



## **~California Dungeness Crab Task Force~**

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

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### **Abridged Summary of California Dungeness Crab Task Force Votes October 25-26, 2016 DCTF meeting**

This document provides a summary of action items and associated votes taken by the California Dungeness Crab Task Force (DCTF) at its October 25-26, 2016 meeting in Ukiah, California. Any vote marked as “approved” will be forwarded as a recommendation in the DCTF ’s legislatively mandated report to the Joint Committee on Fisheries and Aquaculture (Legislature), the Fish and Game Commission (Commission), and Department of Fish and Wildlife (CDFW) in January 2017.

The following voting protocol, described in the [DCTF Charter](#), was used to conduct straw polls and final voting:

**Thumbs Down:** I do not agree with the proposal. I feel the need to block its adoption and propose an alternative.

**Thumbs Sideways:** I can accept the proposal although I do not necessarily support it.

**Thumbs Up:** I think this proposal is the best choice of the options available to us.

**Abstention:** At times, a pending decision may be infeasible for a Member to weigh in on. Examples could include but not be limited to: a Member cannot get a consensus of his/her constituents and therefore cannot offer a proposal or opinion; and other similar conditions.

**For additional information about the October 25-26, 2016 meeting, please refer to the meeting summary at:** <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

#### **DCTF Votes**

**ACTION:** *Consideration and possible adoption of recommendation(s) related to the Dungeness crab commercial fishery including, but not limited to, monitoring and evaluation of the commercial Dungeness crab trap limit program, management of the Dungeness Crab Account, the fishing season, printing of trap tags, and general Dungeness crab fishery management.*

**APPROVED:** The DCTF recommends the Dungeness Crab Account (Fish and Game Code Section 8276.5) should only be used for expenses that are specific to the Commercial Dungeness Crab Trap Limit Program and above and beyond normal administration of the commercial Dungeness crab program. Specifically, the use of Dungeness Crab Account funds should be prioritized as follows:

- Support an industry-representative organization;
- Reduce fees to fishermen (as described in Fish and Game Code Section 8276.5(a)); and
- Cover CDFW’s costs associated with implementation of the Commercial Dungeness Crab Trap Limit Program, including CDFW Enforcement.



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DCTF would like to be informed of all current and anticipated uses of the Dungeness Crab Account funds.

The DCTF recommends full vetting and annual reporting of the use of Dungeness Crab Account as required by Fish and Game Code Section 8276.5(a) to ensure transparency of the account’s use. The DCTF recommends an annual Dungeness Crab Account budget planning conversation to be held between CDFW and the DCTF to ensure fees align with actual and anticipated programmatic costs.

The DCTF requests a detailed accounting of CDFW Enforcement’s use of the Dungeness Crab Account, including current and projected costs for additional enforcement operations as a result of the Commercial Dungeness Crab Trap Limit Program beyond regular Dungeness crab fishery enforcement activities.

The DCTF recommends the \$517,225 appropriated from the Dungeness Crab Account (Fish and Game Code Section 8276.5) as a result of AB 164 should be redirected to a more appropriate funding source. Utilizing the fund to support the lawsuit referenced in AB 164 (*Marilley v. McCammon*) would violate the intended use of the Dungeness Crab Account. The lawsuit referenced in AB 164 is based on Dungeness crab vessel permit and commercial license fees—fees that are deposited to the Fish and Game Preservation Fund, not the Dungeness Crab Account. There is no direct connection between the fees referenced in the litigation and the Dungeness crab account. Additionally, there is no direct connection to the focus of the litigation and the Commercial Dungeness Crab Trap Limit Program, which was established years after the lawsuit was filed.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
16	4	0	0	2

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (16): Anderson, Anello, Atkinson, Bradshaw, Carvalho, Clark, Cunningham, Doyle, Fahning, French, Gilmore, Goucher, Hagel, McHenry, Pomilla, Whaley

Thumbs sideways (4): Helliwell, Hunt, Powers, Yarnall

Thumbs down (0): None

Abstain (0): None

Absent (2): Gorelnik, Johnson

**APPROVED:** The Commercial Dungeness Crab Trap Limit Program (Fish and Game Code 8276.5) is working overall. The DCTF recommends extending the sunset date of the Commercial Dungeness Crab Trap Limit Program from 2019 through 2029.



