEPTEMBER 8-10, 2009

MEETING SUMMARY

INTRODUCTION

The purpose of this meeting summary is to:

- Inform all Members of the Dungeness Crab Task Force (DCTF) and the wider public of ongoing work of the DCTF
- Provide a summary of discussions and outcomes from the meeting held in San Francisco, California on September 7 –10, 2009

During each meeting of the DCTF, notes are taken by Ocean Protection Council (OPC) staff. Subsequently, the neutral project Facilitation Team (staff from T.C. Hoffmann & Associates and the California State University Sacramento, Center for Collaborative Policy [CCP]) reviews and edits the meeting summary, which is then reviewed by the full DCTF.

Day 1 – September 8, 2009

1:00 pm to 6:00 pm

ATTENDEES

Task Force Members Present on Day 1:

Jim Anderson, F/V Alliane	Paul Johnson, Monterey Fish Market
John Atkinson, F/V New Rayann	Chris Lawson, F/V Seaward
Geoff Bettencourt, F/V Moriah Lee	Brooke McVeigh, CA Department of Fish and Game
Stan Carpenter, F/V Sandy B	Lt. Steve Riske, CA Department of Fish and Game
Bill Carvalho, Wild Planet Fisheries	Randy Smith, F/V Mistasea
Lawrence Collins, F/V Autumn Gale	Don Standley, F/V Terry S and F/V One and All
Michael Cunningham, F/V Sally K	Roger Thomas, F/V Salty Lady, Golden Gate Fishermen's Association
Vince Doyle, F/V Verna Jean	Lee Wilson, F/V Gold Coast
Brett Fahning, F/V Rogue	Bill DeBacker, F/V She N I and F/V Jard
Gerry Hemmingsen, F/V Pollux	Johanna Thomas, Environmental Defense Fund
Michael Cunningham, F/V Sally K	
Craig Goucher, F/V Second Wind, Alternate for Mike Zamboni, F/V Lucky 50	

Absent:

William Blue, F/V Morning Light
Richard Young, California Association of Harbor Masters and Port Captains
Kevin McKernan, recreational fisherman
Jim Waldvogel, CA Sea Grant
Ben Sleeter, recreational fisherman
William Forkner, F/V Shirley and F/V Audrey

OPC staff present:

Neal Fishman
Rachelle Fisher
Cina Loarie

Facilitation Team present:

Dave Ceppos
Dr. Tegan Hoffmann
Rich Wilson

1. Welcome, introductions, and agenda review

Dave Ceppos, lead facilitator for the Facilitation Team and Managing Senior Mediator at CCP, welcomed everyone to the meeting and introduced the rest of the Facilitation Team – Dr. Tegan Hoffmann and Rich Wilson of T.C. Hoffmann & Associates. Prior to reviewing the meeting agenda and facilitation strategy, Mr. Ceppos explained that the Facilitation Team and OPC would be recording the plenary at every meeting. However, as allowed by the Bagley-Keene Open Meetings Act, all recordings will be deleted 30 days after meeting.

As part of the meeting introduction, Mr. Ceppos highlighted the fact that due to circumstances beyond the control of the Facilitation Team and OPC staff (the California budget crisis), Members of the DCTF now face a compressed timeline and heavy work load to meet the legislatively mandated January 15 deadline. He encouraged DCTF Members to be open to the facilitation strategy designed for the San Francisco meeting by the Facilitation Team, which would serve as a road map to take Members from discussing problem statements, to refining shared objectives for the fishery, and ultimately to discussing preliminary solutions based on consensus approved objectives.

In reviewing the facilitation strategy, Mr. Ceppos discussed how small Workgroups would be used to divide the work load among Members, maximize time, and generate significant outputs for the meeting, thus allowing the DCTF to gain immediate traction to achieve the goals of SB1690. Some DCTF Members expressed concern that use of Workgroups would force them to make decisions under pressure. Mr. Ceppos assured Members that the purpose of the Workgroups was simply to advance the work of the DCTF, however, no Members would be forced to make decisions, and each Workgroup would regularly be reporting its progress to the full DCTF for discussion and commentary. Furthermore, he stressed that no formal decisions would be made by anything less than the full DCTF.

