



# ~California Dungeness Crab Task Force~

<http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

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**DCTF MEETING SUMMARY**  
**November 2-3, 2023**  
**Justice Joseph Rattigan Building**  
**50 D Street**  
**Santa Rosa, CA 95404**

The purpose of this meeting summary is to:

- Provide a high-level summary of discussions and outcomes from the November 2-3, 2023 Dungeness Crab Task Force (DCTF) meeting that took place at the Justice Joseph Rattigan Building at 50 D Street, Santa Rosa, California 95404; and
- Inform DCTF Members and the general public of the ongoing work of the DCTF.

A meeting voice recording is also available for 30 days following the meeting and can be obtained by emailing [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com).<sup>1</sup>

## *DCTF MEMBER ATTENDEES*

Steven Anello, Alternate for Tony Anello, Fort Bragg, Lower Production Level  
Geoff Bettencourt, Half Moon Bay, Upper Production Level (present-day 1)  
Dave Bitts, Alternate for Harrison Ibach Eureka, Lower Production Level  
William (Bill) Blue, South of Half Moon Bay, Upper Production Level  
Mike Cunningham, Eureka, Upper Production Level  
Tom Estes Jr, Fort Bragg, Upper Production Level  
Scott Hockett, Noyo Fish Company, Processor  
Jenn Humberstone, Alternate for Kate Kauer, The Nature Conservancy, Nongovernmental Organization  
Christy Juhasz, California Department. of Fish & Wildlife  
Asst. Chief Eric Kord, California Department of Fish & Wildlife  
Nick Krieger, San Francisco, Lower Production Level  
Brian Nolte, Nonresident  
Tim Obert, South of Half Moon Bay, Lower production Level  
Dick Ogg, Bodega Bay, Upper Production Level  
Jerry Pemberton, Alternative for Jim Anderson, Half Moon Bay, Lower Production Level  
Vito Pomelia, Alternate for Randy Smith, Crescent City, Production Level Not Specified  
Rick Powers, Commercial Passenger Fishing Vessel  
Zach Rotwein, Trinidad, Production Level Not Specified\*  
Andrew "Boomer" Schlafer, Alternate for Tony Cannia, Fort Bragg, Lower Production Level  
Fred Soares, Crescent City, Lower Production Level  
Ross Taylor, Humboldt Area Saltwater Anglers, Sport Fishing  
Troy Wakefield, Crescent City, Upper Production Level

\*Not-specified production level seats represent both the lower and upper production levels.

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<sup>1</sup> The meeting is recorded and will be erased after 30 days in accordance with the Bagley-Keene Open Meetings Act.

**ABSENT**

Mark Capra, Coastside Fishing Club, Recreational  
Joe Cincotta, Pacific Choice, Processor  
Holly Fruehling, San Francisco Lower  
Shauna Oh, California Sea Grant

Vacant seat, Nongovernmental Organization

**CA DEPARTMENT OF FISH AND WILDLIFE**

Ryan Bartling, California Department of Fish & Wildlife  
Cpt. Brent Chase, California Department of Fish & Wildlife  
Joanna Grebel, California Department of Fish & Wildlife  
Lt. Specialist Tiffany Wolvek, California Department of Fish & Wildlife

**DCTF ADMINISTRATIVE TEAM PRESENT**

Rachelle Fisher, Strategic Earth Consulting  
Kelly Sayce, Strategic Earth Consulting  
Scarlett Schroeder, Strategic Earth Consulting

*1. Welcome, introductions, agenda review*

The Admin Team walked through the agenda, meeting agreements, and voting procedures. [Procedures for public comment](#) and participation were also reviewed.

*2. Public comment on non-agenda items*

- No public comment was received.

*3. Review and confirm the updated Charter*

The DCTF Charter was briefly discussed and updated to reflect membership and voting changes in light of the recent elections and new membership. The Admin Team reviewed the changes, which included:

- Per the results of the 2023 port elections, the following Members were added to the charter: Brian Nolte, Non-Resident, Production Level Not Specified; Harrison Ibach, Eureka, Lower Production Level; Mike Cunningham, Eureka, Upper Production Level; Tony Anello, Bodega Bay, Lower Production Level; Dick Ogg, Bodega Bay, Upper Production Level; Jerry Pemberton, Half Moon Bay, Lower Production Level; Geoff Bettencourt, Half Moon Bay, Upper Production Level.
- The membership roster has been updated to reflect replacements until the 2025 election. As outlined in Section 3.2 of the Charter, if an elected commercial Member steps down, an Alternate will replace that seat until the next election.

DCTF Members discussed elements of the charter:

### *Vacant Seats*

A DCTF Member asked about the process and timeline to fill the vacant NGO seat. The Ocean Protection Council (OPC) is responsible for appointing members to the DCTF, and it is anticipated that the seat will remain open until OPC initiates a new appointment process. The timing of that process is unclear. A DCTF member requested that an organization representing the fishing community fill the vacant non-voting nongovernmental organization seat.

### *Alternates*

A DCTF Member clarified that DCTF members can appoint their alternates if they are from the same port and production level. Alternates can be updated from meeting to meeting or remain the same across someone's term, but they must be confirmed by the Administrative Team (CDFW, OPC, and Strategic Earth) in advance of the meeting.

### *Purpose of non-voting members*

Non-voting Members act as advisors to support and inform DCTF conversation based on their background and expertise.

### *Executive Committee*

The DCTF agreed that the makeup of the Executive Committee (EC) (with half the Members representing northern ports and the other half representing southern ports) should be maintained, and new Members should not be added at this time.

Public comment was taken on the topic at hand.

- No public comment was received.

**Administrative Vote:** Consideration and possible adoption of updated Charter, including updated Executive Committee Membership.

