

**Meeting Summary  
DCTF Executive Committee  
April 14, 2020**

*Meeting Participants*

EC Members Present	John Barnett, Geoff Bettencourt, Bill Blue, George Bradshaw, Larry Collins, Mike Cunningham, Zach Rotwein
EC Members Absent	Geoff Bettencourt, Gerry Hemmingsen
Other Meeting Participants	Paige Berube, Ocean Protection Council Ryan Bartling, CA Department of Fish and Wildlife Joanna Grebel, CA Department of Fish and Wildlife Christy Juhasz, CA Department of Fish and Wildlife Sonke Mastrup, CA Department of Fish and Wildlife Cpt. Bob Puccinelli, CA Department of Fish and Wildlife Asst. Chief Mike Stefanak, CA Department of Fish and Wildlife Tom Weseloh, Joint Committee on Fisheries and Aquaculture  Rachelle Fisher, DCTF Administrative Team Kelly Sayce, DCTF Administrative Team Carolyn Kraft, DCTF Administrative Team Support

Meeting Summary

*All "next steps" are in bold below.*

*1. Welcome, introductions, agenda overview.*

- The California Dungeness Crab Task Force (DCTF) Administrative Team (Admin Team) introduced and welcomed participants to the DCTF Executive Committee (EC) call. Agenda topics were reviewed, including updates on topics directly impacting the Dungeness crab fishery, the status of DCTF recommendations, and marine life entanglements in the California Dungeness crab fishery as well as brainstorming on priorities identified in the 2019-21 Work Plan, in particular buy-out programs. All meeting outcomes including ideas and options developed by the EC on these topics will be shared with the DCTF for consideration during the 2020 DCTF meeting.
- The EC is a subcommittee of the DCTF and cannot make decisions on behalf of the DCTF and will report back to the full DCTF with the outcomes of this conference call. The DCTF has directed the EC to begin discussions to address priority topics and help usher DCTF recommendations between DCTF meetings. The [2019-21 Work Plan](#) will guide EC discussions.
- Meeting ground rules and [guidelines for providing public comment](#) were reviewed. For those experiencing technical difficulties on the call, public comments can be submitted via [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com). Emailed comments received during the conference call may be read aloud by the Admin Team as time permits, and will be included in the meeting summary (comments may be paraphrased to improve readability).
- The call was recorded and will be available for 30 days following the call.

*2. Public comments on non-agenda items*

- No public comments were received.

3. Updates on issues involving the Dungeness crab fishery, including, but not limited to, the status of the DCTF recommendations identified during the October 2019 in-person meeting, regulatory updates, active legislation, latest hearings, the Dungeness crab account, etc.

- **Dungeness crab account:** During the October 2019 DCTF meeting, there was a request for more detailed financial information on how CDFW uses the Dungeness crab account as mandated by Fish and Game Code § 8276.5(a)(6). CDFW confirmed they are working on preparing more detailed summaries of how Dungeness crab account funds have been used in past fiscal years. However, CDFW noted that the summary may not provide the full level of detail requested by DCTF, but it will be more detailed than previous summaries. CDFW anticipates providing an updated accounting by October 2020 at the latest and hopes to provide this information sooner, if possible. Available accounting summaries from previous years are [online](#) and provide information on annual revenue and CDFW expenditures. Updates will be provided as they are available.
- **DCTF Budget:** During the October 2019 DCTF meeting, the DCTF requested an additional \$150,000 be allocated to reimburse DCTF members for travel related expenses associated with in-person meetings. CDFW is working on updating the second year of Strategic Earth's two-year contract from \$75,000 to \$150,000 to fulfill this recommendation. If finalized, DCTF Members/Alternates are anticipated to receive travel reimbursements for the 2020 DCTF meeting, but not for the previous (October 2019) DCTF meeting. Updates will be provided as they are available.
- **Active legislation:** [Senate Bill \(SB\) 1128](#) was developed by California State Senator McGuire to address two DCTF recommendations: 1) Provide legal authority to the agencies (CDFW, OEHHA, CDPH) to pursue evisceration orders; 2) Amend Fish and Game code §8283 to increase the Central Management Area's commercial fishing presoak period from 18 hours to 64 hours. If the bill moves forward, it would allow CDFW, CDPH, and OEHHA to develop a regulatory framework to support evisceration options. It would take at least a year or more for this process to be implemented after a bill passes. Tom Weseloh, Chief Consultant for the Joint Committee on Fisheries and Aquaculture and Senator McGuire's Office stated that due to the new COVID-19 reality, legislative leaders have indicated that only items related to COVID-19, wildfires, and emergency bills will move forward. As a result, SB 1128 will not move forward this year, but since the language is ready, Senator McGuire is prepared to reintroduce the bill next year.
  - Some EC Members expressed frustration that SB 1128 would not move forward this year and emphasized the urgency of getting the bill passed since fishermen have been wanting for the changes related to the presoak for many years.
    - A couple EC Members asked for clarification on why language about evisceration was included in the bill.
    - SB 1128 provides authority for CDFW, OEHHA, and CDPH to start exploring evisceration options. Another step will be required to determine what the regulations are and what would be required to trigger and implement an evisceration order, this second step will require further discussion with DCTF. The inclusion of this topic into the bill is a direct result of a [DCTF recommendation](#). More information regarding the nature of the DCTF's conversation is available in the [DCTF October 16-17, 2019 Meeting Summary](#) on page 9.
- **Regulatory updates:**
  - CDFW has completed the regulatory needs to implement the lost fishing gear retrieval program, which is anticipated to be operational at the end of the 2019-2020 Dungeness crab fishing season, even in the event of an early closure. Applications to participate in the gear retrieval program are available on the [CDFW Whales Safe Fisheries web page](#).
    - An EC Member expressed concern about liberal measurements provided in vessel length surveys and requested CDFW verify that the surveys submitted are correct. CDFW explained that they do not have the qualifications to verify the accuracy of the vessel length surveys and complaints have been given to the U.S. Coast Guard for follow up.

