

## California Dungeness Crab Task Force

### UPDATED Options for the Composition of a Dungeness Crab Industry-Representative Body

#### Draft Circulated on June 29, 2017 for DCTF Executive Committee Review

*Drafted by the DCTF Admin Team; updated June 28, 2017*

*(Previous versions: [March 13, 2017](#), [March 21, 2017](#))*

In the January [2016](#) and [2017](#) reports, the California Dungeness Crab Task Force (DCTF) indicated there was value in continuing the DCTF or another industry-representative body beyond 2019 when the DCTF is set to sunset per Fish and Game Code 8276.4. Various DCTF Members expressed interest in revisiting the structure and procedures of the DCTF to inform a recommendation for what a future industry-representative body should look like. A number of options were discussed during the October 2016 DCTF meeting and at prior DCTF meetings and Executive Committee conference calls, but DCTF Members requested additional time to discuss options with their constituents.

**The options in this document (or other options developed prior to the DCTF's final vote) will be discussed during an upcoming DCTF Executive Committee call in June 2017 and are expected to be voted on during the next DCTF meeting.** DCTF Members are expected to share these options with their constituents and be ready to make a final recommendation at the next DCTF meeting.

### TO BE DISCUSSED DURING JUNE 30, 2017 EC MEETING

#### DCTF Structure/Composition

A number of key questions regarding the future of the DCTF should be addressed.

- *Members*
  - How should non-commercial fishing representatives (e.g. processors, sport fishermen, etc.) be selected for the DCTF? (e.g. appointed, elected, etc.)
  - Should there be term limits for representatives?
  - How should representatives be replaced between elections (i.e., if someone is to retire, sell their boat, etc.)?
  - How can Members be more effective in reaching their constituents?
- *Elections*
  - Who should be responsible for coordinating and carrying out elections?
- *Alternates*
  - Should alternates be allowed?
  - If so, how are alternates selected/appointed/elected?
  - What is the “term” of an alternate?
- *Meeting Procedures*
  - How frequently should the body meet (both in-person and via conference call)?

- Is there value in creating a subgroup (like the Executive Committee) to help move topics forward between DCTF meetings?

### **Updating Dungeness Crab Fishery Management**

There continue to be discussions among fishermen, industry, and fishery managers about how to ensure Dungeness crab fishery management is responsive to issues facing the industry including whale entanglements, domoic acid, etc. Since all commercial Dungeness crab fishery regulations ([here](#)) are currently up for review by the legislature and must be addressed prior to January 2019, there is an opportunity to address these issues now.

*Modifications to the management of the commercial Dungeness crab fishery should be addressed at the October 2017 DCTF meeting.* DCTF Members and the public are encouraged to consider: **What does the commercial Dungeness crab fishery need from fisheries managers to support the fishery's management in light of issues facing the industry (e.g. domoic acid, whale entanglements, etc.)?** To inform this question, please review the following considerations:

1. Management authority
  - a. The commercial Dungeness crab fishery is managed by the legislature and the recreational fishery is managed by the Fish and Game Commission. Is this management
2. Fair start (see FAQs- [12/30/2015](#), [2/12/2016](#), [4/20/2016](#), [5/4/2016](#), [11/8/2016](#), [12/20/2016](#))
  - a. Are clarifications needed to simplify in the face of domoic acid?
3. Limited entry
  - a. Capped the number of permits in the fishery. Do the number of permits need to be reduced further? What is the commercial fishery's capacity goal?
4. Transferability of commercial Dungeness crab vessel permits
  - a. Does the industry need to address regulations specific to any of the following topics?:
    - i. The number of transfers allowed on a permit annually
    - ii. Length restrictions for permit transfer
    - iii. Types of vessels that a Dungeness crab permit can be transferred to
    - iv. Emergency transfers (amended in 2012)
    - v. Replacement permits in case of vessel loss or destruction
    - vi. Sale of vessel
    - vii. Permit transfers in event of death or incapacitation
5. Dungeness Crab Task Force
  - a. This topic is addressed throughout this document and includes questions and considerations related to how the DCTF will function beyond 2019, composition of the DCTF (i.e. number of commercial fishing seats, tier cut offs, who votes), priority issues for DCTF attention (e.g., evaluation of trap limit program), decision-making process (e.g. voting structure), communication with the legislature (e.g., required reporting), etc.
6. Commercial Dungeness Crab Trap Limit Program

- a. This topic was addressed during the October 2016 DCTF meeting. A recommendation was made to support the trap limit program and extend the program until 2029.
  - b. Are any adjustments needed to be made to the trap limit program including:
    - i. Tier definitions
    - ii. Tag types (i.e. 2- year tag)
    - iii. Fees (e.g. trap tag and biennial permit) and waivers
    - iv. Rules on in-season and between season replacement trap tags
    - v. Leasing of tags
    - vi. Uses for the Dungeness Crab Account
7. General (i.e. soak time, presoak, etc.)
- a. Does the 96 hour maximum soak time need to be revisited? If yes, how?
  - b. There are different in presoaks in the districts: 64 hours in the northern management area and 18 hours in the southern management area. Does this need to be revisited?
  - c. Are any changes or clarifications needed to crab quality testing protocols, procedures, or funding?
  - d. Do permit fees need to be discussed?