**APPROVED:** The DCTF adopts the 2023 DCTF Charter. The DCTF recommends adjusting the membership of the Executive Committee. The new Executive Committee members will be Geoff Bettencourt, Bill Blue, Mike Cunningham, Dick Ogg, Zach Rotwein, Randy Smith, and Troy Wakefield.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
17	2	0	0	3

*Vote of all DCTF Members, including ex officio Members:*

Thumbs up (17): Steve Anello, Geoff Bettencourt, Bill Blue, Mike Cunningham, Tom Estes Jr., Scott Hockett, Brian Nolte, Tim Obert, Dick Ogg, Jerry Pemberton, Vito Pomelia, Rick Powers, Zach Rotwein, Andrew "Boomer" Schlafer, Fred Soares, Ross Taylor, Troy Wakefield

Thumbs sideways (2): Dave Bitts, Nick Krieger

Thumbs down (0)

Abstain (0)

Absent (3): Mark Capra, Joe Cincotta, Holly Fruehling

4. Receive updates and discuss California Dungeness crab fishery topics including, but not limited to, California's preseason quality and domoic acid testing, 2022-23 season landings, bi-weekly reporting requirements, the Lost Fishing Gear Recovery Program, Senate Bill 500, progress on previous DCTF recommendations, etc.

Christy Juhasz, CDFW Marine Region, gave a presentation to provide [updates on various aspects of the California Dungeness crab fishery](#). The Admin Team provided updates on the status of the previous year's DCTF legislative recommendations.

DCTF Members discussed elements of the presentation and updates:

#### *Electronic Monitoring*

- DCTF Members requested clarification on whether they would be required to use the free Archipelago units from CDFW or if they could use other devices to satisfy the electronic monitoring requirement. CDFW clarified that commercial fishermen could use a range of electronic monitoring units for the 2023-24 fishing season, as outlined in [recently released FAQs](#). The free Archipelago units were a way to help the fleet meet the electronic monitoring requirements of the Risk Assessment and Mitigation Program (RAMP) this season. There are enough Archipelago devices for the entire active commercial Dungeness crab fleet to receive a free unit. Each device is accompanied by at least one free month of a subscription service during the 2023-24 season to test and provide feedback to CDFW. Additionally, the Archipelago units come with hydraulic sensors that are not required for the 2023-24 season but are being explored for future iterations of RAMP. CDFW encouraged those receiving the Archipelago units to test the hydraulic sensors. The intent of the electronic monitoring units, and potentially the hydraulic sensors, is to identify the overlap between fishing activity and whale presence to mitigate entanglements.
- Some DCTF Members expressed concerns about the Archipelago unit, especially because it isn't waterproof and may not work on vessels of all sizes. Other DCTF Members expressed gratitude that CDFW is helping to offset the costs of RAMP's electronic monitoring requirement. Various DCTF Members requested specifics about the Archipelago units related to transition, operation, overlap with other states, etc. CDFW explained that they are working with the company to set up a monthly, seasonal, or annual subscription service. They anticipate the season service will cost \$300 per sensor. CDFW has funding for one free season of service during the 2023-24 season. Units will use cellular transmission when available and will retain the data when service is limited, then transmit once a connection is achieved. Users can access the data from their units via an online portal, which will also confirm that their unit is sending data transmissions properly. CDFW shared that the device will only need to be on when the boat is fishing commercial Dungeness crab and can be turned off when folks are not actively fishing Dungeness crab. With respect to electronic monitoring units in other states and fisheries, CDFW explained that they are investigating how to reduce the need for multiple units and are working with Oregon and Washington on these efforts. They confirmed that Washington is also using the Archipelago units.

### *Bi-weekly Reporting*

- A DCTF Member asked if the bi-weekly reporting requirement would be eliminated once the electronic monitoring regulations are enacted. CDFW clarified that electronic monitoring would complement the bi-weekly reporting and help provide greater insight into the fleet dynamics, including how many vessels are fishing at any given time. DCTF Members asked if they could report the number of lost traps during the season through the bi-weekly reports. Yes, CDFW suggested including any lost gear information in the reports (e.g., lost tags, lost traps, broken tags). Commercial Dungeness crab permit holders may provide their reports by email or text. To receive automatic text reminders about submitting reports, email Christy Juhasz at [Christy.Juhasz@wildlife.ca.gov](mailto:Christy.Juhasz@wildlife.ca.gov) and provide your cell phone number and cell phone service provider.

### *Buoy Tags*

- DCTF Members expressed concern about the poor quality of the 2023-25 buoy tags and shared that they expect a high loss of buoy tags during the 2023-24 season. They expressed concern that the cost of the buoy tags has remained consistent while quality has greatly decreased. DCTF Members requested that CDFW provide an accounting of the Dungeness Crab Account to clarify how the fees from buoy tags and biennial permit fees are being spent. CDFW is investigating this issue and while new tags will not be issued in advance of the 2023-24 fishing season, CDFW is currently working to resolve the issue for future seasons. Excessive issues with buoy tags should be reported to Joanna Grebel at [joanna.grebel@wildlife.ca.gov](mailto:joanna.grebel@wildlife.ca.gov) or by calling or texting 831-601-2279.

Public comment was taken on the topic at hand.

- Barry Day, a commercial fisherman, requested that CDFW utilize the fees collected from the buoy tag to pay for California's electronic monitoring mandate. He expressed concern that similar to other states, there would not be enough Archipelago units for all California commercial fishermen.

**ACTION:** Consideration and possible recommendations related to CDFW updates, which may include, but will not be limited to, requests for information or other management measure recommendations.

**APPROVED:** The DCTF unanimously recommends CDFW reissue the 2023-25 biennial commercial Dungeness crab buoy tags as soon as reasonably possible. The DCTF is concerned about the poor quality (i.e., brittle, easily breakable) of the buoy tags that CDFW requires to be used during the 2023-24 and 2024-25 commercial Dungeness crab fishing seasons. To avoid extensive and widespread breakage and loss of buoy tags during 2023-24 the commercial Dungeness crab fishing season, the DCTF recommends CDFW issue replacement tags that adhere to the quality standards that are the same or better as buoy tags issued by CDFW during the 2021-23 biennial periods and prior. The costs of replacing the tags should not be the responsibility of the fleet, and CDFW may need to consider the process of issuing new tags.