- The deadline to submit vessel length surveys has passed and CDFW is no longer accepting any new surveys. The License and Revenue Branch is in the process of updating records, which is taking longer than expected due to COVID-19 and staff telecommuting requirements.
- *DCTF Commercial Fishing Elections:* The Ocean Protection Council (OPC) and CDFW will be mailing ballots in mid-April to permitholders associated with the Group 2 port complexes (this includes: Half Moon Bay, Bodega Bay, Eureka, and non-resident). More information is available on the [DCTF website](#).
- *Joint Committee on Fisheries and Aquaculture Hearing:* At the Joint Committee on Fisheries and Aquaculture hearing on [March 12, 2020](#), Paige Berube, OPC, provided an update on behalf of the DCTF update. A recording of the hearing is available [online](#).
- The EC discussed the updates.
  - An EC Member commented that it would be helpful to allow gear retrieval assistance to fishermen who have mechanical breakdowns. If fishermen are allowed to keep the crab, that would provide an incentive to help remove the gear in a timely fashion. **The Admin Team added this idea to the parking lot for a future EC meeting.**

### Public Comment

- No public comment was received on this agenda item.

*4. Learn about the efforts by the California Dungeness Crab Fishing Gear Working Group and state of California to reduce marine life entanglements risk including, review recent risk assessment recommendations, California Department of Fish and Wildlife Director's most recent determination(s), etc.*

- The Admin Team provided an overview of the California Dungeness Crab Fishing Gear Working Group's (Working Group's) [April 9, 2020 risk assessment and management recommendations](#), which are available on the [CDFW Whale Safe Fisheries web page](#). CDFW is reviewing the Working Group's recommendations and the Director will make a preliminary determination on or before April 15, 2020.
  - The EC discussed the recommendations and asked CDFW clarifying questions regarding when the Central Management area will close to commercial fishing, time to remove gear, availability of aerial surveys to provide updates on whale concentrations, etc.
    - Any potential season closure and gear removal requirements wouldn't be decided until the CDFW Director makes a preliminary determination on or before April 15, 2020. Once the preliminary determination is made there will be at least a 48-hour window for public review and comments before a final declaration.
    - The Working Group recommended that if the CDFW Director determines that a closure is warranted in the Central Management Area, fishermen should have a month to remove their gear to accommodate bad weather, but it will ultimately be the CDFW Director's decision. If the CDFW Director decides a closure is necessary, fishermen will be able to land crab up until this season's closure date, however all gear is to be removed from the water by this date. For the Northern Management Area to close there would have to be an indication of elevated entanglement risk in the area. Currently, there is no indication of any whales north of Point Arena, but if this changes the Director could be prompted to take action.
    - CDFW is continuing to attempt to have aerial surveys for the Central Management Area and Northern Management Area through June.
    - **The Admin Team will share the CDFW Director's determination through the DCTF list as it is available.**
    - For additional information on the Working Group's risk assessment, please visit the

Working Group's risk assessment [webpage](#). In addition to sharing through the DCTF email listserv, CDFW Director declarations and determinations are accessible on the CDFW Whale Safe Fisheries [webpage](#).

