



~California Dungeness Crab Task Force~

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

DCTF MEETING SUMMARY - October 29-30, 2024

Location: 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 October 29-30, 2024 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.¹

DCTF MEMBER ATTENDEES

Geoff Bettencourt, Half Moon Bay, Upper Production Level

Bill Blue, South of Half Moon Bay, Upper Production Level

Joe Cincotta, Pacific Choice, Processor

Mike Cunningham, Eureka, Upper Production Level

Bary Day alternative for Jerry Pemberton, Half Moon Bay, Lower Production Level

Shawn "Chenzo" Flading, alternate for Holly Fruehling, San Francisco Lower

Andy Guiliano, alternate for Rick Powers, Commercial Passenger Fishing Vessel

Gerry Hemmingsen, alternate for Randy Smith, Crescent City, Production Level Not Specified

Harrison Ibach Eureka, Lower Production Level

Christy Juhasz, California Department of Fish & Wildlife

Dave Kasheta, alternate for Mark Capra, Coastside Fishing Club, Recreational

Kate Kauer, The Nature Conservancy, Nongovernmental Organization

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

Shauna Oh, California Sea Grant

Zach Rotwein, Trinidad, Production Level Not Specified*

Luke Sallee, alternate for Tony Cannia, Fort Bragg, Lower Production Level

Fred Soares, Crescent City, Lower Production Level

Ross Taylor, Humboldt Area Saltwater Anglers, Sport Fishing

Joe Thornburg, alternate for Tony Anello, Bodega Bay, Lower Production Level

Troy Wakefield, Crescent City, Upper Production Level

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

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

ABSENT

Vacant seat, Nongovernmental Organization
Tom Estes Jr, Fort Bragg, Upper Production Level
Scott Hockett, Noyo Fish Company, Processor

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
Elizabeth Brauer, California Department of Fish & Wildlife

CA OCEAN PROTECTION COUNCIL

Katie Cieri, Ocean Protection Council

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

- Carrie Pomeroy, University of California (UC) Santa Cruz, is finalizing a report analyzing the implications and impacts of the Dungeness crab fishery disaster during the 2015-2016 fishing season. The report explores a variety of factors including, but not limited to the harmful algal blooms, social impacts of openers and closers, and the potential of evisceration orders. Additionally, Carrie has been working with Kristy Kroecker at the UC Santa Cruz to gain better insights into domoic acid trends to provide a better understanding into the future. The report circulation is anticipated by the end of this year.

3. Receive updates and discuss California Dungeness crab fishery topics including, but not limited to, California's preseason quality and domoic acid testing, 2023-2024 season landings, changes to fishing blocks, progress on previous DCTF recommendations, etc.

Christy Juhasz, CDFW Marine Region, and DCTF Member, 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:

Domoic Acid

- Multiple DCTF Members sought clarity around the domoic testing protocols. CDFW shared that all Dungeness crab viscera can pass the first round of testing from an area if it contains at or less than 30 ppm of domoic acid. If the first test does not meet this criteria, the state must retest

an area at least twice with at least 7 days between these two retests with all viscera meeting the domoic acid concentration criteria. CDFW does not use razor clams as indicator species since they are bioaccumulators and are not found in high abundance throughout the range of Dungeness crab in California. Quality testing cannot occur until domoic acid testing in a Biotoxin Management Area has resulted in crabs passing domoic testing and are deemed safe to consume. A DCTF Member expressed concern about the capacity of the testing centers delaying the season since they can only process a limited volume of crab at a time.

- During the meeting, CDFW received domoic acid testing results from Crescent City, which detected high levels in both the viscera and meat. At the time of the meeting, Trinidad's results had not been reported yet. A DCTF Member expressed concern that CDFW intends to open the recreational Dungeness crab season in Trinidad despite adjacent ports being delayed due to high levels of domoic acid. They recommended starting in 2025, CDFW requires domoic acid test results in all areas prior to opening or delaying the recreational season. The latest results are available on the [California Department of Public Health's Domoic Acid website](#).

