

**Draft Meeting Summary  
DCTF Executive Committee  
Thursday, January 28, 2016**

*Meeting Participants*

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

EC Members Absent                      Bill Blue

Other Meeting Participants:            Julie Oltmann, CA Department of Fish and Wildlife  
Craig Shuman, CA Department of Fish and Wildlife  
Pete Kalvass, CA Department of Fish and Wildlife  
Christy Juhasz, CA Department of Fish and Wildlife  
Cpt. Steve Riske, CA Department of Fish and Wildlife  
Cpt. Bob Puccinelli, CA Department of Fish and Wildlife  
Assistant Chief Tony Warrington, CA Department of Fish and Wildlife  
Cpt. Mike Stefanik, CA Department of Fish and Wildlife  
Maria Mellichiore, CA Department of Fish and Wildlife  
Ruth Flores, CA Department of Fish and Wildlife  
Valerie Termini, Ocean Protection Council  
Rachelle Fisher, DCTF Administrative Team  
Kelly Sayce, DCTF Administrative Team

**Meeting Summary**

All “next steps” are **in bold** below.

1. *Welcome, introductions, agenda overview*

- The DCTF Administrative Team (Admin Team) introduced EC members, Ocean Protection Council (OPC) staff, and California Department of Fish and Wildlife (CDFW) staff.
- The Admin Team welcomed everyone to the meeting and explained the purpose of the call is to discuss the continued delay in the commercial Dungeness crab fishery due to high levels of domoic acid in California Dungeness crab, as well as the recommendation in the DCTF’s January 2016 report for a lost fishing gear recovery program.
- The Admin Team explained the Dungeness Crab Task Force (DCTF) Executive Committee (EC) was directed by the DCTF to address the topic of domoic acid during the October 26-27, 2015 DCTF meeting. Additionally, the EC is responsible for following up on DCTF recommendations including the lost fishing gear recovery program. The EC, however, cannot make decisions on behalf of the DCTF and will report back to the full DCTF with the outcomes of this conference call.
- [Guidelines for providing public comment](#) were briefly reviewed, and the Admin Team walked through the agenda. The Admin Team reminded those on the call that public comments are also welcomed via email at [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com). Emailed comments received during the conference call will be read aloud during the call as time permits, and also included in the meeting summary.

2. *Updates on issues involving the Dungeness crab fishery not related to domoic acid or a California lost fishing gear recovery program.*

- The Admin Team invited a CDFW and legislative representative to provide an update on Dungeness crab fishery disaster relief efforts. The Admin Team acknowledged this update was being provided to help inform the EC and those participating on the call about the status of disaster relief, however the DCTF/EC is not actively engaging in the disaster relief efforts.
  - CDFW is actively investigating the process for declaring a disaster and is looking into the options for disaster relief with federal counterparts.
  - Tom Weseloh, Senator McGuire’s Office, stated that the Legislature has [shared a letter with Governor Brown](#) requesting the Governor declare the California Dungeness crab fishery a

disaster. Senator McGuire's office is actively seeking more information to be collected and evaluated to help answer the industry's questions..

- The Admin Team recommended members of the fishing industry begin gather their landing receipts and other related paperwork that might be needed by CDFW and/or other state and federal agencies. CDFW is looking for up-to-date email addresses from all permitholders. Members of the industry are encouraged to update their email address with CDFW by emailing: [LRB@wildlife.ca.gov](mailto:LRB@wildlife.ca.gov). When emails are not available, messages are sent via USPS.
- The Admin Team asked the EC if they had any questions at this time.
  - One EC Member explained the industry does have a great deal of questions, however it is clear there is limited information available at this time and answers will hopefully become available in the near future.

