Draft Meeting Summary
DCTF Executive Committee
Wednesday, October 15, 2014

Meeting Participants

EC Members Present	Larry Collins, Mike Cunningham, Vince Doyle, Brett Fahning
EC Members Absent	Geoff Bettencourt, Bill Blue, Bill Carvahlo,
Other Meeting Participants:	Tom Barnes, CA Department of Fish and Wildlife Bob Farrell, CA Department of Fish and Wildlife Pete Kalvass, CA Department of Fish and Wildlife Christy Juhasz, CA Department of Fish and Wildlife Rachelle Fisher, DCTF Administrative Team Kelly Sayce, DCTF Administrative Team

Meeting Summary
*All "next steps" are **in bold** below; information in blue italics indicates new options developed by the DCTF Executive Committee available for full DCTF consideration.*

1. Welcome, Introductions, Agenda Review

- The DCTF Administrative Team (Admin Team) explained the role of the Executive Committee (EC).
    - The EC was appointed and voted on by the Dungeness crab task force (DCTF) at the April 2012 DCTF meeting. The intent of the EC is to act as an advisory body to the Admin Team between scheduled DCTF meetings. The EC cannot make decisions or recommendations on behalf of the DCTF and all discussion topics and ideas generated by the EC must be reported back to the DCTF.
- After walking through the agenda, the Admin Team clarified that the primary purpose of the current meeting is to inform preparations for the October 29 DCTF meeting. Additionally, the hope is that the outcomes of this meeting will help focus the conversation and deliberations on October 29 and in the meetings individual DCTF will be having with their constituents in their respective ports leading up to October 29.
- Guidelines for providing public comment were reviewed.

2. Updates

Updates- Admin Team

- The Admin Team provided a brief update to the EC on their activities since the April 21-22, 2014 DCTF meeting. The Admin Team:
    - Developed two reports on behalf of the DCTF: 1) DCTF Memorandum: Response to Tri-State Committee Request; 2) DCTF Memorandum: Response to Recreational Fishing Proposal.
    - Continued coordinating with the California Department of Fish and Wildlife (CDFW), Ocean Protection Council (OPC), and the California Legislature on all DCTF related issues including, but not limited to, tri-state issues and the trap limit program.
    - Maintained open lines of communication with DCTF and EC members and provided regular phone and email updates to keep members informed of Dungeness crab issues at the local, state, and tri-state levels.

- Continued researching and networking to stay informed of all Dungeness crab issues. This includes speaking with DCTF members to inform the development of the "Management Options" document and supporting DCTF members in sharing and discussing this document with their constituents.

Updates- Executive Committee

- The EC did not have any updates to provide at this time.

Updates- CDFW

- CDFW provided a number of updates, including:
  - CDFW staff provided an update on pre-season crab quality testing in the Central Coast Dungeness crab management area. They explained that CDFW is unable to secure a processor for the area south of Point Arena because the current compensation structure as suggested by the DCTF at their April 2014 meeting is not sufficient to cover the processor's costs for the test scheduled for late October/early November, since the crabs are so light. They asked the EC for guidance regarding the payment schedule and if it should be adjusted.
    - An EC member from District 10 suggested that since testing was not required south of Point Arena, crab collected for the purposes of domoic acid testing could be used to gauge crab quality instead of using a different test. The EC acknowledged that the early test in District 10 was not required, however it does help processors prepare for the season and inform fishermen about potential season delays.
    - **CDFW will get back to the DCTF with confirmation on Oregon's testing schedule. The DCTF Admin Team will consider how to address this topic at the October 29 DCTF meeting.**
  - CDFW staff updated the EC on preseason testing in the Northern management area. They explained that boats have been secured in Eureka and Crescent City for the last week in October, however there are still no boats secured for Trinidad or Fort Bragg.
    - An EC member suggested that a boat from a neighboring port travel to Fort Bragg and Trinidad to collect test crabs during the last week in October rather than waiting for early November. Another member indicated that, while not ideal, Trinidad could skip the October test and just test in November.
    - **CDFW will look into the option of asking neighboring ports to test in Fort Bragg and Trinidad. Vince Doyle will support CDFW in these efforts.**
  - CDFW staff provided an update on enforcement of the trap limit program and the Dungeness crab fishery. It was explained that the affidavit process for replacement tags is going smoothly. However, there continues to be misunderstandings about gear retrieval, including questions concerning the citations issued in the southern extent of the fishery for noncompliance after the season. CDFW looks forward to discussing this issue more thoroughly and clearing up confusion at the October 29 DCTF meeting.
  - CDFW reported appeals filed as a result of the trap limit program are expected to be completed in 2015 with two hearings by the end of 2014 and two continuances by March 2015.