Biweekly Reporting

- Multiple DCTF Members asked for clarification about the reporting requirements for bi-weekly fishing activity reporting. CDFW clarified that the Risk Assessment and Mitigation Program (RAMP), requires the fleet to submit bi-weekly reports regardless of current and future EM regulations. Since implementation during the 2020-2021 season, there have been compliance issues. Bi-weekly reporting informs risk assessments because it provides insight into the quantity of gear and number of participating vessels in each management zone. Following the completion of each person's Dungeness crab season, individuals must report the number of lost traps to conclude bi-weekly reporting.
- A DCTF Member acknowledged the importance of bi-weekly reporting compliance and, they still received a letter of warning even though they have been submitting their reports on time, which was also reported by other members of their port. Folks are worried that letters indicating out of compliance may result in the loss of their permits even when they are following the law. CDFW shared that this case, and similar cases, have been resolved via email with date stamp and report information documented and acknowledged that entry mistakes can happen.
- Multiple DCTF Members inquired about different methods of submitting bi-weekly reports. CDFW confirmed the fleet can text, email, or use a URL link to submit their bi-weekly reports. When Members asked CDFW to send bi-weekly reminders to the fleet, CDFW stated that others in the fleet had responded negatively to these reminders. Individuals can opt-in for text or email reminders and should reach out to WhaleSafeFisheries@wildlife.ca.gov for support.
- Separate from the bi-weekly reporting, CDFW will also be requiring monthly reporting of lost gear retrieved [under their proposed rulemaking to amend Section \(§\) 132.2, Title 14, California Code of Regulations \(CCR\)](#). A DCTF Member shared their interest in adding a GPS tracker to every buoy so they could remove the monthly reporting requirement. Another DCTF Member reminded folks about Jameson Buffmire, inventor of CalChip Connect, a long-range GPS tracker, who shared information about their start-up at the [November 2023 DCTF meeting](#). For more information, visit buoy.fish. A different DCTF Member had used buoy tracker apps such as Blue Ocean with their long line gear, which is monitored by satellite, but felt it was not the best pathway for the fleet at this time because of the high cost.

Public comment was taken on the topic at hand.

- Brand Little, commercial fisherman, requested an opt-in reminder option via text for bi-weekly reports, as he does not check his email during the commercial Dungeness crab season. CDFW shared that this is possible and that they should reach out for support setting up the reminder messages.

4. Revisit past DCTF recommendations regarding extending the 96-hour gear servicing interval.

DCTF Members discussed a recommendation to change/extend the 96-hour in-season gear servicing requirement (FGC §9004). The DCTF made recommendations in [2020](#) and [2021](#), requesting that the gear servicing requirement be extended to 9 days, similar to the recreational fishery. Concerns have been expressed by fishery managers, the Legislature, and environmental groups that extending in-season gear servicing could increase marine life entanglement risk. DCTF Members asked clarifying questions and discussed:

- The DCTF asked CDFW's Marine Enforcement Division (MED) how electronic monitoring (EM) would impact the enforcement of the 96-hour rule. MED shared that they will continue to rely on hard evidence to enforce the gear servicing regulations by tagging traps in person and returning to the gear after the allowable time frame to see if tags in traps are still present. EM will likely supplement hard evidence on the water; however, it will not be used as primary evidence against the fleet. Additionally, 96-hour violations need to be supported by weather conditions due to the exemption. MED would be open to a longer servicing interval if the weather exemption were removed, similar to requirements for the lobster fishery and some federal fisheries. In some cases, CDFW has allowed an extended servicing interval for experimental fishing permits (EFPs).
 - CDFW shared that the 96-hour gear servicing interval was created in 1984 to reduce bycatch and incidental mortality in the trap. A DCTF Member stated that things have changed since 1984, and the regulations should reflect the need for more time.
 - A DCTF Member shared that in Oregon, there are no gear servicing intervals and explained that it is telling when 90% of the fleet stays at port to determine when there are unsafe ocean/weather conditions present. Oregon operates under a two-week landing requirement. There are also procedures if someone breaks down. Another DCTF Member explained that, while waivers are available in California, their waiver request has been denied a few times because the individual pulling their gear was not allowed to retain the crab. MED explained that waivers are evaluated on a case-by-case basis, and they do not want to create opportunities for fishermen to fish more than their own gear allotment. Multiple DCTF Members suggested updating the gear servicing period to align with the bi-weekly reporting timeframe.
 - The DCTF discussed a recommendation to extend the gear servicing interval and remove the weather exemption. Some DCTF Members worried that removing weather exemptions would remove flexibility. Another Member stated that removing the weather interval would put safety or property in jeopardy. One member shared that they had a whole crew sick with COVID-19 and had a problematic time pulling the gear all by themselves. MED reminded them that in these cases, a weather exemption was not appropriate, but they could seek a waiver through CDFW.
 - A DCTF Member challenged the argument that frequent gear servicing results in less lost gear. He explained that if the fleet rushes through trap servicing when going out in less-than-ideal circumstances (e.g., in the middle of the night) there may be a higher likelihood of missed gear.