Mr. Ceppos highlighted the gathering in San Francisco as a working meeting of the DCTF, and thus there would be different protocols for taking input from Members versus Alternates or attendees from the public sector. Mr. Ceppos explained that public input would be encouraged and incorporated into the discussion, but only during fixed periods in the agenda. Mr. Ceppos stressed the importance of Member input during the course of the meeting, and affirmed the responsibility of the Facilitation Team to ensure everyone has a chance to contribute to the discussion. Conversely, it is the responsibility of the Member to ensure they participate in the discussions and represent the interests of their port constituents.

Mr. Ceppos referred to the discussions at the May 2009 DCTF meeting in Eureka concerning the membership of the DCTF. He explained that while some DCTF Members and members of the public may feel those issues have not been resolved, neither the Facilitation Team nor the OPC

have the ability to change the legislation. He encouraged Members to move forward with the process in good faith, suggesting any outstanding concerns be addressed in a letter to the OPC or legislative leaders.

Mr. Ceppos briefly reviewed the meeting agenda and 3 day road map (see Appendix 2) of activities. He subsequently asked all Members of the DCTF and public sector to introduce themselves.

Public Comment:

- Forest Wooden – Fisherman – SB1690 states that a vote 2/3 of DCTF Members will forward a recommendation to the legislature? Where is the group at on defining what a “2/3 vote” would be?

Mr. Ceppos agreed to revisit this topic later in the meeting.

2. Review revised DCTF process and approach

Mr. Ceppos reminded Members of the purpose of a Charter; to set the rules of engagement for all future discussion and work of the DCTF, and reminded Members of the progress that had been made in crafting the Charter during the first DCTF meeting in Eureka, California in May, 2009. Following the Eureka meeting, the Facilitation Team incorporated all comments from the DCTF and updated the Charter. The latest version was then forwarded to DCTF Members in late August, and Members were asked to make additional comments or editorial remarks. In reviewing comments provided by several Members, Mr. Ceppos highlighted three content issues which required discussion prior to taking a simple majority vote to ratify the charter: 1) Can “ex officio” Members vote?; 2) What is the definition a 2/3 majority?; 3) How is a Member replaced if they step down?

1. Ex officio Members agreed to abstain during voting on DCTF recommendations to the legislature. All voting records will show that these Members abstained. Following the initial Member vote on recommendations, and presuming a 2/3rds majority and/or at least 15 voting Members, a non-binding poll will be conducted to determine the opinion of ex officios. This will be included in the recommendations provided to the legislature.
2. SB1690 states that recommendations approved by 2/3 of the DCTF will be forwarded to the legislature. However, the DCTF can forward recommendations to the legislature without a 2/3 vote as well. Many Members said that they would not support forwarding a recommendation without a 2/3 majority vote. Some Members defined “2/3” as being 18 of the 27 total Members while others thought “2/3” should be 15 Members since there are only 22 voting Members in the group. Others suggested that “2/3” should only include the commercial fishing votes. The Commercial Passenger Fishing Vessel (CPFV) representative and two processors explained that they wanted to retain their voting rights. Mr. Ceppos explained that it would be impossible to remove the sport fishing, CPFV, and two processor votes from the voting block. Additionally, due to the language of SB1690, an affirmative vote of 18 or more Members will automatically be forwarded to the legislature. Therefore, in addition to the 18 votes, Members must decide if they want to forward a recommendation with 15 votes or less than 15 votes.

Some Members believed that it would be fair to forward a report with 15 votes since they never intended for the Ex officio group to be voting members. Other Members explained that a report approved by 15 of 27 Members looks weak and opens the report up to be challenged by more people. Neal Fishman, OPC staff, explained that if the report explains to the legislature that 15 Members of 22 voting Members approved of the vote, then, the report could have the same weight as one forwarded by 18 of 27 Members.

Some Members stressed the importance of communicating with the legislature and suggested that the group forward a report with less than 15 affirmative votes. These Members explained that if the DCTF didn't send any commentary to legislature then there is nothing for legislature to learn from the DCTF. Other Members only supported this option if the final report clearly showed the final voting numbers so that it was clear that the issue was discussed but had not yet reached consensus. Other Members expressed concern about this option because they feared that the legislature would manipulate and interpret the report any way they wanted to. They felt that unless there was a strong message, no report should be sent. Additionally, since the outcomes of all DCTF meetings are a matter of public record, the legislature has a means to see the outcomes of the DCTF without forwarding a report.

