

## MANAGEMENT PROPOSAL

### PROPOSAL:

The following describes a management proposal for the Dungeness crab (D. crab) fishery under a delay scenario in Districts 6 & 7. There are three elements to this proposal:

1) In the event of a delayed opening for any reason in the D. crab season in District 6 or 7, these Districts will be considered as one management zone. Any delay will continue until the cause of delay is resolved or until January 15, whichever comes first. Fishing will commence on January 16 in as much area as possible as determined by the Director of the California Department of Fish and Wildlife (CDFW), after consultation with industry representatives. 2) Initially the entire management zone will be afforded effort shift protection for thirty (30) days from any person or vessel that has previously fished D. crab during the current season in any other waters of California, Oregon or Washington. Furthermore, any area that remains delayed after January 15 will be afforded effort shift protection for thirty (30) days after that area(s) opens. Effort shift protection will expire thirty (30) days after the opening date of fishing in any delayed area(s), respectively. 3) Upon opening of any area, normal preset times will be afforded in advance of any opening date for that area.

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Background: During the past two seasons (2015-16 and 2016-17), the opening of the commercial D. crab season has been delayed due to elevated levels of domoic acid (DA) detected in crab viscera. Resource managers and public health officials have faced the unprecedented task of protecting the public health during these circumstances while attempting to provide for a viable commercial and sport fishery. Existing fishing regulations have often lacked the clarity needed by managers, resulting in confusion and frustration for industry and consumers alike. This Proposal offers a clear definition to managing delayed season openings in District 6 and 7. It is modeled after the Tri State Crab Committee protocol for preseason quality testing which has been an accepted managerial tool for more than two decades. The Proposal offers a broader application of Tri State protocol to events such as DA. This is intended to apply only to Districts 6 and 7 and would have no negative impact on the District 10 fishery. If suitable, features of this Proposal could be further adapted to the District 10 fishery.

Commentary: During the Executive Committee (EC) conference call of March 14, one EC member suggested that a "...simple solution..." would be to move the District 7 line south to Cape Mendocino. This would be neither "simple", as the process to make that adjustment is unclear, nor would it be a "solution" except possibly in a very narrowly defined incident. For any broader application, moving the District 7 line could prove futile. In the 2015-16 season, for example, the northern management zone opening was delayed until May 9, 2016 because of a DA problem near Trinidad. A District 7 line at Cape Mendocino would have provided no remedy for that incident and may have further complicated it. Future DA events that CDFW and the California Department of Public Health (CDPH) may have to address might occur near Ft. Bragg, Eel River, Trinidad, Crescent City or in Oregon state waters of Pelican Bay. Moving the District 7 line to Cape Mendocino would likewise offer no "solution" in any of these cases.

As evidenced during the past two seasons, the location where lines are drawn depends: 1) first priority is safety of the public health as determined by CDPH, 2) CDFW management considerations, including enforceability and fleet fishing patterns and 3) industry concerns. During the 2016-17 season, several lines have been drawn along the CA coast taking the aforementioned considerations into account. Almost without exception, these lines have not corresponded to district lines. It's reasonable to expect that if these circumstances continue into the future that shifting district lines is not the cure.

Adapting the Tri State protocol to delays other than soft shell issues will effectively clarify the managerial process throughout the northern management zone, provide clear and predictable direction to industry, and reestablish confidence in the marketplace. A return to some sense of normalcy, less chaos, reduced concentration of crab pots in small areas, dispersion of the fleet over a wider area and more stability for fishers, processors, consumers and managers are all achievable results by adopting this proposal.