The DCTF recommends that any future purchasing of buoy tags by CDFW reflect the same or better quality as the tags provided to the commercial Dungeness crab fleet prior to the 2023-25 biennial period. Buoy tags should be flexible to avoid being easily breakable and UV-resistant. The DCTF recommends CDFW purchase buoy tags made in the United States of America.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
18	0	0	0	3

*Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):*

Thumbs up (18): Steve Anello, Geoff Bettencourt, Dave Bitts, Bill Blue, Mike Cunningham, Tom Estes Jr., Scott Hockett, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Jerry Pemberton, Vito Pomelia, Rick Powers, Zach Rotwein, Andrew “Boomer” Schlafer, Fred Soares, Troy Wakefield

Thumbs sideways (0)

Thumbs down (0)

Abstain (0)

Absent (3): Mark Capra, Joe Cincotta, Holly Fruehling

The DCTF discussed the [Trap Gear Retrieval Program](#) and continued concerns about the ability for all vessels to retrieve lost and derelict gear. At the [DCTF’s October 2022 meeting](#), they made a [recommendation reflective of this concern](#) (see Recommendation 1).

- DCTF Members agreed that most fishermen are interested in retrieving lost gear after the season, and some have done that informally, while others have participated in the Trap Gear Retrieval Program. They further explained that there is less incentive to go far offshore to locations in the 40-60 fathom range to retrieve sparse gear. Some Members suggested that increasing the price for each trap recovered, especially in the late summer/early fall, as part of the Trap Gear Retrieval Program would help ameliorate this issue. DCTF Members agreed that the Trap Gear Retrieval Program needed to be less administratively burdensome and explained that some ports do not participate for that reason. Those participating in the program need to pay a coordinator to be the port operator. Others explained that vessels participating in the Trap Gear Retrieval Program are often harassed by those buying back their gear, arguing about property rights. DCTF Members expressed that permit holders are less concerned about the ramifications of the Trap Gear Retrieval Program, and there is an increase in derelict gear in the ocean. CDFW clarified that the port operators, as part of the Trap Gear Retrieval Program, are responsible for setting the price per trap retrieved, and price increases should be explored with those individuals. CDFW acknowledged the increase in derelict/lost gear after the 2022-23 season and explained that they are pursuing prosecution for offenders. CDFW acknowledged the importance of retrieving lost and derelict gear and stated that they are adding a section in the conservation plan that could potentially reward the fleet for recovering lost gear and attempting to reduce whale entanglements.
- A DCTF Member expressed interest from their port to retrieve lost and derelict gear outside the Trap Gear Retrieval Program to promote gear recovery, especially in those ports without a Trap Gear Retrieval Program permit. Various Members stated that most commercial fishermen are unaware they can pull lost and derelict commercial Dungeness crab gear outside the commercial fishing season.
- A couple of DCTF Members stated that a tracking app should be developed to coordinate fleet-wide efforts to identify the locations of lost and derelict gear, including which gear has been recovered. The Nature Conservancy acknowledged they worked with port coordinators as part of the Trap Gear Retrieval Program to develop an app to assist the port in tracking gear. The app can be made available to anyone who records the locations of lost and derelict gear upon request. Please reach out to Jenn Humberston at The Nature Conservancy ([jenn.humberstone@tnc.org](mailto:jenn.humberstone@tnc.org)) if you are interested in exploring an app to track lost and derelict gear.



- Commercial Dungeness crab fishermen can pull up to 6 untagged, lost, or derelict traps during the commercial fishing season and unlimited gear from July 16 until October 31. DCTF Members discussed increasing the number of traps allowed to be recovered in season, with some supportive and some in opposition. Members argued that allowing more traps could encourage commercial fishermen to fish outside their trap allocation. Others argued it would encourage recovery of more lost gear during the season.
- DCTF Members would like anyone to be able to pull lost gear out of the ocean. CDFW explained that only permitted commercial Dungeness crab fisherman could pull commercial Dungeness crab fishing gear. Additionally, recreational gear may only be pulled by operators of that gear. Allowing anyone to pull the gear would require regulatory changes through the Fish and Game Commission.
- DCTF Members would like commercial fishermen to be able to retrieve lost and derelict gear as soon as the commercial fishing season closes rather than on or after July 16 as is currently permitted in regulation. This would allow the fleet to get unfished gear out of the ocean as soon as possible to reduce the chance of whale entanglements.

Public comment was taken on the topic at hand.

- Barry Day, a commercial fisherman, said he brings back lost gear often and simply leaves the traps on the dock for the owner to pick up. He would like to know if his efforts could be coordinated and integrated into the Trap Gear Retrieval Program.
- Jameson Buffmire, CalChip Connect, requested clarification on the Trap Gear Retrieval Program rules around whether other commercial fisheries are allowed to participate. CDFW explained that the program is specific to commercial Dungeness crab, and other commercial fisheries are not allowed to collect Dungeness crab gear. Jameson said he would like to help by reporting derelict gear locations via an app or other reporting methods.

**ACTION:** Consideration and possible recommendations related to CDFW updates, which may include, but will not be limited to, requests for information or other management measure recommendations.

**APPROVED:** The DCTF unanimously reaffirms their recommendation from October 2022:

The Trap Gear Retrieval Program (§132.7, Title 14, California Code of Regulations (CCR)) has been identified as an important tool in the RAMP and CDFW's draft Conservation Plan to help reduce the risk of marine life entanglements by the commercial Dungeness crab fishery. The DCTF sees tremendous value in the continued implementation of this program and would like to see improvements made to the program to clean up the ocean and help address issues with known and unknown sources of entanglements in fishing gear.

Port coordinators and fishermen permitted under the program have flagged several challenges preventing the program's widespread, consistent application throughout the state. The DCTF recommends that CDFW work with port coordinators to amend regulations and address the identified issues to make the program more effective and less administratively burdensome.

Although regulations do not currently allow it, the DCTF supports amending the Fish and Game code and other regulations to allow anyone (e.g., commercial and recreational fishermen, Commercial Passenger Fishing Vessel operators (CPFV), whale watch boats) to remove lost Dungeness crab fishing gear outside the Dungeness crab fishing season.