Various Members explained that a report should only be sent with a vote of 18 Members. They explained that the steering committee for SB1690 only intended for the 17 commercial fishermen to vote. They never intended the sport fishing, CPFV, or processing representatives to vote. As such, these 5 members have the ability to skew the final outcomes. Other Members argued that the legislature wanted to see the interests of all the stakeholders represented and that the presence of the processors, sport fishermen, and CPFV strengthens the final vote.

The group discussed the purpose of lines 339 through 341. Mr. Ceppos explained that since Ex officio Members will be abstaining from the vote, these lines provide a reporting mechanism to demonstrate the strength of the vote and show the opinions of the ex officio Members in the final report. However, they would not control the vote and the poll could be nonbinding.

3. Due to the set timeline and deadline for recommendations the DCTF is facing, Mr. Ceppos proposed that if a Member were to step down, the Alternate will take his or her place and fulfill that Member's duties. Some Members felt that an election was necessary to fill a vacated seat in order to appease their port. One Member suggested that an Alternate sit in all of the meetings but that the elected Member would not completely forfeit his or her seat. Instead, the Alternate's vote must agree with the vote of the elected Member. Additionally, the elected member could sign the final report to support alternate's decision. Other Members agreed that DCTF Members should not step down. Mr. Ceppos explained that the Facilitation Team could work with the elected Member and their alternate to confirm consistency in voting.

Members discussed what the definition of a quorum would be and the possibility of Members who are unable to attend, to vote in absentia. Some Members felt that it may not be possible to

get a quorum of 15 Members to attend a meeting and, therefore, voting in absentia could be allowed. Others felt that a meeting in which a vote is scheduled should not take place unless a quorum of 15 Members were able to attend, excluding ex officio Members.

A straw poll was conducted to assess level of agreement and approval on the issues above. Mr. Ceppos further explained that the Charter may be amended in the future. It is possible to ratify the Charter now and amend it later. Once revisions were made based on straw polls, Mr. Ceppos reviewed all changes and reiterated that the Charter will be approved by a simple majority vote. Mr. Ceppos then led the vote for the proposed Final Charter

ACTION: *Consideration and possible ratification of DCTF Charter*

APPROVED: The DCTF Charter was adopted as amended during the meeting. [Click here](#) to see the ratified charter.

Ayes: Carvalho, Lawson, Carpenter, Bettencourt, Atkinson, Collins, Anderson, R. Thomas, Smith, Wilson, DeBacker, Goucher, Fahning, Johnson;

Nays: Cunningham, Doyle, Standley;

Abstained: J. Thomas, McVeigh, Riske;

3. Informational presentation on proposed process to define problems and objectives.

Dave Ceppos gave an informational presentation on proposed process to define problems and objectives and discussed the roadmap for the next three days. He explained that day 1 would focus on the full DCTF reviewing and defining problem statements and potential objectives for the fishery. On day 2 Members would break into small Workgroups and engage in collaborative exercises to create shared meaning on objectives for the fishery, and ways to measure success. Finally, day 3 would involve Workgroups developing preliminary solutions based on consensus approved objectives. One Member explained that in order to discuss and refine the problems, the group needs more data. Mr. Ceppos suggested that an objective may be that more data is needed.

4. Introduction and review of DRAFT commercial fishery problem statements and potential objectives

Based on the results of the Situational Analysis conducted with Members in April, 2009, Rich Wilson presented on the rationale and determination of three broad categories (identified by the Facilitation Team) that encompass major issues and challenges faced by the fishery, and how these categories were used to develop proposed or “straw” problem statements and objectives that would serve as a starting point for discussions among the full DCTF, and subsequently guide discussions of three small Workgroups. In addition, Mr. Wilson pointed out that using three broad categories would also serve as a practical tool for a Facilitation Team comprised of three individuals. The Facilitation Team drafted proposed or “straw” problem statements and objectives for each category, as well as the sport fishery sector, and provided this material to DCTF Members prior to the San Francisco meeting for review and consideration. These proposed problem statements and objectives were designed to initiate discussion and were designed as preliminary statements only, to be adopted, refined or deleted by DCTF Members (see Appendix 1 and 3).