### **Public comment**

- George Castagnola, Attorney, stated that it would be much more efficient for CDFW and the DCTF to organize and collate landings information, rather than fishermen. Similar to the process for determining tiers for the trap limit program, CDFW would share the landings information it collects with fishermen, which could be challenged if needed.
    - The Admin Team explained the DCTF is not involved in the disaster relief process and that CDFW will be responsible for compiling landings data.
    - CDFW staff explained the disaster relief request process is unclear. CDFW will be assessing landings records as needed. However, there is still benefit for fishermen to look through their own records to crosscheck with CDFW's records.
  - Stephen Melz, fisherman, emailed the following comment: What does the Department know about the relationship between disaster relief and the future opening of the season. Does one affect the other?
    - CDFW is hopeful that the season will open, and it is unclear if disaster relief will occur with or without an opener.
  - George Castagnola, Attorney, indicated the season has already been severely impacted since the high landings in the fishery typically occur from November through January. As we are now in January with no opening in sight, fishermen are losing their boats and homes. He asked what could be done to get the disaster relief process moving forward.
    - CDFW is actively running numbers to look at historical landings and compare them to [thresholds identified by NOAA](#) and the Secretary of Commerce to qualify for disaster relief. Once these thresholds are met, it can be a long process before appropriations are made from Congress and the claims process begins. There are other funding options such as small business loans and other options outside the federal government that are being explored.
    - CDFW suggested Mr. Castagnola and others review [NOAA's FAQ document regarding fisheries disaster relief policies](#) to better understand the federal disaster relief process. These policies indicate that revenue losses between 35% and 80% will be evaluated. To determine the loss for Dungeness crab, CDFW is looking at direct economic impacts to help develop a well thought out, persuasive argument for federal relief.
  - Chris Lonero, fisherman, emailed the following comment: Why would we even talk about opening the season at this time, and instead focus on disaster relief. It's too late to open the season at this time. If we open we would jeopardize disaster relief funds.
    - CDFW explained a season opener this year would likely not preclude the fishery from receiving disaster relief since qualifications for disaster relief is based on economic losses and how those compare to past seasons.
3. *Updates on domoic acid and its impact on the California Dungeness crab fishery including, but will not be limited to, status of test results and disaster relief funding. The ensuing discussion may include, but will not be limited to, guidance to the California Department of Fish and Wildlife and others regarding potential consideration(s) for reopening the commercial fishery, regular domoic acid testing as part of annual pre-season crab quality testing, etc.*

- CDFW provided an update on domoic acid sampling. A “[score card](#)” and [sampling maps](#) were shared to inform the update. CDFW reminded the EC the sampling protocol is to take six crabs from each sample site at three different depths.
- From Crescent City through Fort Bragg there are eight sampling sites and none have tested below threshold levels to-date. During the week of January 25, 2016 all sites were resampled and 48 crabs were sent to the California Department of Public Health’s (CDPH) lab in Richmond, CA. These are the first set of samples that have been retrieved since December due to extreme weather at many of the northern ports. CDFW is hopeful to have some results available in the next few days.
- From Bodega Bay to Morro Bay all sites (six) were sampled and crabs have been delivered to CDPH’s lab. Two sites were added to the testing protocol at Salt Point and the Farallon Islands recently, and both sites tested clean. CDFW is looking to get another round of samples from all areas by the early part of the week of February 1, 2016.
- Results from a recent test of rock crabs in Monterey Bay yielded one crab at 64ppm, above the 30ppm threshold.
  - An EC Member asked if Dungeness crab will be retested in Monterey due to the poor test of rock crab in the area. CDFW indicated it is unclear if Dungeness crab would be retested and that CDPH would make that decision.
- The Admin Team stated that prior to the call, an EC Member had sent a list of questions related to domoic acid testing and opening of the commercial fishery to the Admin Team, CDFW, and CDPH. The EC Member stated the questions had been raised during local port meetings. He was not advocating a position, but trying to answer to questions that have been frequently asked. The questions for CDFW included:
  - 1) Does the Director have authority to continue a season closure once domoic acid test results statewide are clean?
  - 2) Does the Director have authority to declare a "drop dead"<sup>1</sup> date prior to crab samples testing clean?
  - 3) With a statewide opening a 30-day delay provision protects all state waters from effort shift. How would the 30 day delay provision apply in the event of a split opening under the following circumstances:
    - a) If District 10 opened first, how would CA permit holders who have not yet fished be impacted? How would CA permit holders who have already fished in WA or OR be impacted?
    - b) If Districts 6,7,8 and 9 opened first, how would CA permit holders who have not yet fished be impacted? How would CA permit holders who have already fished in WA or OR be impacted?
- CDFW is considering developing an FAQ document to provide answers to these questions, and looks forward to sharing additional information as soon as possible.
  - An EC Member would also like to receive clarification if a permit holder has already fished in Oregon or Washington and California’s Northern Management Area<sup>2</sup> opens first (i.e., before the Southern Management Area), would the permit holder have to wait 30 days to fish in the Southern Management Area?
- CDFW requested clarification on what the goals were driving the second question.
  - An EC Member stated that economic considerations are the main driver, since a lot of marketing opportunities have been lost due to the delay including Thanksgiving, Christmas, New Years, Chinese New Year, and the Super Bowl. There is concern about the