No members of the public commented on this agenda topic.

3. Overview and discussion of October 29, 2014 DCTF meeting topics

DCTF Meeting Topics – Current "management options" and potential proposal(s) to be forwarded to the full DCTF to inform deliberations. Topics may include, but are not limited to, the trap limit program, latent

permits, season openers, etc.

- The Admin Team provided an overview of what occurred at the April 2014 DCTF and Coastal Dungeness crab Tri-State Committee Meeting in May 2014 (Tri-State Committee). Since the April 2014 DCTF meeting, the Tri-State Committee reviewed the ideas outlined by the DCTF and the Tri-State Committee responded with its preferences.
- In August 2014, the Admin Team shared a "management options" document with the DCTF that summarizes the various options presented at the April 2014 DCTF meeting, the May 2014 Tri-State Committee meeting, and during Admin Team conversations with DCTF members. This document outlines topics the DCTF will be discussing and voting on at the October 29 DCTF meeting, and provides a tool to support DCTF discussions with their constituents in anticipation of the meeting.
    - The Admin Team invited the EC to provide their insights and ideas related to the "management options" document to help streamline and prepare for anticipated DCTF discussions about the trap limit program, latent permits, season openers, etc.
    - An EC member suggested eliminating "in-season" replacement tags, since it is difficult for CDFW to confirm that replacement tags are replacing lost traps instead of simply increasing the number of traps an individual may fish beyond their tier allocation.
    - One EC member suggested lengthening the pre-soak period south of Point Arena to address safety considerations.
    - The EC could not recall the rationale used for why permitholders had to purchase a complete set of trap tags each year and asked if the DCTF could make a recommendation that permitholders would be allowed to purchase only a portion of their trap tags rather than their total allocation.
        - SB 369 currently states that all tags must be purchased. The EC discussed a possible recommendation to work with CDFW's License and Revenue Branch (LRB) to change/revisit this.
        - **Admin Team to contact LRB to inform them of this option and to add the topic to the DCTF October 2014 meeting agenda.**
    - A full DCTF discussion is needed to determine if there is a need to address Tier 7 permits once the moratorium is lifted in March 31, 2015. The Admin Team acknowledged that perhaps other issues the DCTF will address, (e.g. allowing a waiver so individuals are not required to purchase all of their trap tags) might alleviate some DCTF member's concerns about the potential activation on previously unfished permits.
    - The Admin Team referenced CDFW data that was shared with the DCTF (CDFW Commercial Fishing Data: Updates Dungeness Crab Trap Limit Program & Summary of Fishery Landings 2013-2014 Season) and asked the EC if they would like to address the concerns raised at the April 2014 DCTF meeting regarding effort shifts.
        - EC members acknowledged that they anticipate more effort shift south of Point Arena than usual this year since there seems to be a higher density of crab in that area. They explained that the CDFW data shows that fishermen go where the crabs are.
        - The EC discussed the prospect of a single opener to address effort shift concerns. There was concern expressed regarding the marketing of crab under a single opener. One EC member questioned why the DCTF would want to change the status quo if things were working well, getting a good price for crab. It was acknowledged that processors do not prefer a single opener from a marketing standpoint.
            - One EC member suggested a statewide opener on November 15. There was discussion as to whether or not District 10 would need to test into a

statewide opener. The EC discussed how CA markets would be affected if CA opened on November 15 while OR and WA opened on December 15.