Building on last year’s recommendation, the DCTF recommends members of the Commercial Passenger Fishing Vessel (CPFV) fleet and CDFW work with the Fish and Game Commission to address this recommendation by creating pathways that allow anyone (e.g., commercial, recreational, CPFV, whale watch operators, and others) to retrieve lost fishing gear from the ocean.

Additionally, the DCTF recommends CDFW allow the commercial fishing fleet to retrieve gear when the commercial fishing season closes through October 31.

To better support the tracking of lost fishing gear in the ocean, the DCTF recommends recreational and commercial fishermen work with The Nature Conservancy to develop and implement an app that is accessible to the entire fleet that identifies the location of lost, abandoned traps and tracks the status of their recovery to those coordinating gear recovery as part of the CDFW Trap Gear Retrieval Program.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
17	0	0	0	4

*Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):*

Thumbs up (17): Steve Anello, Dave Bitts, Bill Blue, Mike Cunningham, Tom Estes, Scott Hackett, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Jerry Pemberton, Vito Pomelia, Rick Powers, Zach Rotwein, Andrew “Boomer” Schlafer, Fred Soares, Troy Wakefield

Thumbs sideways (0)

Thumbs down (0)

Abstain (0)

Absent (4): Geoff Bettencourt, Mark Capra, Joe Cincotta, Holly Fruehling

*5. Revisit the Executive Committee discussion to address concerns around allowing Dungeness crab fishing prior to the fall under an Experimental Fishing Permit or as may be allowed through the RAMP program.*

During the [May 25, 2023](#), and [July 13, 2023](#) EC meetings, EC Members expressed concern about allowing individuals to fish prior to the start of the season with anything other than traditional gear. CDFW clarified that current regulations do not allow the use of any alternative or nontraditional fishing gear outside of the spring fishery, except, potentially, with the use of an Experimental Fishing Permit (EFP). EFPs are a means to test the alternative gear before it is allowed for widespread use. This allows fisheries managers to assess the fishability, efficacy, and safety of the gear.

DCTF Members asked clarifying questions about fishing with nontraditional gear and fishing under an EFP:

- Multiple DCTF Members expressed that they would not like any EFP to contain provisions that allow the vessels under the permit to land crab before the start of the traditional season. They also think vessels operating under an EFP should not be allowed to land crab and that their expenses should be paid for by the gear manufacturer whose gear is being tested. CDFW responded that to date, EFPs for the Dungeness crab fishery have been approved only for the spring fishery and after the season closes for traditional gear. The permits are issued by the Fish and Game Commission, who will decide what regulations to exempt the vessels under the permit from. Under an EFP, Dungeness crab can be landed as an incentive for testing.



- Some DCTF Members expressed support for non-traditional gear, specifically hoop nets, in the fall fishery to meet the Thanksgiving and Christmas market demand when entanglement risk is deemed elevated by the RAMP. They argued that if the sport fishery was allowed to use hoop nets, the commercial fishery should too. Other DCTF Members disagreed and believed that only traditional gear should be used at the start of the season. If people want to test EFPs or alternative gear, they should do it in the spring when the bulk of the productive season is over and when there are still whales in the water. If the tested gear entangles a whale, it won't result in an early commercial season closure. Additionally, since whales often get entangled in the spring when their gear is sparser and tended less often, the efficacy of this gear will be tested in the spring. CDFW stated that barring an EFP, regulatory changes would need to occur to allow commercial fishing with any nontraditional fishing gear, including hoop nets, in the fall.
- The DCTF discussed how to participate in an EFP. CDFW recommended that anyone who may be interested in testing alternative gear or gear configurations to consult with CDFW and apply for an EFP. They explained that EFP applications could be combined so there would only be one permit fee and a testing manager. Anyone interested in testing the gear would need to have their name on the permit. Once an alternative gear type is certified for use under RAMP, anyone interested in fishing with that gear type would be allowed to do so during the spring, if the season closes due to whale entanglements. CDFW explained that no alternative gear has been certified under RAMP and needs to be tested through the EFP process.

Public comment was taken on the topic at hand.

- No public comment was received.

**ACTION:** Consideration and possible recommendation(s) to state regulators to prohibit fishing for Dungeness crab prior to the commercial fishing season opener regardless of gear being used.

**APPROVED:** The DCTF does not support, under any circumstances, commercial Dungeness crab fishing in the fall before the legal commercial crab opener with the use of alternative or non-traditional Dungeness crab trap gear. The commercial fishery should only open once traditional fishing gear, as defined in FGC §9006 and §9011, may be used.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
15	2	0	1	3

*Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):*

Thumbs up (15): Geoff Bettencourt, Dave Bitts, Bill Blue, Mike Cunningham, Tom Estes Jr., Scott Hockett, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Jerry Pemberton, Zach Rotwein, Andrew “Boomer” Schlafer, Fred Soares, Troy Wakefield

Thumbs sideways (2): Steve Anello, Vito Pomelia

Thumbs down (0)

Abstain (1): Rick Powers

Absent (3): Mark Capra, Joe Cincotta, Holly Fruehling

6. *Presentation and discussion on the status of RAMP, Conservation Plan development, and other entanglement-related updates in the California Dungeness crab fishery. May also include updates and updates on the commercial Dungeness crab fishery's electronic monitoring program, the state's efforts to implement gear marking to improve identification of the sources of marine life entanglements, Whales Best Practices Guide, fishing options when risk is elevated, gear reduction, etc.*

Ryan Bartling, CDFW Marine Region, [gave a presentation](#) on several marine life entanglement topics, including RAMP and the implications for the 2023-24 fishing season, the state's efforts to implement gear marking, Whales Best Practices Guide, fishing options when entanglement risk is elevated, etc. A DCTF Member also provided an update on the results of the industry-led surveys performed in the North Coast that will be used to inform the next RAMP risk assessment. DCTF Members asked clarifying questions and discussed various aspects of the presentations.