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<sup>1</sup> The EC Member indicated that a “drop dead” date refers to a date that would be determined after which the fishery will remain closed if domoic acid levels remain high throughout the state.

<sup>2</sup> The Northern Management Area refers Districts 6, 7, 8, and 9. The Southern Management area refers to all coastal districts south of the Mendocino/Sonoma County Line to the Mexican border.

marketability of Dungeness crab in March, April, and beyond. Also, in the spring Dungeness crabs behave differently since they are mating and not feeding, making them more difficult to catch. Since some fishermen have other fisheries to move to in the spring, fishermen are interested in gaining a better understanding of the Dungeness landscape in the coming months. Additionally, there is concern that if the season opens, disaster relief may no longer be a possibility.

- Another EC Member representing processors stated that Dungeness crab arrives on the market in three product forms: live, fresh and frozen. Due to the delay, opportunities to market fresh Dungeness crab are now gone. The frozen and live markets are challenged the later the fishery opens. Right now crabs are in good shape, but as the opener approaches the pre-molt period, or if crabs end up being harvested after molting, the meat recovery rate is low and may not even comply with tri-state quality test standards of a 25% pick rate. If the industry is facing a February, March, or April opener, the crabs may not be suitable for quality product for the live and frozen markets.
- Similar questions were posed to CDPH, and answers provided to the CDPH were made available to the EC.
  - The Admin Team reviewed the questions and [CDPH responses](#).
- An EC Member explained the industry was looking for clarity on sampling protocols, how to expedite the season opener, and what the industry could do to support CDPH and CDFW.

#### **Public comment**

- Steve Moore, fisherman, emailed the following comment: While we are told that 6 crabs are to be tested from each sample site, we see tests of 7 to 17 crabs being tested for certain sample sites. There has yet to be one clean test when crab numbers that were tested are elevated. We need to be consistent.
- Stephen Melz, fisherman, emailed the following comment: Dungeness crab is a public resource; we are only licensed to gather it. To not open the season for any reason other than health concern would not do the public justice. Once the crab falls below the CDPH's [threshold of] 30ppm we are obligated to gather it for public consumption while the season is open.
- Lane Tavasci, Crescent City Harbor District, emailed the following comment: Has CDFW reviewed with Oregon Department of Fish and Wildlife (ODFW) their test/testing results? The domoic acid testing is very important to the crab fisheries. Why wouldn't the Richmond Lab actually perform their tests over the weekends?
  - CDFW explained that Oregon and Washington testing results have been shared with CDFW and are available [online](#) through the Tri-State Dungeness Crab Committee's website. Once the seasons were opened in those states CDFW is not aware of continued testing, but anticipates some spot testing may be continuing.
  - Regarding the Richmond lab working on the weekends, since it is a different agency, CDFW does not have control over their scheduling and processing times. The lab has indicated needing 2-3 days to turn around results. Additionally, since fewer rock crab samples are being sent to the lab, there should be greater capacity to process Dungeness crab in a timely fashion. The recent delay in testing results was not due to CDPH processing times, but because of no recent samples being available due to poor weather.
- Andy Guiliano, fisherman, emailed the following comment: We have seen several areas test safe, and subsequently test unsafe thereafter. What happens if the state tests clean for two weeks, the season opens, and sometime later (weeks or months) unsafe levels of Dungeness crab return?
  - The Admin Team explained that part of the answer to the question is included in [CDPH's responses](#).
  - CDFW stated that once the fishery opens, according to Oregon and Washington protocols, an advisory would only be issued if one or two crabs tested poorly after the fishery opened. However, if three of the six sampled crabs had elevated levels of domoic acid, then the fishery would close. After the fishery opens, CDPH will continue monitoring plankton and