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The Commercial Dungeness Crab Trap Limit Program should not be modified at this time. The DCTF brainstormed a list of potential adjustments to Commercial Dungeness Crab Trap Limit Program (Fish and Game Code 8276.5) for the commercial Dungeness crab fishing fleet's consideration. This list of ideas should continue to be discussed by the DCTF and its constituents prior to recommending any changes to the Commercial Dungeness Crab Trap Limit Program.

The DCTF recommends the periodic review and evaluation of the Commercial Dungeness Crab Trap Limit Program to be conducted by the DCTF. Any potential adjustments to the Commercial Dungeness Crab Trap Limit Program will be forwarded in the DCTF's future recommendations to the Legislature.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
18	2	0	0	2

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (18): Anderson, Anello, Atkinson, Bradshaw, Carvalho, Clark, Cunningham, Doyle, Fahning, French, Gilmore, Goucher, Hagel, Helliwell, Hunt, McHenry, Pomilla, Whaley

Thumbs sideways (2): Powers, Yarnall

Thumbs down (0): None

Abstain (0): None

Absent (2): Gorelnik, Johnson

**ACTION:** *Consideration and possible adoption of recommendation(s) for the California Department of Fish and Wildlife's review to inform the development of a California Dungeness crab lost fishing gear recovery program.*

**APPROVED:** DCTF developed an initial list of considerations to inform CDFW's development of a program to implement the lost fishing gear recovery program outlined in SB 1287. As part of a brainstorm the DCTF identified a number of priority areas that the program should include:

- The program should be scalable to be responsive to regional needs and the type of gear pulled;
- The program should involve a 3<sup>rd</sup> party (e.g., port associations) to help implement the program, reduce costs, and improve efficiency, including developing electronic ways to monitor traps collected and designing a centralized database for tracking gear; and
- The program should consider a provision to account for catastrophic loss and hardship on an individual or case-by-case basis.

The DCTF recommends gear recovery fees charged to the permit holder should not exceed the market value price of a complete new crab trap (i.e., including lines and buoys). The DCTF recommends a working group comprised of industry representatives be identified to be available to work with CDFW to continue to develop the details of the program.



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CDFW has agreed to present and provide a program outline for the industry’s review that will be shared with an industry-representative body (if it exists) and/or via port associations, the current DCTF public email list, Pacific Coast Federation of Fishermen’s Associations (PCFFA), social media, etc. prior to implementation of the program.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
15	5	0	0	2

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (15): Anderson, Atkinson, Bradshaw, Clark, Cunningham, Doyle, Fahning, Gilmore, Goucher, Hagel, Hunt, McHenry, Pomilla, Whaley, Yarnall

Thumbs sideways (5): Anello, Carvalho, French, Helliwell, Powers

Thumbs down (0): None

Abstain (0): None

Absent (2): Gorelnik, Johnson

**ACTION:** *Consideration and possible adoption of a recommendation regarding a long-term Dungeness crab industry-representative organization, including, but not limited to, the organization’s structure, funding, other operational considerations, and identification of priority topics for the organization to address.*

**APPROVED:** The DCTF requests that bridge funding be granted by The Nature Conservancy and matching funds by industry (e.g. port associations and processors) to support the immediate funding needs (in 2016-2017) for the DCTF to function beyond January 2017 until the DCTF can identify a short- and longer-term funding source to support an industry-representative organization.

The DCTF recommends CDFW and the Ocean Protection Council pursue options to allocate funding from the Dungeness Crab Account (Fish and Game Code 8276.5) in the short-term (i.e., through 2019).

The DCTF may also investigate legislative options to pursue long-term funding through access to the Dungeness Crab Account to support the DCTF or an industry-representative organization beyond 2019.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
15	4	0	1	2

*Vote of all DCTF Members (nonvoting Members abstained):*



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Thumbs up (15): Anderson, Anello, Atkinson, Carvalho, Clark, Doyle, Fahning, French, Gilmore, Hagel, Helliwell, Hunt, McHenry, Whaley, Yarnall

Thumbs sideways (4): Bradshaw, Cunningham, Pomilla, Powers

Thumbs down (0): None

Abstain (1): Goucher

Absent (2): Gorelnik, Johnson

**APPROVED**: The DCTF identified the following priorities of a future industry-representative organization:

- Inform fisheries management;
- Be responsive to high profile and policy issues;
- Serve as a 2-way conduit of information to and from the fleet;
- Identify industry research priorities; and
- Serve as a source for public relations efforts related to industry issues.