### *Risk Assessments*

- DCTF Members asked questions about the frequency of flight-based whale surveys (aerial surveys) and clarity on the calculation of running average entanglement scores (impact scores). CDFW said aerial surveys are weather-dependent and are intended to be performed every two weeks prior to and during the season. Impact scores are based on an average across the three prior calendar years. The intent is to move away from impact scoring once amendments are made to RAMP (i.e., RAMP 2.0). RAMP will still contain entanglement thresholds that may close the season early or require consultation with the National Marine Fisheries Service (NMFS) to determine when the season could open. Since the triggers for action are so low and whale populations are continuing to increase, DCTF Members asked when the California Dungeness crab fishery triggers could increase. CDFW directed the discussion to NMFS for further guidance.

### *Dungeness Crab Fishing Gear Working Group*

- A DCTF Member requested increased transparency for information sharing between the [Dungeness Crab Fishing Gear Working Group](#) (Working Group) and the Dungeness crab fleet. CDFW stated that information shared with the Working Group is on the [Whale Safe Fisheries website](#) and the Working Group Members are encouraged to share information with their networks.

### *RAMP Management Tool, Gear Reduction*

- To allow the Central Management Area to open sooner for commercial Dungeness crab fishing during the 2022-23 season, a 50% gear reduction was implemented in the area. Multiple DCTF Members shared that they supported that effort and would be open to another 50% gear reduction in the future in the Central Management Area if it would allow the season to open sooner, especially to service the holiday markets. That being said, these Members explained that any less than 50% would not be workable for their businesses. Many Members agreed that gear reductions should also consider effort shifts such that opening under a gear reduction doesn't have adverse impacts when entanglement risk may be elevated. CDFW stated that gear reduction would only be used on a case-by-case basis when whale populations were decreasing. Many DCTF Members argued that allowing the Central Management Area to open under a gear reduction would put other areas of the state at risk for closure if whales are entangled during that time.

## *RAMP Management Tool, Modified Trap Servicing*

- CDFW is considering including “modified trap servicing” in the RAMP toolbox whereby fishing would only be allowed during daylight hours and all gear would be removed from the ocean at night. This tool may allow the fishery to open earlier to access the holiday markets. Fishermen would either be allowed to use a specified number of traps or as many traps as that vessel can safely transport. Multiple DCTF Members were not supportive of the “modified trap servicing” during the fall opener due to safety concerns whereby fishermen will fish in dangerous conditions. They also questioned the ability to enforce compliance if the weather quickly turned and fishermen could not retrieve gear before dusk. One DCTF Member said the “modified trap servicing” was akin to fishing with hoop nets.

The DCTF took two straw polls to assess the level of agreement around RAMP management tools (i.e., gear reduction and modified trap servicing) when entanglement risk is elevated.

*Straw Poll: The DCTF supports the addition of “modified trap servicing” (day fishing) for the fall. The DCTF recommends 40 traps with sunup/down intervals. (1 up, 1 sideways, 13 down, 0 abstain)*

*Straw Poll: The DCTF recommends CDFW continue to utilize gear reduction at the start of the season under RAMP to allow fishing more expeditiously in the fall. The DCTF believes the fleet could still fish effectively if fishing max of 50% or lower fewer traps within their allocation for CMA. (11 up, 2 sideways, 2 down, 0 abstain)*

Neither straw poll had broad support and the DCTF chose not to go to a final vote.

Public comment was taken on the topic at hand.

- Barry Day, a commercial fisherman, did not support the concept of the “modified trap servicing” tool because it would result in dangerous fishing conditions at the beginning of the season. He explained that fishermen would leave port with a full load and come back with a full load causing many to push their limits to the extreme.

## *Line Marking*

- To aid in the identification of the source of whale entanglements, state and federal managers are looking for more extensive gear marking beyond buoy markings and trap tags. The intention is for fishing line to have more distinct markings. CDFW explained that if line marking of surface gear (the lines between the main buoy and trailer buoys) is implemented fleetwide, then the commercial Dungeness crab fishery will no longer be penalized for unidentified sources of entanglements under RAMP (line marking phase 1). However, to receive an incidental take permit, phase 2 will be needed; the fleet will need to mark the top 15-20 fathoms of line, at minimum, in addition to all surface gear. While it will help the commercial Dungeness crab fishery to receive an incidental take permit, it is unclear if NMFS would continue penalizing the Dungeness crab fleet for unknown sources of entanglement. The CDFW Law Enforcement Division would need to work with other fisheries and Tribal nations to ensure California commercial Dungeness crab line colors are not used in other fisheries. CDFW stated that Dungeness crab is the first of many fisheries that will implement line marking. DCTF Members discussed the topic at hand, including different scenarios.