Following Mr. Wilson's presentation, Mr. Ceppos facilitated discussion in plenary where the problem statements for each category were reviewed. DCTF Members refined existing problem statements and devised some additional problem statements. Mr. Ceppos concluded the discussion by explaining how small Workgroups would be established on day 2, and Members would begin a process of refining the straw objectives into S.M.A.R.T. objectives.

5. General public comment

No public comment was given.

6. Mr. Ceppos adjourned the meeting at 5:50pm

Day 2 – September 9, 2009

8:00 am - 6:00 pm

Task Force Members present day 2:

Jim Anderson, F/V Alliane	Chris Lawson, F/V Seaward
John Atkinson, F/V New Rayann	Brooke McVeigh, CA Department of Fish and Game
Geoff Bettencourt, F/V Moriah Lee	Lt. Steve Riske, CA Department of Fish and Game
Stan Carpenter, F/V Sandy B	Ben Sleeter, recreational fisherman
Bill Carvalho, Wild Planet Fisheries	Randy Smith, F/V Mistasea
Lawrence Collins, F/V Autumn Gale	Don Standley, F/V Terry S and F/V One and All
Michael Cunningham, F/V Sally K	Roger Thomas, F/V SaltyLady, Golden Gate Fishermen's Association
Vince Doyle, F/V Verna Jean	Lee Wilson, F/V Gold Coast
Brett Fahning, F/V Rogue	Bill DeBacker, F/V She N I and F/V Jard
Gerry Hemmingsen, F/V Pollux	
Paul Johnson, Monterey Fish Market	
Craig Goucher, F/V Second Wind, Alternate for Mike Zamboni, F/V Lucky 50	
Maggie Ostdahl, Alternate Johanna Thomas, Environmental Defense Fund	
Carrie Pomeroy, Alternate for Jim Waldvogel, CA Sea Grant	

Absent:

William Blue, F/V Morning Light
Richard Young, California Association of Harbor Masters and Port Captains
Kevin McKernan, recreational fisherman
William Forkner, F/V Shirley and F/V Audrey
William Blue, F/V Morning Light

OPC staff present:

Chris Blackburn
Rachelle Fisher
Cina Loarie

Facilitation Team present:

Dave Ceppos
Dr. Tegan Hoffmann
Rich Wilson

7. Welcome and recap of Day 1

Mr. Ceppos reintroduced the Facilitation Team, gave a recap of events from day 1, and provided an overview of the day's agenda. He distributed copies of the commercial and sport fishery problem statements and objectives as revised on day 1 (See Appendix 3). He reiterated the purpose of using small Workgroups to "divide and conquer" given the limited amount of time available to the DCTF. Mr. Ceppos also noted that the DCTF will not be voting on any fisheries management issues for the duration of this meeting, but instead is beginning the process of identifying shared meaning on objectives for the fishery, followed by discussion of preliminary solutions on day 3

Described the S.M.A.R.T. Workgroup approach to creating objectives.

8. Introduction and review of DCTF commercial fishery objectives Workgroup approach and assignments

Mr. Ceppos gave a description of the [Workgroup approach, and described what is meant by a S.M.A.R.T. objective \(Specific, Measurable, Achievable, Relevant, Time-based\)](#). He further described how three small Workgroups would be formed based on the three categories of Dungeness crab fishery issues discussed on day 1. These categories include:

- Capacity
- Equitability and Profitability
- Sustainability of Communities and Fishery: Transitioning Away From the Derby Dynamic

Mr. Wilson explained that the Workgroups were put together in a balanced manner and that the composition of each Workgroup maximized representation of each geographic region and production tier. Mr. Ceppos described the S.M.A.R.T. approach saying it was critical to refine WHO will do WHAT, by WHEN, and to WHICH standard? He handed out a practice S.M.A.R.T. Objectives worksheet facilitated an exercise that allowed each Member of the DCTF to practice defining a S.M.A.R.T. objective prior to participating in the small Workgroups.