At this time, the DCTF is not interested in a future industry-representative organization addressing commodity marketing or pricing as part of its charge.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
18	2	0	0	2

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (18): Anderson, Anello, Atkinson, Bradshaw, Carvalho, Clark, Cunningham, Doyle, Fahning, French, Gilmore, Goucher, Hagel, Helliwell, Hunt, McHenry, Pomilla, Whaley

Thumbs sideways (2): Powers, Yarnall

Thumbs down (0): None

Abstain (0): None

Absent (2): Gorelnik, Johnson

**APPROVED**: The DCTF continues to see value in the DCTF or a similar industry-representative body. The DCTF continues to discuss updates/adjustments to the operating structure of the current DCTF (including, but not limited to, the DCTF’s composition, process for appointing alternates, process for replacing members, etc.) and a future foundational structure outside SB 369 (after 2019). The DCTF supports a 2/3 voting structure moving forward.

DCTF Members will take proposed structure options back to their constituents for further discussion. A final decision on this structure will be made on or before November 15, 2017.



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Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	1	0	0	2

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (19): Anderson, Anello, Atkinson, Bradshaw, Carvalho, Clark, Cunningham, Doyle, Fahning, French, Gilmore, Goucher, Hagel, Helliwell, Hunt, McHenry, Pomilla, Whaley, Yarnall

Thumbs sideways (1): Powers

Thumbs down (0): None

Abstain (0): None

Absent (2): Gorelnik, Johnson

**APPROVED:** The DCTF supports new elections of commercial fishing representatives as soon as feasible (i.e., funding dependent). The DCTF recommends an election every 3 years with permitholders to ensure fresh perspectives are added to the organization, while also maintaining institutional knowledge. Alternates would be requested to attend all DCTF meetings. The details of how elections will be formed will be determined at a later date.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
14	6	0	0	2

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (14): Anello, Atkinson, Carvalho, Clark, Cunningham, Doyle, Fahning, French, Gilmore, Goucher, Hagel, Hunt, Pomilla, Whaley

Thumbs sideways (6): Anderson, Bradshaw, Helliwell, McHenry, Powers, Yarnall

Thumbs down (0): None

Abstain (0): None

Absent (2): Gorelnik, Johnson

**ACTION:** *Consideration and possible support for recommendation(s) related to the Dungeness Crab Fishing Gear Working Group's recommendations/next steps and overall efforts. Guidance on ideas for the Working Group's consideration and other items may also be provided.*

**APPROVED:** The DCTF supports the recommendations and next steps outlined in the [California Dungeness Crab Fishing Gear Working Group's October 24, 2016 memo](#).

The DCTF also supports the [2016-2017 Best Fishing Practices Guide](#) developed by the California Dungeness Crab Fishing Gear Working Group as a first step towards addressing the risk of whale entanglements in Dungeness crab fishing gear.



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Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	1	0	0	2

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (19): Anderson, Atkinson, Bradshaw, Carvalho, Clark, Cunningham, Doyle, Fahning, French, Gilmore, Goucher, Hagel, Helliwell, Hunt, McHenry, Pomilla, Powers, Whaley, Yarnall

Thumbs sideways (1): Anello

Thumbs down (0): None

Abstain (0): None

Absent (2): Gorelnik, Johnson

**APPROVED:** The DCTF supports CDFW printing the buoy tags (associated with the Dungeness crab trap limit program tags) on both sides for one (1) trap tag cycle. The California Dungeness Crab Fishing Gear Working Group has discussed that printing both sides of the CDFW-issued buoy tag may improve identification of the type of gear on entangled whales. The DCTF is interested in understanding whether this step is effective in helping the National Marine Fisheries Service and others gather better information on whale entanglements before the fleet takes additional steps to invest in this option for the long-term.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
9	10	1	0	2

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (9): Anderson, Anello, Carvalho, Clark, Cunningham, Doyle, Fahning, Gilmore, McHenry

Thumbs sideways (10): Atkinson, Bradshaw, French, Goucher, Helliwell, Hunt, Pomilla, Powers, Whaley, Yarnall

Thumbs down (1): Hagel

Abstain (0): None

Absent (2): Gorelnik, Johnson