bivalves. If there is a trigger in those organisms, then Dungeness and rock crab will be tested again.

- Stephen Melz, fisherman, emailed the following comment: The notion of a "drop dead" date for the purpose of participating in another fishery assumes that the participant has another fishery. Not everyone has that opportunity and is affluent enough to wait for the possibility of disaster relief, which is projected to be available in 2017 as it is a long governmental process. A "drop dead" date has no purpose other than to show that we as fishermen do not consider a minimal season "worth" our while. It just doesn't look good!
- George Castagnola, Attorney, stated that decision makers need to know that it is "unacceptable" that relief may not be available until 2017 since CDFW has the data available to understand what losses have been realized to-date.
- John Yokomizo, recreational fisherman, expressed concern that the sampling size of crabs (i.e. six) is inappropriate and constitutes a small fraction of a percent of the crab that is fished every season. He stated that if 1% of that fraction is above domoic acid levels and guys are going to be bringing in 10,000lbs of crabs at a time, how many crabs will be brought in with elevated levels? He also expressed concern that CDFW is dragging its feet on opening the season and issuing a disaster declaration.
  - CDFW explained the Washington Department of Fish and Wildlife (WDFW) has been employing the same protocol for domoic acid testing for a number of years. While there are no guarantees, the current protocol seems to be working from a practical sense recognizing that Oregon and Washington opened on the same protocol.
  - CDFW working around the clock to coordinate domoic acid sampling and testing with the goal to open the fishery, and is also moving forward to determine the process for securing disaster relief.
- Jodi Traversaro, California Office of Emergency Services (CalOES), is working in partnership with CDFW and has recently circulated an Economic Injury Worksheet to fishermen, harbormasters districts, etc. This worksheet will help compile information and assess the economic impacts in the fishery and see if fishery participants qualify for a small business loan. She stated that completed economic injury forms could be faxed to [916-845-8395](tel:916-845-8395) or scanned and emailed to [Lidia.Armaz@caloes.ca.gov](mailto:Lidia.Armaz@caloes.ca.gov).
  - George Castagnola, Attorney, asked why CalOES didn't work with CDFW to gather the economic information directly from CDFW. He explained that by asking individuals for their information it would slow down the process.
  - Ms. Traversaro stated CalOES is working with CDFW, local fishermen, and local associations to paint a clear picture of the industry's economic situation.
- The Admin Team asked the EC if there is other information they were interested in receiving.
  - One EC Member stated that he would like the answers to the questions posed to CDFW earlier in the conversation in a written FAQ document. Specifically, he stated that it would be helpful to understand the CDFW Director's authority in the current situation.
- The Admin Team suggested holding a February EC conference call to solicit any updated thinking the EC may have regarding the commercial opener and to continue discussing the sampling protocol longer-term, specifically whether 30ppm is the appropriate threshold.
  - One EC Member who was absent during the call submitted the following statement "If the discussion of splitting the state comes up I am also in favor of that if it would help to get us a season and I feel that we really need to take what steps needed to re evaluate the threshold of domoic acid from 30ppm to 60ppm for next season ASAP!! Hope your having a productive call."
  - One EC Member who was absent during the call submitted the following statement "I feel that we really need to take what steps needed to re evaluate the threshold of domoic acid from 30ppm to 60ppm for next season."