- Some commercial fishermen fish shallow and do not use surface gear. CDFW responded that those individuals would not need to do anything further to be in compliance with RAMP 2.0. However, they would still need to mark below the surface to be in compliance with phase 2.
- A DCTF Member asked about what was considered acceptable line marking. CDFW responded that updating the existing line with paint and taping was sufficient to meet the requirements and new manufactured line could also be purchased. Members discussed working with manufacturers to develop compliant purple and black lines in various diameters and also mentioned concerns about price gouging by manufacturers if line marking becomes a requirement. A DCTF Member expressed concern about the cost of line marking and suggested the fleet be required to paint the buoys since buoys are often observed in entanglements. CDFW stated that fishermen may mark their buoys in addition to their lines if they like, but line marking is non-negotiable to receive an incidental take permit. Various DCTF Members estimated that it could cost around \$38 million to replace all the lines in the fleet and pay for labor to help with this transition. CDFW mentioned there are possibilities for financial support to aid in the line marking transitions. Since line marking does nothing to mitigate whale entanglements, DCTF Members expressed that the cost-benefit of line marking was disproportionately negative.
- DCTF Members discussed how line marking might impact the different ways they fish, including different lengths of shots, fishing in multiple states, etc. Some Members who fished in shallow water stated they could not comply with the 15-20 fathoms requirement because they fish in 15 fathoms or less and need to mark the bottom 5 fathoms in red to indicate when the trap is getting near the block. DCTF Members agreed they could easily implement line marking in the surface gear quickly to eliminate the penalties for unknown entanglements in the 2024-25 season. However, they do not support phase 2 of line marking since they do not believe there is a line marking option that would work for all fishing operations.
- Data from NMFS shows that California commercial Dungeness crab gear has accounted for only 3-31% of known West Coast entanglements since 2015. A DCTF Member highlighted that whale population surveys from 2021 show a large increase in whale populations. This demonstrates that the actions of the California commercial Dungeness crab fleet have positively impacted whales, and the fleet should not be penalized further through expensive line marking. Some DCTF Members agreed that the industry can not continue to entangle whales but should be given credit that the measures over the last few years have resulted in positive results for whale populations.
- A DCTF Member suggested a study to determine what type of line or line profile was less or more likely to entangle a whale prior to requiring the fleet to purchase new lines. Another DCTF Member responded by saying that in studies they'd participated in, neutral buoyancy was better because of the subsurface line profile. He explained that sinking lines with leads caused loops underwater and provided the most dangerous conditions for entanglements. The Admin team acknowledged that the updated [Best Practices Guide for Avoiding Marine Life Entanglement in the Dungeness Crab Fishery](#) recommends reducing slack, lines, and leads. CDFW does not intend to require the use of particular lines at this time, only line colors and marking.

The DCTF took a non-binding straw poll to assess the level of agreement around phase 2 of line marking.

*Straw Poll: The DCTF believes that line marking for the top 15-20 fathoms - what the DCTF understands is a requirement by NMFS for an Incidental Take Permit (ITP) - is not compatible with the current fishing practices most commercial fishermen use. The DCTF recommends*

*NMFS share research identifying the cost benefit of this type of extensive line-marking as justification for this financial burden on the fleet.*

*If NMFS continues to push this requirement, the DCTF recommends identifying funding from NMFS, OPC, the Legislature, etc. between \$9M-\$32M to make it possible for the commercial fleet to make this burdensome change. The fleet will need a 5-year minimum to make the transition. Unknowns need to be removed during the transition period and after. (2 up, 13 sideways, 0 down, 0 abstain) - Pass*

Public comment was taken on the topic at hand.

- Jameson Buffmire, commercial fisherman and CalChip Connect, stated that replacing all lines has huge environmental consequences. As a result of losing a lot of recreational crab gear, he developed a GPS long-range tracker and welcomed insight from the industry if this startup could help to better manage the fishery by tracking traps. If folks are interested in collaborating for a free pilot sample that will allow them to always track where their buoys are, please contact him or go to [buoy.fish](http://buoy.fish).
- Barry Day, a commercial fisherman, questioned the validity of previous entanglement forensic analyses since federal and state managers are requesting the fleet to better mark their lines. He shared concerns about how individual fishermen may struggle to implement line marking and suggested it may take 10 years for the fleet to fully implement phase 2 of line marking. Mr. Day highlighted that it would be expensive for the fleet to change all of their lines and it would be catastrophic if NMFS required line marking to look different once the fleet already implemented it.

**ACTION:** Consideration and possible recommendations regarding line marking including guidance on phasing, timing needed for the fleet to implement it, and funding

**APPROVED:** The DCTF recommends the full commercial Dungeness crab fleet mark surface lines between the main buoy and the trailer buoy(s) (as defined in §132.6 to Title 14, CCR) by the start of the 2024-25 fishing season. This action will reduce the number of unidentified sources of marine life entanglements and proactively respond to CDFW’s anticipated rulemaking to update the RAMP regulations. The DCTF recommends using new lines and/or lower-cost options (e.g., painting or taping existing lines) with markings as defined by CDFW guidelines. The DCTF recommends the state of California identify and allocate resources to cover the cost of materials and labor to support fishermen with this transition.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
15	2	0	0	4

*Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):*

Thumbs up (15): Steven Anello, Dave Bitts, Bill Blue, Michael Cunningham, Tom Estes Jr., Scott Hockett, Brian Nolte, Tim Obert, Dick Ogg, Jerry Pemberton, Rick Powers, Zach Rotwein, Andrew “Boomer” Schlafer, Fred Soares, Troy Wakefield

Thumbs sideways (2): Nick Krieger, Vito Pomelia

Thumbs down (0)

Abstain (0)

Absent (4): Geoff Bettencourt, Mark Capra, Joe Cincotta, Holly Fruehling

**APPROVED:** The DCTF acknowledges CDFW is pursuing a requirement that all commercial Dungeness crab gear be marked in the top 15-20 fathoms based on guidance from the National

Marine Fisheries Service (NMFS). The DCTF understands NMFS has deemed this extensive line marking as a requirement to receive an ITP. However, the DCTF completely opposes this gear marking proposal as it is not financially and logistically feasible to implement with the current fishing practices, nor does the DCTF believe this action will reduce entanglement risk. The DCTF requires NMFS to share research identifying the cost-benefit of this type of extensive line-marking as justification for this financial burden on the fleet.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
13	2	0	0	6

*Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):*

Thumbs up (13): Steven Anello, Dave Bitts, Bill Blue, Michael Cunningham, Tom Estes Jr., Brian Nolte, Tim Obert, Dick Ogg, Jerry Pemberton, Vito Pomelia, Zach Rotwein, Andrew “Boomer” Schlafer, Fred Soares

Thumbs sideways (2): Nick Krieger, Troy Wakefield

Thumbs down (0)

Abstain (0)

Absent (6): Geoff Bettencourt, Mark Capra, Joe Cincotta, Holly Fruehling, Scott Hockett, Rick Powers

**APPROVED:** If the commercial Dungeness crab fleet is required to mark the top 15-20 fathoms of all trap lines according to regulatory guidelines, the DCTF recommends funding be provided from NMFS, the Ocean Protection Council (OPC), the Legislature, and/or others to offset the financial burdens to the fleet. Full funding for this undertaking is anticipated to cost \$32M, and a minimum of five years will be needed for the commercial fleet to make this burdensome transition. The DCTF requests that during this transition period and after, the California commercial Dungeness crab fishery is no longer penalized for unknown sources of entanglement as part of their ITP.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
11	4	0	0	6

*Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):*

Thumbs up (11): Steven Anello, Dave Bitts, Michael Cunningham, Tom Estes Jr., Tim Obert, Dick Ogg, Jerry Pemberton, Vito Pomelia, Andrew “Boomer” Schlafer, Fred Soares, Troy Wakefield

Thumbs sideways (4): Bill Blue, Nick Krieger, Brian Nolte, Zach Rotwein

Thumbs down (0)

Abstain (0)

Absent (6): Geoff Bettencourt, Mark Capra, Joe Cincotta, Holly Fruehling, Scott Hockett, Rick Powers

### Take Reduction Team

NMFS is in the process of soliciting public comment on establishing a [Marine Mammal Take Reduction Team](#) (TRT) to address the incidental mortality and serious injury to Humpback whale stocks in the Pacific. [Public comment will be open](#) until November 28, 2023. NMFS is exploring the possibility of including California Dungeness crab in the TRT, which may help California Dungeness crab receive an incidental take permit more simply. The admin team acknowledged that in 2015, a TRT was considered for the Dungeness crab fishery, but the Working Group resulted instead. A TRT would function



differently than the Working Group and the composition of the group would vary from the Working Group.

- Multiple DCTF Members felt a TRT for commercial Dungeness crab should be avoided. They acknowledged that the 2015-16 fishing season was the worst season and entanglements have reduced since. CDFW flagged that NMFS was considering recategorizing the Dungeness crab fishery from a Category 2 fishery to a Category 1 as a result of their history of whale entanglements. This categorization requires a TRT and NMFS may be more inclined to include Dungeness crab in the TRT if it was elevated to a Category 1 fishery since Category 1 fisheries are prioritized for TRTs.
- DCTF Members highlighted the confusion and uncertainty of how inclusion in the sablefish TRT would impact management triggers, the ability to obtain an incidental take permit, etc.

Public comment was taken on the topic at hand.

- Barry Day, a commercial fisherman, explained that the Dungeness crab fishery’s allowable take is so low that there is none to share with the sablefish fishery.

**ACTION:** Consideration and possible adoption of recommendations related to marine life entanglements and mitigation efforts in California in the Dungeness crab fishery including, but not limited to, recommendations related to RAMP, Whales Best Practices Guide, management tools to mitigate increased entanglement risk, monitoring, etc.

**APPROVED:** The DCTF is vehemently against including Dungeness crab in any NMFS take reduction team (TRT), including the anticipated TRT in the sablefish fishery, and should be avoided at all costs. The Dungeness crab industry has invested copious amounts of time, energy, and money to mitigate entanglements originating from the California Dungeness crab fishery, resulting in significant entanglement decreases since 2016. The Dungeness Crab Fishing Gear Working Group and CDFW actively monitor and respond to elevated entanglement risk, and the RAMP is arguably the functional equivalent of a TRT’s outcome.

The California Dungeness crab fishery remains committed to supporting thriving whale populations along the West Coast and a thriving and profitable Dungeness crab fishery. The DCTF believes a TRT would dismantle the RAMP and progress made by the industry, state, and other partners in reducing entanglements over the last seven years. There is too much uncertainty regarding how a TRT involving other fisheries would affect an ITP for Dungeness crab (i.e., allowable take, triggers for management action, etc.). This Dungeness crab fishery cannot withstand further reductions in fishing opportunities or economic hardships, which have been profound since 2016.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
18	0	0	0	3

*Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):*  
Thumbs up (18): Steven Anello, Geoff Bettencourt, Dave Bitts, Bill Blue, Michael Cunningham, Tom Estes Jr., Scott Hockett, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Jerry Pemberton, Vito Pomelia, Rick Powers, Zach Rotwein, Andrew “Boomer” Schlafer, Fred Soares, Troy Wakefield  
Thumbs sideways (0)  
Thumbs down (0)

Abstain (0)

Absent (3): Mark Capra, Joe Cincotta, Holly Fruehling

*7. Presentation and discussion on the Tri-State Crab Quality testing program including but not limited to, an overview of current protocol and procedures, lessons learned from past seasons, and a discussion of needs for updates to the protocols or best practices.*

The [Tri-State Quality Testing Program](#) (program) was identified during the July 13 EC meeting as a priority for the DCTF's discussion. DCTF Members expressed interest in revisiting the program's current protocols and procedures. Ms. Juhasz provided a [presentation to orient meeting participants about the Tri-State Quality Testing Program](#).

- A DCTF Member expressed that the purpose of the program was to inform and support the marketing of the crab. In recent years, the quality tests have not informed price negotiations and he felt like the program was no longer serving its purpose. He asked if the program could be abolished. CDFW responded that to discontinue quality testing in the Northern Management Area, legislative and regulatory changes would be required. It would also impact fair start provisions. The program is not currently mandated in California's Central Management Area.
- Multiple DCTF Members expressed frustration around some of the specifics of the current protocols including the amount of crab required in each test, lack of observer coverage in the past, tampering with the test crabs, etc. Another DCTF Member voiced that some ports would like the Tri-State Dungeness Crab Committee to consider increasing the pick rate from 24% to 25% to ensure a better-quality product and better price.
- Based on time, the DCTF agreed to table this conversation until the next Executive Committee meeting and revisit the program at a future DCTF meeting.

Public comment was taken on the topic at hand.

- No public comment was received.

*8. Discussion about the possible reintroduction of sea otters in the northern management area*

The U.S. Fish and Wildlife Service (USFWS) is exploring the [feasibility of reintroducing sea otters](#) along the Pacific Coast. This directive stemmed from language in the [Consolidated Appropriations Act for 2021](#). The EC requested this topic be added to the DCTF's agenda to provide an opportunity for the fishing community to discuss the topic and, potentially, provide guidance to state resource managers as this topic continues to mature.