- A DCTF Member inquired about the number of citations issued this year for gear servicing violations and how many were convicted. MED shared that more citations were issued than last year, many of whom were called in by other fishermen. The majority of these cases were gross violations with 1-2 minor violations.
- As an alternative option, CDFW suggested that instead of the DCTF recommending a specific change to the gear servicing interval in legislation, they could request an exemption to FGC §9004 and work out the details through the Title 14 process with CDFW at a later date. They explained that this option could provide flexibility for future regulatory changes and continued conversation about the appropriate service interval.
- Various DCTF Members shared their support for increasing the servicing interval beyond 96 hours, citing that a shorter time frame is not economically viable for the fleet in the spring when crab is less prevalent. A DCTF Member expressed support for a longer servicing period for flexibility around vessel breakdowns. They expressed difficulty in receiving parts even when overnighting them. A 7-day interval would provide additional flexibility in addition to the availability of waivers and a weather exemption.

Public comment was taken on the topic at hand.

- Brand Little, commercial fisherman, explained that at a recent Fish and Game Commission meeting both the strict and more lenient environmental groups said that they would support a 9-day gear servicing interval with a weather exemption when discussing EFPs. He said CDFW opposed a weather exemption. The issue does not appear to be with environmental groups. He expressed concern that shorter service intervals do not allow sufficient time for female and non-legal-sized crabs to exit the traps before they're pulled. Changes in service intervals have no impact on the incidence of whale entanglements since it only takes 30 seconds to service a trap. The severity of fines should be reflective of the violation. He said there needs to be more consistency in how violations are prosecuted, explaining that some folks receive a letter, civil prosecutions, large fines, or even loss of permit. Fleet should clearly know what they are risking when they don't comply with the 96-hour rule.

The DCTF took non-binding straw polls to assess the level of agreement around amending the 96-hour gear servicing interval (i.e., suggested interval timing, the inclusion of the weather exemption, etc).

Straw Poll: The DCTF supports the current 96-hour gear servicing interval with a weather exemption. (13 up, 5 sideways, 1 down, 0 abstain)

Straw Poll: The DCTF supports increasing the current 96-hour gear servicing interval to either 7, 9, 12, or 14 days without a weather exemption. (0 up, 2 sideways, 17 down, 0 abstain)

Straw Poll: The DCTF supports increasing the current 96-hour gear servicing interval to either 7 or 9 days with a weather exemption. (8 up, 8 sideways, 3 down, 0 abstain)

Straw Poll: The DCTF supports asking the legislature for exemptions to the 96-hour gear servicing interval, then working details out through the Title 14 process (2 up, 4 sideways, 13 down, 0 abstain)

The DCTF moved to a final vote.

ACTION: Consideration and possible recommendation(s) for changes to the in-season 96-hour gear servicing regulation.

APPROVED: The DCTF recommends and reaffirms their 2020 & 2021 recommendations to amend the 96-hour (4 days) gear servicing requirement (FGC §9004) to allow no less than a 7-day and up to a 9-day soak time weather permitting for commercial Dungeness crab. This recommendation aligns with §29.80 Title 14, CCR for the California recreational Dungeness crab fishery.

The Dungeness crab fishery has tools in place to address potential concerns related to increased gear loss, including an electronic monitoring mandate to track fishing activity and a lost-gear recovery program that incentivizes recovery of lost gear. The DCTF will work with CDFW to explore the development of additional programs to provide incentives for reducing gear loss (e.g., rewards for fishermen who lose minimal gear each season).

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

Vote of all DCTF Members (ex officio Members abstained; vacant seats not included in tally):
Thumbs up (15): Geoff Bettencourt, Bill Blue, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Andy Guiliano, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Zach Rotwein, Luke Sallee, Fred Soares, Troy Wakefield
Thumbs sideways (4): Joe Cincotta, Gerry Hemmingsen, Dick Ogg, Joe Thornburg
Thumbs down (0)
Abstain (0):
Absent (0): Tom Estes Jr, Scott Hockett

5. Presentation of draft regulatory changes to Section 132.2 Title 14, CCR, including but not limited to retrieval of lost fishing gear in-season and post-season to address entanglement concerns.