- The EC supported convening another EC call in February.
4. *Update on the status of the DCTF's recommendation regarding a California lost fishing gear recovery program and discussion of next steps.*
- The Admin Team invited Jennifer Renzullo, Seadoc Society, and Lisa Damroasch, Half Moon Bay Seafood Marketing Association (HMBSMA), to provide the EC with updates on the lost fishing gear recovery efforts these respective organizations are involved in.
    - Jennifer Renzullo, SeaDoc Society in partnership with UC Davis, shared a [summary of results from the California Lost Fishing Gear Recovery Project](#). She stated that 300 traps were collected in Crescent City over a seven-day effort in late 2015. Of those 300 traps, approximately 240 were returned to their owners. In Bodega Bay, 18 traps and 27 ropes/buoys were collected in a single day effort. In San Francisco, 182 traps were collected in four days. There was no effort to retrieve gear in Eureka and Trinidad since the waters were generally clean.
    - Lisa Damroasch, HMBSMA, explained that the program in Half Moon Bay which began at the end of October 2015 was administered with a partnership between HMBSMA and The Nature Conservancy. Gear recovery activities were carried out through securing waivers from CDFW Enforcement. She shared a [summary of the program's results](#) with the EC. Over a six-week period, 182 traps were recovered. Most traps were either returned and sold back to their owners or disposed of. There are five traps that still need to be returned, and the remaining traps are broken and will be scrapped.
  - At the October 2015 meeting, the DCTF developed a framework for a statewide, long-term lost fishing gear recovery program, which was forwarded as a recommendation to [the Legislature, CDFW, and the Commission](#) in the DCTF's January 2015 report.
    - The DCTF had discussed the need for a statewide lost fishing gear recovery program in October 2014, as indicated in its [January 2015 report. At that time, the DCTF charged the EC with furthering the discussion and developing potential options for the DCTF's consideration](#). The EC held four conference calls in 2015 to discuss ideas for developing a program, including an in-person discussion on September 2, 2015. Summaries of these discussions are available on the DCTF webpage.
    - The EC's ideas, which mirrored closely to the Oregon/Washington program with the recognition that there may need to be caveats added to address California-specific issues (e.g., stuck gear), were brought forward to the DCTF at the October 2015 meeting.
    - After further DCTF discussion, the DCTF developed a framework that is a hybrid of the current CA voluntary programs coupled with additional support from CDFW to address repeat offenders.
  - Following receipt of the DCTF's January 2015 report, CDFW's Enforcement Division provided [feedback on the DCTF's recommended lost gear recovery program framework](#). CDFW explained the feedback was an attempt to identify CDFW's concerns with the DCTF's program, but is not intended to be comprehensive.
    - CDFW stated that during the October 2015 DCTF meeting, CDFW Enforcement shared a number of concerns with the recommended framework, but did not take into account potential concerns from other divisions within CDFW including the License and Revenue Branch, Marine Region, and Legislative Counsel. Concerns identified included CDFW being liable for recovered traps, CDFW taking on the burden of contacting individuals to let them know their traps have been recovered, scrapping traps, etc. CDFW Enforcement does not have the personnel to support this program, which would make it difficult to implement.
  - Tom Weseloh, Senator McGuire's Office, stated Senator McGuire and his staff have drafted the bill language to capture the main intent of the DCTF's recommendation. However, the bill language removed any requirements that CDFW must perform certain tasks (e.g. store the recovered gear) and left the language open so the determination of specific roles and responsibility can be developed through the Title 14 process. Senator McGuire's office informed CDFW about this bill about a month ago. There appears to be a lot of interest among Legislators and organizations to move forward with this bill, and it is anticipated the bill will be introduced in the upcoming weeks.