- An EC Member requested clarification on how a closure in the Northern Management Area (NMA) would proceed as outlined in the settlement agreement (i.e. the settlement between CDFW and the Center for Biological Diversity).
- Ryan Bartling, CDFW Senior Environmental Scientist, provided a presentation (available upon request - email [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com)) on the status of the Risk Assessment and Mitigation Program (RAMP) rulemaking process, including public comment opportunities, and CDFW's efforts to develop a Conservation Plan (CP) to inform an incidental take permit (ITP).
- Additionally, CDFW shared information about potential regulatory changes being discussed and considered for the recreational Dungeness crab fishery including using floats that are easy to identify, establishing a trap limit program to reduce vertical lines, adding service requirements of nine to 16 days to reduce bycatch, and delaying the season opener if whale concentrations are high.
- An EC Member asked about the status of testing alternative fishing gear and whether any of these gear types would be available to use during spring 2021 as outlined in the settlement.
  - CDFW confirmed the settlement agreement specifically requires an allowance for "ropeless gear" as a default in Districts 10,17, and south beginning in April 2021. In response, CDFW has included language in the RAMP regulations that allows the use of alternative gear types including "ropeless" or "pop-up gear." The regulations and testing will be in place by spring 2021. The provisions allow a broad consideration of alternative gears including, but not limited to pop-up gear.

#### Public Comment

- No public comment was received on this agenda item.

#### *5. Begin a discussion and brainstorm around a potential buyout for the commercial Dungeness crab fishery as directed by the DCTF's 2019-21 Work Plan.*

- During the DCTF's October 2019 meeting, they developed a [Work Plan](#) identifying high-priority topics for the DCTF to consider, while also identifying a number of topics for the Executive Committee to further discuss before being addressed by the full DCTF. Based on the information available at this time, buyouts were identified as one of these topics that will be brainstormed first. Guidance from the EC and the public on the other topics to explore at future EC meetings is welcomed. However, without guidance and new information from the EC or public, the EC priorities outlined in the Work Plan can not be advanced in a productive and efficient manner.
  - A [Worksheet](#) is available on the DCTF's website with a number of questions that need to be addressed before the topics in the Work Plan can be added to an agenda. **The EC and public are invited to email [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com) for any information you have that could help move topics identified in the Work Plan forward.**
- Per the direction from the DCTF, the topic of a commercial Dungeness crab fishery buyout was discussed. To help inform the buyout discussion, the Admin Team prepared a [buyout worksheet](#) for EC review and an EC Member also shared [feedback from the port of Trinidad](#) for EC consideration.
- The EC discussed the goal(s) of a buyout to reduce the number of commercial fishing permits in the Dungeness crab fleet as well as the pros and cons of this type of program, etc.
  - Various EC Members noted that the purpose of the buyout discussion was to help reduce the number of vertical lines in the water by purchasing permits that are for sale and from fishermen who would like to exit the fishery.

- An EC Member stated that vertical lines can be reduced without a costly buyout program.
- EC Members stated that there's a perception among the fleet that if the number of crab participants/traps is reduced, then those still fishing will make more money. Members expressed concern about that perception and outlined some of the issues with the 2003 Groundfish buyout program: harmful to local fishing communities, led to a disparity of outcomes, and many fishermen who were bought out entered the fishery again.
- Some EC Members highlighted the high cost of an industry-funded buyout program. Various EC Members suggested that a formal industry funded buyout is not desired at this time. However, environmental organizations could buy out permits that are available for sale online.
- An EC Member shared that in Trinidad, there was only one fisherman in support of a buyout and suggested that pursuing a buyout could lead to time not well spent.
- EC Members all agreed that the industry should discuss the vision for the fishery in the next 2-5 years (e.g., how many large versus small vessels, etc.) before spending millions of dollars on a buyout program. They highlighted that it is important to identify the problem before offering a buyout as a solution. Some Members expressed concern about the future of the fishery due to low starting prices, less season predictability due to marine life entanglements (i.e. the settlement between CDFW and the Center for Biological Diversity, the ITP, etc.).

### Public Comment

- No public comment was received.

### 6. Adjourn

- The EC suggested the following topics should be considered for a future EC agenda: address the 96-hour gear servicing requirement, in-season gear retrieval, and contingency plans if domoic acid testing is not available at the season start due to COVID-19 issues.
- The Admin Team summarized the next steps that emerged from the call discussion. The following next steps were identified in addition to the next steps listed in the summary:
  - **The Admin Team will:**
    - **Produce a summary of this conference call and post it on the DCTF webpage once it has been reviewed for accuracy by the EC.**
    - **Develop an agenda for the June EC meeting and circulate it in accordance with the Bagley-Keene Open Meetings Act.**
    - **Share a link to all the previous fiscal year Dungeness Crab Account reports provided by CDFW.**
    - **Track discussion topics for future DCTF meetings.**
    - **Work with the EC to report back to the DCTF on the EC's conclusion that a buyout program is not a high priority topic.**