Ellie Brauer, CDFW Marine Region, [gave a presentation](#) on the draft regulatory changes to [amend §132.2 Title 14, CCR](#) that would 1) add a new requirement to document why retrieving operators 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. An emergency regulation established Spring 2024 allowed the Director to authorize retrieval for an unlimited number of derelict traps during a fishery closure. These regulatory retrieval efforts are separate from the [permitted Trap Gear Retrieval Program](#) that allows retrievers to charge for recovered gear. DCTF Members asked clarifying questions and discussed various aspects of the presentation.

- Multiple DCTF Members requested that CDFW include the monthly lost gear reports in the bi-weekly RAMP reports to reduce confusion between the different reports commercial Dungeness crab fishermen will be required to submit. CDFW shared that the two reports go to separate required emails, so there are challenges in combining the two reports on one submittal form. CDFW offered to link the lost gear report form with the newly created bi-weekly reporting form for additional access. DCTF Members cautioned CDFW not to make reporting too complicated since it would decrease participation in lost gear retrieval and compliance. They suggested LED educate the fleet on these new regulations and how to comply.

- Since there is no definition of lost or derelict gear, a DCTF Member suggested adding a field to the report requesting a rationale for why the gear was deemed derelict or lost, especially if recovered in-season.
- Another DCTF Member requested a way to identify lost gear that still needs to be retrieved from the ocean. DCTF Members suggested an app made available for the fleet to report lost gear that other fishermen could go retrieve. Lisa Damrosch, Pacific Coast Federation of Fishermen's Association (PCFFA), shared that two different apps have been tested in previous seasons in partnership with The Nature Conservancy. The first allows folks to tag the location (i.e., latitude and longitude) of lost gear to help aid and log retrieval when it is collected. This information could be shared with CDFW. The second application, which is used to mark the location of lost gear for later recovery, has been more challenging to share data with CDFW and make broadly available to the industry. A DCTF Member shared their positive experiences with both apps, stating they were easy to use; however, the second had more steps. He explained that with these apps, license numbers can be documented to ensure gear gets back to the owners. DCTF Members discussed which functions of the app were most useful to include: identifying the location (on a map screen) of gear that needed to be removed, confirming when gear had been recovered, and having the ability for CDFW to access the data on the app to eventually replace the updated reporting requirements in §132.2 Title 14, CCR.
 - CDFW explained that the app's technology and data outputs would need to be integrated with the state's logbook system before it could be used by CDFW to replace reporting required in §132.2 Title 14, CCR. An app could potentially be used in the permitted [lost gear retrieval program](#) (§132.7 Title 14, CCR).
 - DCTF Members suggested that PCFFA help coordinate the testing of these apps fleetwide. A DCTF Member shared their gratitude for the Nature Conservancy and PCFFA's support in moving this conversation forward and suggested collaborating with the Ocean Protection Council (OPC) to continue developing the use of apps for fleetwide lost gear retrieval coordination.
- A DCTF Member asked whether folks participating in lost gear recovery needed a permit. Under the unpermitted activities of §132.2 Title 14, CCR, only a Dungeness crab permitted vessel is allowed to retrieve commercial Dungeness crab gear. The permitted program of §132.7 Title 14, CCR, allows any vessel identified under an approved retrieval permit to retrieve commercial Dungeness crab gear.
- DCTF Members discussed the value of having other sectors (e.g., sport fishermen) use an app like this to report lost gear, especially the recreational fishing community, which is eager to support gear retrieval. The Admin team shared that legally, only commercial Dungeness crab fishermen can retrieve commercial Dungeness crab gear. The DCTF made multiple recommendations to make legal changes to allow recreational fishers to retrieve lost commercial gear, but they have not gone anywhere. CDFW explained that those retrieving gear as part of the permitted [lost gear retrieval program](#) need a specific permit. MED expressed concerns about allowing other fisheries and sectors to retrieve gear without a legal definition of lost or derelict fishing gear as part of §132.2 Title 14, CCR.
- A DCTF Member clarified that under the newly proposed regulation, individuals participating in the recovery program were still unable to retain crab from recovered lost gear. MED shared that if someone needs to pull more than six traps during a fishing trip in season, they need a waiver. Waivers are evaluated on a case-by-case basis, and sometimes, crab is allowed to be retained, especially when the number of traps does not exceed the collector's trap tier. For example, if the

collector has a 300-trap permit and is only fishing a half stack, MED may approve a waiver to pull 100 traps of another's gear and retain the crab.