- An EC Member requested a copy of the bill language to review. After requesting permission from Mr. Weseloh, the **Admin Team stated they would circulate the bill language to the EC and post it on the DCTF webpage**. Mr. Weseloh clarified that once the bill is introduced, it will look similar to the current language. However, the language may change and be amended during the legislative process.
- One EC Member expressed concern about the DCTF's recommendation since the fee structure is vague and asked if it would be clarified during the legislative process. He requested a cost analysis from CDFW to inform what that fee structure would look like.
  - The Admin Team explained the fee structure was intended to be included in the Title 14 regulations since it is easier to amend once it is in regulation.
  - The EC Member clarified that if the fee structure was too high, industry may not support the legislation.
  - CDFW understands the industry's concern surrounding the fee structure and would like to avoid implementing an excessive fee structure that would not be tolerated by the industry. The [initial cost structure provided by the SeaDoc Society](#) is reflective of costs associated with a nongovernmental organization. CDFW expressed concern that implementing the program through a government agency would be much more expensive than if operated by a third party.
  - Mr. Weseloh indicated that identifying a suitable organization to run the program could be worked out during the Title 14 process. There is enough flexibility in the current bill to allow CDFW to run the program or a third party.
  - CDFW expressed support for the third party approach and suggested continuing a dialogue with the DCTF and legislative staff so the program is less CDFW-centric. CDFW can provide technical assistance and feedback as appropriate, although some feedback from some divisions of CDFW will be limited once a bill is introduced. CDFW wants to ensure that whatever is put through is workable for CDFW and is something the industry is interested in.
- The Admin Team is committed to keeping lines of communication open between CDFW, the Legislature, and the DCTF/EC. Factors such as keeping the program as cost effective as possible, as well as being mindful of how a lost fishing gear recovery program will help address whale-Dungeness crab gear interactions will be important to continue considering. The DCTF/EC is interested in creating a program that is as efficient as possible, while also being mindful of CDFW's needs and limitations.
  - Various EC Members agreed and stated that the program was still a work in progress. They asked what the timeline would be to fill in the program details, and if the conversation could wait until the next DCTF meeting, which is anticipated for October 2016.
    - The Admin Team stated that some details would be decided during the Title 14 process. Mr. Weseloh stated the Legislative process will be underway and completed in 2016 and the Title 14 process will likely be underway in 2017.
    - One EC Member stated that he would like to read the bill in its entirety before discussing it further. He stated that it will be important to stay on top of the issue and respond in a timely fashion, which may be earlier than October 2016. The intention of the program was to have the financial burden of the program rest on the industry, not on CDFW. However, this program cannot move forward without the support of CDFW. The voluntary programs have operated well to-date, but have relied on support from CDFW enforcement. He stated that the industry would like that support to continue.
- Mr. Weseloh suggested the EC/DCTF review the bill language immediately. He stated that once the bill is introduced and continues moving through the legislative process, modifications to the program might be difficult. The EC/DCTF need to be clear on what they are asking for and if any changes are required they need to be known sooner rather than later.
  - A couple of EC Members stated they are comfortable with the overall program and DCTF recommendation, but that there needs to be solid backing from CDFW to implement the program successfully. One Member stated that issues should be worked out with CDFW as soon as possible.

- CDFW is open to discussing the program further and could be available for a call to discuss the program further.