The EC Members will discuss and consider these topics with the goal of prioritizing commercial Dungeness crab fishery management topics for the October 2017 DCTF meeting.

## **FOR DCTF'S CONSIDERATION FOR OCTOBER 2017**

### **Options of Composition of an Industry-Representative Body**

#### *Commercial Fishing Seats*

The options below reflect the discussion from the March 14, 2017 DCTF Executive Committee conference call. During the call the Executive committee agreed to remove various options from the DCTF's consideration as they were "non-starters" for various ports and were not an efficient use of the DCTF's time for continued discussion. In addition to these options, one Executive Committee member supported tying commercial fishing seats to production/landings. The mechanisms of that option should be further fleshed out if the DCTF wishes to explore it further.

|                                       | <b>Number of Commercial Fishing Seats</b> |  |   |
|---------------------------------------|---|--|---|
| <b>Port Area</b>                      | <b>Option A</b><br>Current DCTF Structure | <b>Option F</b><br>Even seating north and south of<br>Sonoma- Mendocino County line,<br>one Nonresident seat | <b>Option G</b><br>Even seating north and south of<br>Sonoma-Mendocino County line, two<br>additional Nonresident seats |
| Nonresident                           | 1   | 1  | 2   |
| Crescent City                         | 4   | 3  | 3   |
| Trinidad                              | 1   | 1  | 1   |
| Eureka                                | 2   | 2  | 2   |
| Fort Bragg                            | 2   | 2  | 2   |
| Bodega Bay                            | 2   | 2  | 2   |
| San Francisco                         | 2   | 2  | 2   |
| Half Moon Bay                         | 2   | 2  | 2   |
| South of Half Moon Bay                | 1   | 2  | 2   |
| <b>TOTAL Commercial Fishing Seats</b> | <b>17</b>                                 | <b>17</b>  | <b>18</b>   |

*Non-Commercial Fishing Seats*

DCTF Members have expressed support for continuing to include non-commercial fishermen on an industry-representative body to ensure various perspectives are included and inform the body’s discussions. However, there will be a need to ensure that representation and the roles (i.e., voting versus non-voting) of those representatives are clarified to ensure the focus of the body is upheld.

The options below reflect the discussion from the April 11, 2017 DCTF Executive Committee conference call. During the call the Executive committee agreed to streamline the options for the DCTF’s consideration to ensure efficient use of the DCTF’s time for continued discussion.

| Representative Type                        | Number of Non-commercial Fishing Seats |                        |
|--|--|------------------------|
|  | Option 1                               | Option 2<br>Status Quo |
| Processors                                 | 2 voting                               | 2 voting               |
| Recreational Fishing                       | 0                                      | 2 voting               |
| Commercial Passenger Fishing Vessel (CPFV) | 0                                      | 1 voting               |
| Nongovernmental Organization (NGO)         | 2 non-voting                           | 2 non-voting           |
| Science/CA Sea Grant                       | 1 non-voting                           | 1 non-voting           |
| CDFW                                       | 2 non-voting                           | 2 non-voting           |
| <b>TOTAL Non-commercial Fishing Seats</b>  | <b>7</b>                               | <b>10</b>              |

### Key Considerations

As DCTF Members and the public review these options (and potentially develop alternative options), a number of key ideas and questions should be considered.

- *Composition*
  - The larger the DCTF gets, the more difficult it is for the group to be responsive to issues as they arise since it will be difficult to convene the group.
  - What is the incentive for sport, CPFV, and processing representatives to participate and attend meetings if they are non-voting seats?
- *Procedures*
  - Should there be term limits to elected representatives? Non-voting representatives?
  - How frequently should the body meet (both in-person and via conference call)?
  - How can Members be more effective in reaching their constituents?

### BACKGROUND

In the January 2017 report, the DCTF identified a number of components that will be important to clarify for any future industry-representative body including the purpose of the body, frequency of elections, and voting.

- **Purpose:** The DCTF identified the priorities of an industry-representative organization should be to inform fisheries management, be responsive to high profile and policy issues, serve as a conduit of information to/from the fleet to the Legislature, CDFW, and the Fish and Game Commission, 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.
- **Elections:** 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 among permitholders to ensure fresh perspectives are added to the body, while also maintaining institutional knowledge. Alternates would be requested to attend all meetings. The details of how elections will be carried out will be determined at a later date
- **DCTF Voting Structure:** The DCTF supports maintaining the 2/3 voting structure (where 2/3 of Members must agree for a recommendation to move forward) to ensure DCTF recommendations represent the majority of the body and not the views of a single management area.

A number of considerations still need to be addressed should the DCTF continue beyond 2019 including the composition of the body (including commercial fishing seats, along with sport/recreational fishing, commercial passenger fishing vessel (CPFV), processing, California Department of Fish and Wildlife (CDFW), science advisor(s), and other seats), the need for term limits, how elections will be carried out, etc. Below are suggestions that have been developed to-date regarding the composition of the DCTF. Suggestions for other components of the body or other options for the composition of the body are welcome and should be emailed to [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com) so they may be made available to the full DCTF for consideration.