- A DCTF Member asked for clarification on whether gear can be retrieved between the beginning of October until the start of the season, especially if it is delayed until December or January. CDFW shared that the updated §132.2 Title 14, CCR, will address this since the Director can authorize the retrieval of an unlimited number of derelict traps during a fishery closure or season delay.
- The DCTF discussed the permitted lost gear retrieval program and asked why fishermen would participate if they could retrieve unlimited lost gear after the season. CDFW explained that after the 2023-2024 season, no retrieval permits were requested or issued. However, those participating in the gear retrieval permitted program can request compensation for all commercial Dungeness crab traps recovered. Additionally, the permitted program allows vessels outside the fishery to participate.
- Various DCTF Members expressed their support for allowing fishermen to retrieve more than six derelict traps during the season, especially when there is a depth restriction in place and traps wander into a closed area. Another Member stated that the current regulations make it difficult to remove lost gear from the ocean and acknowledged the importance of removing lost gear immediately to reduce the risk of whale entanglements. MED was not supportive of increasing the in-season lost gear retrieval allowance since it would make enforcing trap limits more challenging. When fishermen fish outside a depth restriction or there is a lot of gear in a closed area, it is important to let MED know.

Public comment was taken on the topic at hand.

- Lisa Damrosch, PCFFA Executive Director, thanked the DCTF for their support and welcomed the opportunity to work with the DCTF on identified priorities, including lost gear retrieval. She wants to ensure that PCFFA's priorities align with the fleet and fishermen involved in PCFFA's work. She is also grateful for the organization's opportunity to collaborate with the Nature Conservancy and OPC. Ms. Damrosch is working to gain a clear vision for the 2025 strategic process that outlines where funding is needed and how best to prioritize those funds to benefit the fishermen engaging with PCFFA. She also shared her experience with the permitted lost gear recovery program, explaining that it was cumbersome and could be improved to be more effective. PCFFA is interested in working with local port associations and fishermen to improve gear retrieval in the fleet.
- Alex Schmidt, commercial fisherman, shared that lost gear and whales are the largest issues facing the Dungeness crab industry. He stated it was important to find a means to easily track and recover lost gear (e.g., through a GPS buoy tag or app). He suggested using some of the funding in the Dungeness Crab Account (agenda item 7) to fund gear retrieval to address entanglement issues.

ACTION: Consideration and possible recommendations related to gear retrieval, including but not limited to public comments on Section 132.2 Title 14, CCR.

APPROVED: The DCTF recommends streamlining the multiple reports — one for retrieval of lost gear efforts and another for lost trap numbers under the RAMP program — to improve efficiencies and reduce reporting burdens on fishermen.

In the short term, the DCTF recommends that CDFW update the RAMP bi-weekly report to include a link to the lost gear retrieval report. Additionally, the DCTF recommends that CDFW provide text reminders to permit holders for both reporting requirements.

The DCTF also recommends improving lost gear reporting by uploading images of lost gear fishermen find in the ocean but are unable to retrieve along with location information (e.g., latitude and longitude).

The DCTF recommends CDFW continue to explore long-term solutions to streamline data collection and management across both the RAMP program and lost gear retrieval efforts. To do this, CDFW should clarify their data needs, objectives, and constraints with the goal of streamlining reporting so there is a single location for the fleet to submit their reports.

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

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

Thumbs up (19): Geoff Bettencourt, Bill Blue, Joe Cincotta, Mike Cunningham, Barry Day, Shawn “Chenzo” Flading, Andy Guiliano, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Zach Rotwein, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (0):

Thumbs down (0)

Abstain (0):

Absent (0): Tom Estes Jr, Scott Hockett

APPROVED: The DCTF recommends the Pacific Coast Federation of Fishermen's Association (PCFFA) and the Nature Conservancy (TNC) work collaboratively to expand California's voluntary lost-gear retrieval efforts. The DCTF recommends the industry work with PCFFA and TNC to coordinate the use of a user-friendly smartphone app developed by TNC. This app would allow commercial Dungeness crab fishermen and all other boaters to document the latitude and longitude from images taken of lost gear on the water and track retrieval efforts. The DCTF believes that crowdsourcing lost trap location data will better support a coastwide, voluntary lost gear recovery effort by the fleet.