9. Convene three Workgroups focused on specific objectives for three issue areas (See Appendix 1):

1. Capacity;
2. Profitability and Equitability;
3. Sustainability of Communities and the Fishery: Transitioning Away From the Derby Dynamic
 - Workgroups begin work to develop and propose S.M.A.R.T. objectives

Members were split into three Workgroups of eight Members. **All Workgroup discussions were brainstorming sessions to discuss objectives for the DCTF. None of the ideas discussed in the Workgroups represent final decisions but are instead preliminary ideas. No final or official decisions will be made without a vote, noticed 10 days prior to the meeting, by the entire DCTF.**

Mr. Ceppos explained that Alternates and members of the public would be permitted to listen to Workgroup discussions. In fairness to the DCTF, Alternates and members of the public would not be allowed to participate and influence discussions, but would instead be given opportunity for comment at a fixed time period determined by the facilitator.

[Click here to see Workgroup Outputs](#)

10. *Reconvene full DCTF for initial report and discussion on each Workgroup's status*

Mr. Ceppos reconvened the full DCTF for an initial report on each Workgroup's progress.

Public comment:

- Bob Berry – Fisherman – Stated that there should be increased penalties for poaching to improve profitability.
- Mel Woodcliff – Fisherman – With regard to pot limits, he stated there needs to be a differentiation between lower and upper tiers to ensure some fishermen do not lose out.

11. *Lunch break*

Mr. Ceppos recapped the morning discussion and presented a revised itinerary for the day. He discussed the difficulty of making statewide recommendations versus making specific north/south recommendations. He reiterated the importance of Workgroups striving to find “shared meaning” on objectives for the fishery, and then discuss their results in plenary with the full DCTF.

12. *Discussion of Sport and Recreational Fishery Workgroup and associated tasks/responsibilities*

Administrative Vote: Confirm Sport Fishery Workgroup membership, tasks, responsibilities and timeline - Postponed until Day 3

Members discussed the vision for the sport and recreational fishery Workgroup. This Workgroup will have similar tasks and responsibilities to the commercial fishery Workgroups, yet will initiate its work in between DCTF meeting 2 and 3. The group will provide a preliminary report on progress to the full DCTF at meeting 3. Workgroup Members expressed the need to keep the California Fish and Game Commission updated and to reach out to Marine Resources Committee of the Commission. Members requested that the Sport fishery Workgroup discuss 1) the possibility of a uniform statewide opener on November 1 regardless of shell hardness and 2) the ability of sport fishermen to fish with an unlimited number of traps.

13. *Reconvene three Workgroups*

- *Workgroups continue to review, develop, and refine proposed S.M.A.R.T. objectives and begin developing metrics of success.*

Workgroups reconvened to discuss and further refine objectives (See Appendix 1).

14. *Presentation on Management Options for California's Dungeness Crab Fishery*

Cindy Thomson, NOAA Fisheries, gave a [presentation on fisheries management and the options available to the Dungeness crab fishery](#).

Members noted that the data presented by Ms. Thomson suggests that the majority of Dungeness crab is caught by only a small number of boats in the fishery.

Members inquired as to how a total allowable catch (TAC) and permit stacking might work for the Dungeness crab fishery. Some Members expressed openness to a permit stacking program based on a season or trip basis. Others were concerned that such a program would consolidate the fishery. Some Members explained that neither a permit stack program nor an Individual Transferable Quotas (ITQ) program could be implemented without a TAC. However, there were concerns that a TAC alone would not eliminate the race to fish, that government should not be involved in setting a TAC, and the crab fishery did not fit any TAC mold since it did not face a biological problem. Some Members suggested setting a TAC based on market conditions rather than biological conditions. Additionally, Members inquired about Catch Per Unit Effort (CPUE) and how to obtain non-vessel based CPUE information.

Most Members agreed that any changes in Dungeness crab fishery management should be adaptively managed.

Members discussed the use of vessel buyback programs and suggested that the group look to Oregon and Washington as a model if California is to consider such a program. Many Members agreed that there can be many different approaches to this type of program that have different repercussions. If such a program were to be used, the group could look to the following questions:

- How do you determine who can re-enter the fishery once bought out?
- Would it be better to prevent the transfer of latent permits or buy them back through regulatory/legislative changes? Some Members suggested that a regulatory solution may be better than spending funds on an ineffective program.

Members discussed latent permits and several agreed that it was necessary to further define latency as it relates to the Dungeness crab fishery. Additionally, any mechanism that the group suggests to remove latent permits from the fishery should take into account the negative effects of deactivating a latent permit.