- The EC discussed a fair start. An EC member acknowledged that most years there is a de facto fair start due to crab quality season delays. Currently, there is little interest by District 10 to create a scenario where boats traveling into District 10 are forced to stay south due to a 30-day "penalty". CDFW suggested the DCTF consider other durations for the penalty.
- The EC discussed no changes to season openers and no new fair start clauses (i.e. keeping the status quo). One member stated that the changing markets should be better understood before new regulations are adopted.

- CDFW stated that they are looking to the DCTF to have a strong, unified voice that can easily be relayed at the May 2015 Tri-State Committee meeting. If that is status quo, or something other than status quo, CDFW supports whatever that unified decision is.
- The EC discussed including District 10 in the Tri-State Agreement (tri-state). CDFW emphasized that a prerequisite of District 10 joining tri-state would be participating in crab quality testing according to tri-state protocols and being subject to delays when tests show that crabs are not market quality.
  - An EC member representing District 10 stated that there is not consensus in District 10 on whether the region should be a part of tri-state. There continues to be concern about allowing the CDFW Director to delay District 10's season since the Thanksgiving market is economically important in the region. He stated that processors in District 10 ensure there is quality crab on the market.
  - An EC member representing the north stated that his port supported District 10 conducting crab quality testing. There was discussion about how effort shift would be affected if the line at Pt. Arena was to move south to the border of Mexico.
  - An idea was proposed that District 10 open on November 15 while northern CA open on December 15. Accommodations for District 10 would need to be made to reduce pressure in this area.

No members of the public commented on this agenda topic.

Trap retrieval

- The Admin Team provided a brief overview of the CA Lost Fishing Gear Recovery Project, which has been operating in the north coast since last season. Currently the program is finishing up a grant cycle and would require the Dungeness crab fishery to fund ongoing program activities if they would like the program to continue.
  - Members of the EC who participated in the program recommend extending it further south. They explained that the program is beneficial in helping the fishery get ahead of potential trap issues (e.g. whale entanglement and ghost fishing). The EC generally agreed that the program should be implemented statewide and that it helps create an incentive for fishermen to get their gear out of the water after the season is closed.
  - The EC discussed the functioning of the program. Some members suggested that the program be allowed to begin retrieving traps the day after crab season closes. Retrieved gear would be impounded and trap owners would be required to pay before their traps are released to them. By impounding the gear it is possible to retain individual property rights while also providing an option to buy the gear back.
    - The current program does not have any recourse for fishermen who refuse to

pay for their lost traps.

- The EC discussed the costs associated with funding the program, including whether fees for recovered traps could fully support the program. Other funding support sources suggested by the EC include an annual fee attached to a permit or landing tax. The EC expressed an interest in working with CDFW to administer the program.

- CDFW enforcement stated that they support this program as a way to recover lost gear after the season. However, there is a need for CDFW to work with the program's administrators to distinguish between lost gear and traps that are intentionally left after the season (i.e., strings of gear). The latter is an enforcement issue and requires a CDFW warden to confiscate traps. CDFW acknowledged that if the program only functioned after crab season closed, observers would not be required, although they would be valuable. Another option could be to have CDFW enforcement onboard to confiscate traps that are not lost. An EC member stated that observers were helpful in verifying the method of retrieving the gear (e.g. pulled or pumped), which is reflected in the cost to the owner to buy the gear back.
- CDFW discussed the confusion surrounding when a fishermen should have his gear out of the water and stated that all gear must be pulled by 12AM at the season's close.

Public comment

- Jennifer Renzullo, Coordinator of the CA Los Fishing Gear Recovery Project- shared that the program had received $19,515.00 in payments from selling back the lost gear. However, that amount was insufficient to cover all costs associated with the program (e.g. administrative costs which include coordination between ports). There would be options for reducing the costs of the program such as removing the requirement for an observer to be onboard during gear recovery. She further explained that approximately half of the traps collected were sold back, and 40-50 traps were taken back without providing any form of payment. Issues with a few fishermen leaving large amounts of gear in the water was discussed with CDFW.
- Jim Yarnall, Recreational Fisherman and DCTF Member- expressed support on behalf of the recreational fishing community for the trap retrieval program, particularly regarding clean up of gear at harbor mouths.