The DCTF recommends CDFW, TNC, and PCFFA coordinate immediately to identify an expedited way to incorporate the data collected from the TNC app to satisfy gear retrieval reporting requirements outlined in §132.2, Title 14, CCR. The data collection from the app should eventually replace the monthly reporting outlined in §132.2 and provide more robust and real-time data of lost gear retrieval efforts, including the quantity of Dungeness crab lost gear retrieved from the water. The DCTF requests an update on the progress of this data integration process by the summer of 2025

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

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

Thumbs up (19): Geoff Bettencourt, Bill Blue, Joe Cincotta, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Andy Guiliano, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Zach Rotwein, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (0):

Thumbs down (0)

Abstain (0):

Absent (2): Tom Estes Jr, Scott Hockett

6. Discussion about marine life entanglements in the California Dungeness crab fishery and the Risk Assessment and Mitigation Program (RAMP), including, but not limited to, the draft Conservation Plan, anticipated regulatory changes, line marking, electronic monitoring, etc.

Ryan Bartling, CDFW Marine Region, [gave a presentation](#) on marine life entanglements and the Dungeness crab fishery. DCTF Members asked clarifying questions and discussed various aspects of the presentations.

Entanglement Updates

- A DCTF Member asked about this season's entanglement numbers and why the sightings were clustered on some days while others spanned months. CDFW explained this observation likely occurred because entanglement sightings are dependent on weather and when vessels can get on the water. While the entangled whales were mostly sighted in Zones 3 and 4 after the season closed, it is unclear when the gear might have been picked up. However, the images indicated the whales were entangled for multiple months, and there has been an increase in the number of entanglements in the Northern Management Area.
- A DCTF Member expressed frustration that the Dungeness crab industry is blamed for unknown sources of entanglements when the fishery may not be solely responsible for those entanglements. The optics of the Dungeness crab fishery are poor. CDFW sympathized and expressed that line marking is intended to help address this issue.
- In the presentation, CDFW noted there were at least ten unknown entanglements. A DCTF Member asked if those entanglements have been definitively connected to the Dungeness crab fishery. CDFW shared their preliminary thoughts that roughly two or three of those entanglements are not likely from Dungeness crab gear, but they are working with the National Marine Fisheries Service (NMFS) to rule it out officially.
- A DCTF Member asked what the current impact scoring is for the fishery. CDFW shared that the score is well above the 3-year threshold; however, the current number takes into account the four known and 11 unknown entanglements, which may not all be linked to Dungeness crab, so that number may change.
- DCTF Members requested access to the entanglement data. CDFW stated the entanglement data to inform all of their risk assessments is available on the [Whale Safe Fisheries website](#) and circulated every few weeks. However, photographs are not available because they include personal identifying information. Some of the entanglement data is discussed with the [Whale Working Group](#).

Public Comment was taken on the topic at hand.

- Lisa Damrosch, PCFFA, shared that PCFFA was a signatory and intervener in the 2019 settlement case. A significant amount of language from the settlement is in RAMP and will carry over to RAMP 2.0. She argued that the triggers in the settlement are arbitrary and do not reflect the best available science. PCFFA developed a position statement that the data and triggers in RAMP need to be reviewed and based on updated science. Ms. Damrosch requested the DCTF's support of [PCFFA's position letter](#).

Take Reduction Team

- DCTF Members discussed that thresholds and triggers remain unchanged despite increasing whale populations and asked if the most recent stock assessments would inform the upcoming TRT. CDFW shared that NMFS is currently reviewing updated information to inform the TRT, which will use the best available science. CDFW acknowledged the frustration around the thresholds and said they are working with NMFS to address this issue within the context of existing federal laws (e.g., the Endangered Species Act). CDFW will negotiate on behalf of the fleet when applying for the incidental take permit (ITP) to ensure allowable take reflects changes in whale populations. The RAMP will be used as the basis for California's engagement on the TRT. CDFW anticipates the TRT outputs for California Dungeness crab will mirror the RAMP. CDFW is looking forward to further addressing thresholds during the [Take Reduction Team](#) (TRT) process in 2025.
 - The DCTF would like CDFW to advocate for the use of the latest population data in decision-making on the TRT. DCTF Members would also like the RAMP triggers and thresholds to be reflective of the updated data.
- A DCTF Member asked if the DCTF would still be needed if a TRT is convened. The Admin team reminded the DCTF that the task force was established to discuss Dungeness crab fishery management more broadly, not just whale entanglements.
- The DCTF discussed state versus federal restrictions. CDFW shared that the state is bound by the conservation plan since it is required to receive an ITP. The TRT may require fewer restrictions than RAMP because it does not include Leatherback sea turtles, which are endangered species and must be considered to receive an ITP.
- The DCTF and CDFW explored how the settlement requirements will be considered in the final regulations to inform the TRT. The fleet is bound by the settlement agreements until an ITP is issued, and then the settlement is no longer the driver for the regulations.
- The DCTF and CDFW discussed the connections, parallels, and conflicting timelines between the TRT, ITP, and RAMP. CDFW shared that a TRT is required to issue an ITP. The conservation plan that initiates the ITP is at an aspirationally high level while the specifics live in the RAMP and can be updated with the best available science.