### **Public comment**

- Jim Anderson, fisherman and DCTF Member, emailed the following question: As long as this bill is going forward on trap retrieval, is there a bill that gives us spending authority on the money that tags and stamps have generated?
  - The Admin Team stated that at this time there is no bill to disperse the excess revenue generated from the Dungeness crab trap limit program since the DCTF had not made a recommendation to that effect.
  - Mr. Weseloh stated that when the DCTF provides information to the Legislature on how those funds should be used, there can be a bill to allocate those funds.
- Craig Goucher, fisherman and DCTF Alternate, emailed the following statement: If there can not be agreement on the current gear retrieval program proposal it needs to be discussed more to attempt an agreement. There is an opportunity to accomplish a more thorough clean up than the Oregon and Washington programs accomplish. Removing all the derelict gear from the ocean is the goal and we won't accomplish that with the Oregon and Washington programs, stuck gear will be left behind. Stuck gear is the biggest threat to the environment. We need something more than [what is currently in place in] Oregon and Washington. So, I hope there will be more discussion about how to tweak the retrieval proposal to make it acceptable instead of settling for something that achieves less.
- Mark Horner, fisherman and DCTF Member, expressed concern that CDFW was not supportive of the DCTF's recommended program. He stated that developing a program takes time. Although not everyone is excited about the Oregon/Washington program, it can be put in place quicker and give the industry time to figure out how to improve it. The industry is concerned about doing the right thing, especially in light of whale entanglements. We can show we are doing something immediately by implementing the Oregon/Washington program and then modify it down the road to further meet our needs in California.
- John Beardon, fisherman, agreed with Mr. Goucher's comments. He stated that in the future, there will be less gear abandonment since people are modifying their behavior after the voluntary program in place over the last few years. That being said, a full-time employee will not be required to implement this program. He explained that he only spent about 20 hours this year to implement the program in Crescent City, which included one week on the ocean and some time on land. He believes that the Oregon/Washington model will not be effective at solving the whale entanglement issues since there would be no incentive to pull junk traps or traps far from shore.
- Jennifer Renzullo, SeaDoc Society, stated that through conversations with fishermen and agencies from those areas, she has learned that the Oregon/Washington program have been pretty effective at changing what gear is left out after the season. However, there is concern about people not bringing in stuck gear. She further explained what works in one area may not work in another and that the program should be tailored to California's needs. She suggested selecting a program that motivates the most participation: cash for traps or ownership of traps. Ms. Renzullo explained that the recommendation from the DCTF does not have to be time intensive if an online database is developed where the responsibility to look at the database to see if their traps were recovered is put on fishermen. She concluded by stating that both the Oregon/Washington program and the one recommended by the DCTF will require some time and effort from CDFW.
- Bob Maharry, fisherman, explained that the program does not have to be complicated especially when the right fishermen are available to get the job done. Derelict and lost gear is a big concern for the environmental organizations that are concerned with whale entanglements. Therefore, a program is needed. However, it can be mostly run by the industry.
- Lisa Damrosch, HMBSMA, stated that the program recommended by the DCTF is not difficult to run. She understands that not all ports have communities that can pull off this type of activity, but it's doable with support from neighboring ports. A great relationship with CDFW enforcement helped the program in Half Moon Bay to be successful. Without CDFW support, there is not enough "teeth" and



authority in the program to ensure its success. She explained that CDFW does not need to make phone calls, but they need to be available to back up and support those administering the program.

- Ben Platt, fisherman and member of HMBSMA and PCFFA Board, emailed the following comment:

This is Ben Platt, crab boat owner, member of HMBSMA, board of PCFFA and fishing representative on Crab PR Committee with Senator McGuire and Assemblyman Wood. I have been trying to make this comment each time you asked for public comment but was unable to get in. On Jan. 15 the PCFFA board met in SF and voted to only pursue a disaster declaration if it did not mean we would have to close the season. There has been much talk of a “drop dead” date, and some boat owners would have other options if the season were closed, but many others do not, and ultimately we realized that it is not right for any fishermen to take the right to fish away from their fellow fishermen. Also, there is precedent for disaster declaration and limited season opportunity not being mutually exclusive: in 2006, the Klamath salmon disaster resulted in a disaster declaration, a limited season and also significant financial relief a year and half later. Since there is no guarantee that a closure would result in relief, we decided it was not prudent to give up on a later season opener.
- Chris Lonero, fisherman, emailed the following comment: Where do we send the Economic Injury Worksheets? There is no address on where to send these documents.
  - Ms. Traversaro, CalOES, explained that forms should be filled out and faxed to [916-845-8395](tel:916-845-8395) or scanned and emailed to [Lidia.Armaz@caloes.ca.gov](mailto:Lidia.Armaz@caloes.ca.gov)
- Lane Tavasci, Crescent City Harbor District, emailed the following comment: When CDPH finally does open the fishery, it would behoove them to provide extensive media coverage of the health and safety of this fishery. These should not be one or two press releases, but a wide scale, California and Nationwide coverage. Not sure if their budget would support that type of coverage, perhaps Federal Assistance in that matter.
- Mike Haggren, fisherman, emailed the following comment: It is my opinion that the tests should be performed on a regular basis. If some ports cannot perform the tests in a timely manner vessels from other ports should be allowed to perform the tests so there will continuity in the results. Some ports on the north coast went 4 weeks between tests using weather conditions as an excuse when other vessels were available from nearby ports. The Oregon/Washington trap recovery programs work very well, and are very cost effective. It appears to me the California program will be very cost prohibitive and very cumbersome. Just offer a free permit to vessels to go retrieve traps after the season closes. Ownership of retrieved traps [will be] changed to retriever [and then] he can sell back to original owner if he wants. The DCTF needs to address the issue regarding ownership interest in vessels fishing in Oregon/Washington and ownership with vessels licensed in California. Each vessel and licensed captain should be treated as a separate entity regarding the 30-day fair start and not all vessels involved in economic ties being treated as one. While it is unfortunate that we are not fishing yet I don't think we are in a disaster until the season is cancelled. Since most fishermen are involved in multiple fisheries, the potential income loss is when the late Dungeness opening begins to impact the next fisheries (e.g. salmon, shrimp, etc.).
  - The Admin Team explained that the DCTF developed a recommendation in their [January 2015 report](#) to address the issues around the 30-day fair-start and its application to people/fishermen/deckhands instead of vessels.
- Landon Carpenter, fisherman, emailed the comments that were not read allowed during the meeting since they were received upon the closing of the call. However, they are included here as part of the meeting record: Concerning the decision to delay disaster status in the California Dungeness fishery, would it be possible to go ahead a move forward on the disaster declaration with best information available, but then add a clause back provision for the money should the disaster be less than anticipated? I don't believe the federal government has the ability to respond to this slow motion disaster with any sense of urgency; a mechanism like this this may create the bridge needed to keep fishermen financially solvent.
- **The Admin Team will circulate the draft bill language to the DCTF/EC and post it on the DCTF webpage following the call.** Concerns expressed by CDFW and members of the fishing community related to the lost fishing gear recovery program will be captured in the meeting summary. Open lines of communication will be important to developing a program that the fishing community believes will be effective and that CDFW has the ability to help implement

## 5. General public comment

- Ryan Ono, The Ocean Conservancy, shared a link to a [video](#) prior to this call. The video was created last year before blob and domoic acid issues hit and is focused on ocean acidification and changing ocean conditions. The Ocean Conservancy teamed up with California Dungeness crab fishermen and NOAA scientists to look at the effects of ocean acidification on Dungeness crab larvae. Although domoic acid is a separate issue, there is some relation to ocean acidification. A 2012 study showed that when there are low pH levels in the ocean, *pseudo-nitzschia* blooms at ten times the normal rate. The Ocean Conservancy is requesting funding from the legislature to support a federal ocean acidification program so more research and water quality monitoring data can be available. Mr. Ono encouraged call participants to watch the video and help raise awareness of the video. Those interested in learning more are invited to contact him at [rono@oceanconservancy.org](mailto:rono@oceanconservancy.org). If you would like to share your support for an increase in federal funding for ocean acidification, the Ocean Conservancy can share a form letter.

## 6. Adjourn

- **During the Joint Committee on Fisheries and Aquaculture “Fisheries Forum” public hearing on February 11, the Admin Team will provide a brief update to the on the efforts of the DCTF and EC.**
- The Admin Team summarized the next steps that emerged from the call discussions.
  - **A summary of the call will be circulated to the EC for review and then posted the DCTF webpage.**
  - The Admin Team will also:
    - **Work with the EC, CDFW, and OPC to convene a call in mid-February as domoic acid results become available.**
    - **[Circulate the NOAA Fisheries Disaster Determination FAQs.](#)**
    - **Share the [draft bill language](#) with the EC and public.**
    - **Circulate responses to the questions posed to CDFW and [CDPH](#) regarding domoic acid sampling and testing protocols.**
  - **The summary from the December 22, 2015 EC conference call will be completed and posted on the DCTF webpage shortly.**