Members briefly discussed data collection efforts, reporting, and needs. Department of Fish and Game staff (DFG) explained that changing these things would require legislation.

15. General public comment

Public comment was heard on non-agenda items:

- Bill Webb- Fisherman- Agreed that a TAC should not be set for the Dungeness crab fishery.
- Fred Euphrat- Representative from Senator Wiggins office- There needs to be a mechanism that allows new people to enter into the fishery.

- Bob Berry-Fisherman- A pot limit program should not be based on boat size. A fisherman should be able to use his permit regardless of his boat size.
- Forest- Fisherman- Does a permit have to be attached to a boat (even if it is latent)?
 - DFG explained that yes, a permit must be attached a boat.

In providing closing comments for the day, Mr. Ceppos highlighted the significant progress made by Workgroups in achieving consensus approval of approximately 20 objectives for the fishery. He emphasized that the objectives would be refined further, and that the Workgroups would begin brainstorming preliminary solutions on day 3.

16. The meeting adjourned at 5:58pm

Day 3 – September 10, 2009

8:00 am – 1:00 pm

ATTENDEES

Task Force Members Present on Day 3:

Jim Anderson, F/V Alliane	Paul Johnson, Monterey Fish Market
John Atkinson, F/V New Rayann	Chris Lawson, F/V Seaward
Geoff Bettencourt, F/V Moriah Lee	Brooke McVeigh, CA Department of Fish and Game
William Blue, F/V Morning Light	Lt. Steve Riske, CA Department of Fish and Game
Stan Carpenter, F/V Sandy B	Ben Sleeter, recreational fisherman
Bill Carvalho, Wild Planet Fisheries	Randy Smith, F/V Mistasea
Lawrence Collins, F/V Autumn Gale	Don Standley, F/V Terry S and F/V One and All
Michael Cunningham, F/V Sally K	Roger Thomas, F/V Salty Lady, Golden Gate Fishermen’s Association
Vince Doyle, F/V Verna Jean	Lee Wilson, F/V Gold Coast
Brett Fahning, F/V Rogue	Bill DeBacker, F/V She N I and F/V Jard
Gerry Hemmingsen, F/V Pollux	
Craig Goucher, F/V Second Wind, Alternate for Mike Zamboni, F/V Lucky 50	
Maggie Ost Dahl, Alternate for Johanna Thomas, Environmental Defense Fund	

Absent:

Richard Young, California Association of Harbor Masters and Port Captains
 Kevin McKernan, recreational fisherman
 Jim Waldvogel, CA Sea Grant
 William Forkner, F/V Shirley and F/V Audrey

OPC staff present:

Christine Blackburn
 Rachelle Fisher
 Cina Loarie

Facilitation Team present:

Dave Ceppos
 Dr. Tegan Hoffmann
 Rich Wilson

17. *Welcome and recap of Day 2*

Mr. Ceppos gave a short recap of day 2. He explained that during Workgroup discussions, public comment will be limited to specific times and generally at the end of Workgroup discussions. He summarized the results of the previous day’s Workgroup results, and stressed that not all of the problem statements and objectives are shared between all the Members. Members were again encouraged to engage in “consensus with accountability”, meaning that if a Member does not agree with an objective or solution that was provided, it is the responsibility of that Member to propose an

alternative that legitimately attempts to achieve his/her interest, and the interests of the other Members.

18. Introduction and review of management tools that could be used to achieve objectives

In order to facilitate discussion and brainstorming of solutions, DCTF Members were given a list of [management tools](#) available for the Dungeness crab fishery. Members were tasked to consider what tools could be used to achieve objectives for the fishery, or provide a rationale for why a tool would not work. In addition, Members were tasked to consider information and data that was needed to make an informed decision, and what level of funding or other resources were needed to realize proposed solutions.

One Member suggested that the dialogue with DCTF Members be continued between meetings via email. The DCTF Support Team had expressed concern that this may violate the Bagley-Keene Open Meetings Act. Anytime information is shared that will lead to a decision without being made available to the public, the group is in violation of the Act. Additionally, email sharing between Members could constitute a quorum. Other Members suggested that Workgroups be set up by region and managed via conference calls. The DCTF Support Team explained that they would look into the validity of this option and help set up a protocol so that the meetings do not violate the Act. It was further explained that if two Members from the same port were to hold a port meeting without a quorum of Members, they would not be in violation of the Act.