Public comment was taken on the topic at hand.

- Lisa Damrosch, PCFFA, shared that the TRT federal process should wrap before updating the RAMP. She hopes the conservation plan and RAMP will reflect federal decisions and result in an ITP for the fleet with fewer restrictions.

RAMP

- A DCTF Member asked what would happen if the TRT recommendations did not align with the RAMP 2.0 regulations. CDFW shared that NMFS is generally aligned with RAMP 2.0 and anticipates the TRT outcomes will reflect that.
- The DCTF discussed RAMP's updated buoy marking requirements. CDFW clarified that the "D" marking on buoys is intended to inform the monitoring program under the ITP.
 - Various DCTF Members suggested further discussion by the DCTF on replacing the license number (L#) on the buoys with the permit number. This was discussed at the

[2024 September Executive Committee meeting](#). DCTF Members explained that if they need new buoys to include the “D” then they should consider revamping surface buoy marking more broadly.

- MED shared enforcement concerns about whether the fleet prefers permit numbers on buoys. Currently, the liability falls on the operators. If the fleet moves towards permit numbers, the liability would be on the owner of the permitted vessel regardless of whether they were present when the gear was being set. The DCTF and MED discussed the complications of liability and how to ensure the owner is not liable for the decisions of their captain(s). A DCTF Member shared that there are three partners on their permit, and it is not feasible to have three L#s on the buoys.
- A DCTF Member who fishes in other states suggested that CDFW maintain a database with a “buoy brand number” and associated L#s that can fish those traps, similar to practices in Oregon and Washington. This would allow permit holders to hire operators to run their gear without having to replace buoys with each new operator.
- Another DCTF Member stated there was opposition in the Executive Committee to change the regulations since this issue does not seem to be widespread.
- A DCTF Member asked about the timeline for electronic monitoring (EM) requirements. CDFW shared that available EM equipment has been distributed with units still available and will satisfy the requirements for this season and next with updated changes specified in RAMP 2.0.
- A DCTF Member asked about the implementation timeline for RAMP 2.0. CDFW intends to reopen public comment for RAMP 2.0 at the end of January 2025, with the expectation that they will be in place for the 2025-2026 season.

Line Marking

- DCTF Members inquired about when funding for line marking will be distributed. CDFW shared they have purchased 650 coils and will work with PCFFA and Pacific States Marine Fisheries Commission (PSMFC) to begin giving them out to the fleet in the next few weeks. Approximately \$1 million in funding is available to purchase more line by summer 2025. The state is aware of this funding need.
- A DCTF Member asked about the feasibility of a 10-year moratorium for marked line, especially since, in recent years, pop-up gear has increased in prevalence. CDFW does not see pop-up gear replacing traditional gear.
- A DCTF Member asked if gear fished under an EFP was also required to be marked. CDFW is exploring how best to designate between EFP and traditional gear beyond the required buoy marking.

Public comment was taken on the topic at hand.

- Brand Little, a commercial fisherman, asked for clarification on the timing for the first phase of line marking and if the available funds could only be used by the state to purchase the line. CDFW is unsure how the funding for line marking will be distributed but anticipates another entity will provide support. Mr. Little shared that he would like pop-up gear to have its own distinct markings.

Vessel Surveys

- The industry has been supporting surveys with support from the California Coastal Crab Association and the Nature Conservancy since the 2020-2021 fishing season. The DCTF discussed the value of these surveys in informing RAMP, especially when data is not available in some areas. The DCTF has [recommended the state allocate funds](#) to continue these surveys. In 2022, it is estimated to cost roughly \$175,000 (approximately \$500,000 over three years) to conduct 40 vessel surveys in Zones 1 and 5. A DCTF Member suggested the group remind the state about their request for funding.
 - A DCTF Member explained their desire for CDFW to accept the surveys as a legitimate data source to inform RAMP triggers. They asked what additional measures the fleet could take to make these surveys more legitimate. CDFW shared that the main component of the surveys they've struggled with is data integration. If the fleet uses iPads with the same programs that they use, data integration could be smoother. QuickCapture is a phone app where certified observers can upload images, and integration is immediately helpful. CDFW is investigating this further.
 - A DCTF Member expressed interest in seeing vessel surveys expanded into more zones or the entire coast.
 - A DCTF Member suggested that if the fleet could find matching funds, the state may be more inclined to support the program.