<u>Structure and Function of the DCTF</u>

- The Admin Team summarized sentiments expressed during the April 2014 DCTF meeting regarding the current structure of the DCTF stemming from new data shared by CDFW at the meeting which shows more total permits in the ports south of Point Arena.
    - EC members agreed that the details of how to modify the DCTF structure should be discussed and better understood. Suggestions included introducing intermittent evaluation of the DCTF's structure (e.g., every 10 years) and amending it based on updated information such as the number of permits and landings by port, term limits, etc.
    - Following the April 2014 DCTF meeting, the OPC stated that they would not assign additional/new funds to the DCTF beyond what has already been allocated. Recommendations regarding the DCTF's structure can be included in the January 2015 and 2017 legislatively mandated reports, however any additional steps related to this matter would be the financial responsibility of the Dungeness crab fleet and/or industry.
    - The Admin Team reminded the EC that changes to the structure of the DCTF would require legislation amending the Fish and Game code (which would likely take two years), funds for new elections, and recommendations for how to restructure the DCTF. In an effort to address this issue while being mindful of funding and timing constrains (and wanting to maintain the integrity of the past and future work of the DCTF), the Admin Team proposed a stepped process to achieve this goal: Put a recommendation in the 2015 legislatively mandated report to highlight the DCTF's interest in revisiting its structure and that they intend to make final, detailed recommendations regarding the DCTF structure in the 2017 legislatively mandated report. Between the 2015 and 2017

reports, the EC (or another subcommittee) could work to develop a proposal for the DCTF's consideration. The Admin Team hopes that this approach will ensure the DCTF can continue to work in good faith while maintaining its credibility and value as an advisory body to the state of California.

- EC members acknowledged that there is a need to revisit the DCTF structure, and feel comfortable with the proposed approach outlined by the Admin Team.
- **The Admin Team will share the above proposed approach to address the structure of the DCTF at the October 29, 2014 DCTF meeting.**

Meeting Materials and Data Requests

- The Admin Team asked the EC if they have any additional requests for data and/or materials to help support the October 29 DCTF meeting.
    - One EC member asked for information regarding the ability of CDFW to add a caveat to permit renewals that a permit will not be renewed unless a permitholder agrees to participate in the trap retrieval program (i.e. pay for their traps recovered by the program).
    - **The Admin Team will look into the legal process and share information with the DCTF at the October 29 meeting.**

4. General Public Comment

- Jennifer Renzullo clarified that there is a service component to the trap retrieval program, which can help fishermen with stuck traps retrieve them without increasing risk/safety issues.
    - CDFW explained that there are a number of existing measures, including temporary transfers and waivers that can help fishermen in these situations also.

5. Adjourn

- Closing updates included:
    - The DCTF will be meeting at the Ukiah Valley Conference Center on Wednesday, October 29, 2014 at 8:00am.
    - The Admin Team will work with OPC, CDFW, and the DCTF to prepare for the October 29, 2014 DCTF meeting and will continue to share information in advance of the meeting as it becomes available.

New Options for DCTF Consideration

The following list is a summary of the options that arose during the EC meeting for the DCTF's consideration. These options will be discussed at the October 29, 2014 DCTF meeting.

- *Eliminate "in-season" replacement tags.*
- *Permitholders would be allowed to purchase only a portion of their trap tags rather than their total allocation.*
- *Statewide opener on November 15, but northern California can still be delayed if crabs are not ready, but District 10 will not be delayed.*
- *Status quo- no new fair start clauses or changes to season openers in the north or south.*
- *District 10 open on November 15 while northern CA open on December 15. Accommodations (e.g. fair start) for District 10 would need to be made to reduce pressure in District 10.*
- *Support for an industry-funded trap retrieval program. Initial ideas for how to fund the program include an annual fee attached to a permit or landing tax.*