

California Dungeness Crab Task Force
October 2024 DCTF Member Prep

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This document is intended to help Dungeness Crab Task Force (DCTF) Members prepare for the October 29-30, 2024, DCTF meeting in Santa Rosa, CA. It is also intended to help support discussions that will be had in ports throughout California in anticipation of the meeting. The document contains topics and ideas generated by the DCTF Executive Committee at their June 13, July 24, and September 5, 2024, meetings. DCTF Members are encouraged to discuss the questions with their ports/production level in preparation for the October 2024 DCTF meeting.

***This is not an exhaustive list of what the DCTF may discuss during the October 29-30, 2024, DCTF meeting. Additional questions, considerations, and options may be developed and voted on during the meeting.*

96-HOUR GEAR SERVICING INTERVAL	
Context	DCTF Members would like to discuss a recommendation to change/extend the 96-hour in-season gear servicing requirement (FGC §9004). The DCTF made recommendations in 2020 and 2021 , requesting the gear servicing requirement to be extended to 9 days reflective of the recreational fishery. Concerns have been expressed by fisheries managers, the Legislature, and environmental groups that extending in-season gear servicing could result in more marine life entanglements.
Resources	<ul style="list-style-type: none"> ● DCTF's 2020 Report - see recommendation 6 ● The DCTF's 2021 Report - see recommendation 2 ● April 2024 DCTF meeting summary - see p. 6 for the most up-to-date status of the conversation
Questions/Options to Explore	<ul style="list-style-type: none"> ● What should the DCTF recommend concerning the 96-hour gear servicing interval? <ul style="list-style-type: none"> ○ Is any rationale missing from the 2020 and 2021 recommendations to bolster a new recommendation? ● Would you support extending the servicing period if it meant removing the current weather exemption, similar to the 7-day service interval allowed in the CA commercial spiny lobster fishery and federal trap fisheries?

LOST GEAR RETRIEVAL IN-SEASON AND POSTSEASON	
Context	The California Department of Fish and Wildlife (CDFW) released a notice of proposed rulemaking that is open for public comment and would 1) add a new requirement that retrieving vessel operators document why they believe traps are derelict and subject to retrieval, 2) establish an enhanced reporting requirement to track locations and amount of derelict gear for management and law enforcement purposes, 3) specify that vessel operators retrieving traps may not possess more than six retrieved traps on board when transiting open Fishing Zones, and 4) specify that the Director can authorize the retrieval of an unlimited number of derelict traps during a fishery closure or season delay.

LOST GEAR RETRIEVAL IN-SEASON AND POSTSEASON	
	<i>Note: This is unrelated to the permitted Trap Gear Retrieval Program that allows retrievers to charge for recovered gear. This is for the unpermitted retrieval of lost gear.</i>
Resources	<ul style="list-style-type: none"> • Notice of Proposed Rulemaking: Expanded Retrieval of Lost or Abandoned Commercial Dungeness Crab Traps (Amend Section (§) 132.2, Title 14, California Code of Regulations (CCR))
Questions/Options to Explore	<ul style="list-style-type: none"> • Does the DCTF want to provide public comment on this proposed rulemaking? If so, what should be recommended? Please be specific.

UPDATES ON RISK ASSESSMENT & MITIGATION PROGRAM AND CONSERVATION PLAN	
Context	CDFW will provide these updates during the October 29-30 meeting.
Resources	<ul style="list-style-type: none"> •
Questions/Options to Explore	<ul style="list-style-type: none"> •

DUNGENESS CRAB ACCOUNT SURPLUS FUNDS	
Context	The latest accounting summary (FY 2022-23) of the Dungeness crab account showed an approximate \$1 million surplus. ¹ At the July 2024 DCTF Executive Committee meeting, Members discussed options for what to do with the excess funds and how to prevent a continued surplus. Currently in Fish and Game Code §8276.5, there are restrictions for how these funds can be used, including support of the Dungeness Crab Trap Limit Program, support of the DCTF, and reducing the cost of the trap limit permit fee or tag fee. ² There are also restrictions on who has the authority to access these dedicated funds (i.e., CDFW).
Resources	<ul style="list-style-type: none"> • Links to all the Trap Limit Accounting Documents <ul style="list-style-type: none"> ○ FY 2022-23 Commercial Dungeness Crab Season Accounting ○ FY 2021-22 Commercial Dungeness Crab Season Accounting

¹ The FY 2022-23 end balance in the summary document shows \$3.5M, but this balance is expected to cover the Department's spending authority of \$1.1 million for 2023-24 FY and maintain a reserve of \$1.1 million for fiscal uncertainties leaving an excess of at least \$1.3 million

² The mechanics of reducing the cost of the fees are not outlined in the law, but recommendations would be needed from the DCTF.

DUNGENESS CRAB ACCOUNT SURPLUS FUNDS	
	<ul style="list-style-type: none"> ● Fish and Game Code 8276.5(e)
Questions/Options to Explore	<ul style="list-style-type: none"> ● What should the DCTF recommend for how to use funds of the current surplus? Options from the Executive Committee include:³ <ul style="list-style-type: none"> ○ Disburse the funds to support industry priorities (e.g., gear retrieval efforts, vessel monitoring surveys). Suggestions for this approach are included in a proposal. ○ Allocate funds back to the fleet (note: CDFW can not make retroactive payments to the fleet, but there may be other means to reduce fees to the fleet) ○ Reduce or eliminate permit and/or buoy tag fees for a length of time ○ Support the fleet’s transition to line-marking ○ Are there other options that should be explored? ● What are your recommendations for not accumulating the surplus moving forward?

TRANSITING CLOSED MANAGEMENT ZONES WITH CRAB ONBOARD	
Context	<p>A vessel may not transit a closed area (e.g., management zones) while in possession of Dungeness crab. This regulation makes it burdensome for those fishing on the edge of a management zone (e.g., Bodega Bay) or the state (e.g., Crescent City) who wish to land in their homeport. Fisheries managers have shared that relying on electronic monitoring devices to determine if someone is fishing is not possible at this time since there is no legal definition of what constitutes fishing when reviewing electronic monitoring data (e.g., when a vessel slows to 4 knots, can you say they are fishing or are they having mechanical issues?).</p>
Resources	<ul style="list-style-type: none"> ●
Questions/Options to Explore	<ul style="list-style-type: none"> ● Describe in 1-2 sentences what fishing looks like when reviewing the data from an electronic monitoring device. Please be specific enough to describe the pattern and/or other details that could indicate fishing (i.e., speed of boat, pattern, etc.). ● How could other tools be used to allow vessels to transit a closed area while also being certain they are not fishing (e.g.,

³ It is unclear whether some of these options are feasible with or without legislative change or may only require Department regulatory changes.

TRANSITING CLOSED MANAGEMENT ZONES WITH CRAB ONBOARD	
	establishing a transportation corridor in each management zone)?