- DCTF Members shared research from the San Nicolas Island translocation efforts, information from the USFWS Environmental Impact Study, and other resources. The DCTF generally disagreed with the conclusions from the federal government that Dungeness crab fishing and sea otters have little overlap and, therefore the Dungeness crab fishing industry would not be negatively impacted by sea otter reintroduction. A recreational fisherman explained that reintroducing sea otters would decimate recreational fishing opportunities since all recreational fishing occurs inside 30 fathoms, the preferred foraging depths of the sea otters. Additionally, to better inform USFWS's conclusion that there is minimal overlap between sea otter habitat and commercial fishing, some DCTF Members suggested that CDFW share data with USFWS showing where fishing is occurring. Many DCTF Members were concerned that science was being tainted by politics and the court of public opinion.
- A DCTF Member shared his experience fishing with sea otters in Morro Bay and the negative impacts they have from shore outside 35 fathoms. He explained that sea otters are major

predators that completely devour large areas and have had large impacts on Dungeness and rock crab fisheries from Morro Bay through Santa Cruz.

- A DCTF Member flagged that USFWS is proposing introducing 3,000 otters in California. Based on figures from a [study from Alaska](#), he calculated that 3,000 could consume a minimum of 16M pounds of Dungeness crab annually, including sublegal crabs and females, which would have major impacts on the Dungeness crab stock and fishery. Additionally, the claim of USFWS that reintroducing sea otters will promote healthy kelp forests by targeting sea urchins instead of Dungeness crabs is false. The DCTF believes the claim to be incorrect because sea urchin gonads (the edible portion of the sea urchins) are too small and are very low quality for sea otters to target them as their preferred food source.
- DCTF Members flagged that the reintroduction of sea otters would have profound impacts on abalone recovery efforts throughout California, the San Francisco Bay's sensitive nursery habitat, aquaculture, etc. Multiple DCTF Members shared that California Tribes are torn on this issue with some advocating to reintroduce sea otters and others opposing.
- Multiple DCTF Members wanted to know the proper channels to communicate their disapproval of sea otter reintroduction to the USFWS. They were directed to reach out via the USFWS public comment period and provide feedback. CDFW identified that there is a whole program on environmental review and CDFW can be an advising body but does not ultimately make decisions. DCTF Members stressed the importance of sharing this recommendation with the legislature so they can advocate on the fleet's behalf.

Public comment was taken on the topic at hand.

- Barry Day, a commercial fisherman, stated his concern that sea otter reintroduction would have negative impacts in San Francisco Bay due to the large number of oyster beds and aquaculture and the important nursery in the bay.

**ACTION:** Consideration and possible recommendations related to sea otter reintroduction in California's northern management area.

**APPROVED:** The DCTF unanimously opposes the [US Fish and Wildlife's efforts to reintroduce sea otters](#) in California north of Half Moon Bay. The DCTF disagrees with the US Fish and Wildlife Service's (USFWS) finding<sup>2</sup> that reintroduction will not severely impact the Dungeness crab stock and fishery. Research has shown sea otters will have adverse impacts on the commercial and recreational Dungeness crab fisheries.<sup>3,4</sup> There is a high overlap between depths where Dungeness crab fishing occurs and sea otter habitat foraging. The DCTF recommends CDFW share Dungeness crab commercial fishing data, including data from electronic monitoring units, with USFWS to clarify this overlap and better inform USFWS's understanding of the issue.

The DCTF encourages state leaders, managers, and the recreational fishing industry to work in partnership with the California Dungeness crab fishing fleet to oppose efforts to reintroduce sea otters in California. The DCTF recommends the Legislature consult with the fishing community to inform conversations with federal agencies and others regarding this issue.

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<sup>2</sup> U.S. Fish and Wildlife Service (USFWS). 2002. [Feasibility Assessment: Sea Otter Reintroduction to the Pacific Coast](#). Report to Congress prepared by U.S. Fish and Wildlife Service, Region 9, Portland, Oregon; and Region 10, Sacramento, California.

<sup>3</sup> Alaska Department of Fish and Game. 1999. [Collapsed or Recovering Shellfish Fisheries in the State of Alaska](#).

<sup>4</sup> Cates, R.J. 2022. [The Effect of Sea Otter Predation and Habitat Structure on Nearshore Crab Assemblages in Southeast Alaska](#). Thesis Paper.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
17	0	0	0	4

*Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):*

Thumbs up (17): Steven Anello, Dave Bitts, Bill Blue, Michael Cunningham, Tom Estes Jr., Scott Hockett, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Jerry Pemberton, Vito Pomelia, Rick Powers, Zach Rotwein, Andrew “Boomer” Schlafer, Fred Soares, Troy Wakefield

Thumbs sideways (0)

Thumbs down (0)

Abstain (0)

Absent (4): Geoff Bettencourt, Mark Capra, Joe Cincotta, Holly Fruehling

## 9. Next Steps

The meeting next steps include:

The Admin Team/Strategic Earth will

- Work with OPC to update the DCTF webpage to include the PowerPoint presentations from the meeting.
- Develop a meeting summary.
- Develop a report to send to the Legislature, CDFW, OPC, and the Fish and Game Commission.
- Make the meeting recording available upon request for at least 30 days following the meeting.
  - For questions and/or a copy of the recording, email [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com)
- Continue sharing relevant updates through the DCTF public email list.
- Consider reconvening the DCTF during the RAMP 2.0 public comment period if it is not during the commercial fishing season.
- Continue to share relevant information through the DCTF email list, including information about RAMP, the sablefish TRT, USFWS’s sea otter reintroduction efforts, etc.

CDFW will

- Continue the development and distribution of the electronic monitoring gear through the program.
- Continue exploring DCTF discussion topics related to RAMP 2.0 (i.e., gear marking, best practices, alternative gear, conservation plan, etc.).

DCTF Members will

- Review draft materials, including meeting summary and DCTF report (see Admin Team next steps).
- Speak with their constituents/peers about DCTF-related topics to learn about fleet perspectives, including line marking, alternative gear, etc.

## 10. Adjourn