One Member of the DCTF requested to know if he could put together a multi-port meeting of constituents. The Facilitation Team stated it would look into the legality of such a meeting under the Bagley Keene Act, and assist in facilitating the meeting if desired or appropriate. OPC staff reaffirmed that it can provide conference call services to DCTF Members for such meetings, and that it would further assist in providing a 10 day notification to the public.

Following completion of the Workgroup exercises, and further discussion of results with the full DCTF, Mr. Ceppos said that the full set of results would be shared with DCTF Members within two weeks after the meeting. This would provide Members the opportunity to share refined objectives and proposed solutions with their port constituents, and bring that feedback to meeting 3.

19. Reconvene three Workgroups (See Appendix 1)

- *Workgroups begin work to identify preliminary solutions to objectives using proposed management tools*

Members were split into the same Workgroups from the previous day to discuss and refine the objectives and brainstorm preliminary and available management tools. **It was again noted that all Workgroup discussions were brainstorming sessions. None of the ideas discussed in the Workgroups are final decisions but rather preliminary ideas. No final or official decisions will be made without a vote by the entire DCTF, noticed 10 days prior to the meeting.**

20. Convene back to full DCTF for report and discussion on Workgroup status

The plenary was reconvened and each Workgroup discussed the outcomes of their discussions. After each presentation, the entire DCTF Membership was given the opportunity to weigh in on the other groups' discussions (See Appendix 1).

21. *General public comment*

Public comment was heard on non-agenda items:

- Brett Clark- Fisherman- Suggested that each permit holder should be given a 3 year opportunity to use their permit before it is taken away from them.
- Rod Fujita- Environmental Defense Fund- It is feasible to create a point system and tiers as suggested by the "Sustainability of Communities and the Fishery: Transitioning Away From the Derby Dynamic" Workgroup. It is also feasible to set a TAC for crab if there is not biological sustainability problem. Finally, Mr. Fujita noted a few main "ingredients" coming out of Workgroup discussions: 1) There is need for a short-term fix such as cooperative agreements; 2) There is a long-term need to cap capacity; 3) The fishery needs a mechanism to keep capacity under control or will increase based on incentives; 4) The fishery needs to change incentives to protect each individual's investment.
- Bob Berry- Fisherman- The "double-dipping" that is occurring in District 10 is not the same as the double dipping between states. Pot limits don't seem to work.
- Bill Webb- Fisherman- Since only 10% of boats catch 90% of crabs, if we implemented IFQs, I should sink my boat now.
- Geary Thurston- Fisherman- I may fall under the definition of a latent permit. Therefore, if you stick me with 50 pots I will not be able to effectively run a business.
- Forest Wooden- Fisherman- If a "cooperative" was established the bigger boats would have to give up some of their catch to make things work for the smaller boats. I would like to look into IFQs because it solves everyone's problems and would not require the group to continue to reopen the same issues.

22. *Full DCTF discussion on next steps in Meeting 3 to refine and potentially recommend management solutions*

For Follow Up:

- The next meeting will be in Ukiah, CA on October 7 and 8. The DCTF may be voting on objectives discussed in the Workgroups and they will also develop further solutions. Various Members agreed that it may be more ideal to pack future meetings into 2 intense days rather than 3 shorter days
- The Facilitation Team will compile the results of the Workgroups, and distribute a document that Members can use to secure feedback on preliminary discussions of the DCTF from their port constituents.
- The Sport Fishing Workgroup will meet before the next DCTF meeting

Administrative Vote: Confirmation of Sport Fishery Workgroup membership, tasks, responsibilities and timelines. **APPROVED Unanimously**

- The OPC staff will determine the most effective way to communicate with the Fish and Game Commission as well as the Commission's Marine Committee.

- The Facilitation Team will look into the feasibility of working with regional representatives via multi-port meetings.
- The OPC will look into the feasibility of setting up a conference line for the group to use for Workgroup meetings that take place separately from meetings of the full DCTF.
- There was interest from a number of individuals for establishing a pot limit Workgroup. The establishment of this group was deferred to the next meeting.

23. Mr. Ceppos adjourned the meeting at 1:40pm