ACTION: Consideration and possible recommendation(s) related to marine life entanglements and RAMP but not limited to anticipated RAMP amendments, line marking funding, etc.

APPROVED: The DCTF supports [PCFFA's position](#) to revisit the triggers for management action in the RAMP and Conservation Plan and recommends state and federal fisheries managers reevaluate the triggers in the settlement and RAMP to reflect the most current, relevant, and available science.

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

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

Thumbs up (19): Geoff Bettencourt, Bill Blue, Joe Cincotta, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Andy Guiliano, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Zach Rotwein, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (0):

Thumbs down (0)

Abstain (0):

Absent (2): Tom Estes Jr, Scott Hockett

APPROVED: The DCTF recommends that the various programs to minimize entanglement risk that will soon affect the Dungeness crab fishery better align and complement one another. These programs include:

- RAMP regulatory changes in 2025,
- Implementation of the TRT in 2025, and

- Issuance of the ITP as a result of submitting the Conservation Plan.

The DCTF strongly recommends that CDFW commit to working on adaptive management components and outcomes from the TRT and other parallel processes and incorporate them into the Conservation Plan.

The DCTF recommends the most updated data, information, and stock assessments for humpback and blue whales be used to inform the TRT, RAMP, ITP, and other related fishery management decisions moving forward. The DCTF requests updated data also be made available to the industry as soon as possible.

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

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

Thumbs up (19): Geoff Bettencourt, Bill Blue, Joe Cincotta, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Andy Guilliano, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Zach Rotwein, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (0):

Thumbs down (0)

Abstain (0):

Absent (2): Tom Estes Jr, Scott Hockett

APPROVED: The DCTF recommends the state of California identify and allocate resources to cover the cost of materials and labor to support fishermen with the transition to line marking to uniquely identify California commercial Dungeness crab gear in entanglements to satisfy the requirements in the updated RAMP regulations that supports the issuance of an ITP.

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

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

Thumbs up (19): Geoff Bettencourt, Bill Blue, Joe Cincotta, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Andy Guilliano, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Zach Rotwein, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (0):

Thumbs down (0)

Abstain (0):

Absent (2): Tom Estes Jr, Scott Hockett

APPROVED: Over the last three fishing seasons, the commercial Dungeness crab industry, with support from TNC, has piloted industry-led, vessel-based surveys to inform the RAMP. The DCTF believes these surveys are a valuable source of marine life concentration data, especially in management zones where no CDFW-approved surveys were conducted to inform risk

assessments. The DCTF sees value in continuing these surveys to provide useful data that inform the RAMP and ensure no RAMP Zone is absent of data.

The DCTF recommends the CA Legislature allocate \$900k over three years to support industry-led, vessel-based surveys. The DCTF also recommends that CDFW outline clear data collection reporting standards and expectations so that these surveys are considered an approved data source under RAMP by the CDFW Director when making management decisions. The DCTF recommends that PSMFC coordinate and manage the funds to support the survey program. The DCTF will also seek up to 20% of matching funds via other funding sources to support this effort (e.g., the Dungeness crab account, also see recommendation on pg. 18, in-kind, etc.).

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

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

Thumbs up (19): Geoff Bettencourt, Bill Blue, Joe Cincotta, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Andy Guilliano, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Zach Rotwein, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (0):

Thumbs down (0)

Abstain (0):

Absent (2): Tom Estes Jr, Scott Hockett

7. Discussion about the Fiscal Year (FY) 2022-23 Dungeness Crab Trap Limit Program accounting and how to address the program’s surplus and continued accumulation.

CDFW is required to provide an annual accounting of the Dungeness crab trap limit program. [In March 2024, the 2021-22 fiscal year accounting summary](#) showed that the Dungeness crab account had a FY end balance of roughly \$2.5 million. During the most recent [2022-2023 fiscal year accounting summary](#), the FY end balance increased to roughly \$3.5 million. The excess funds in the summary document are approximately \$1.3M since the Department of Finance requires the account to maintain a minimum reserve sufficient to cover two fiscal years of Department expenditures (i.e., \$2.2M). During the [June 13, 2024](#) and [July 25, 2024](#) Executive Committee meetings, members shared an interest in exploring options for how to use the excess funds.

The DCTF discussed how to spend the account surplus and how to prevent a surplus from accruing in the future.

- Some DCTF Members were interested in using the surplus to pay fishermen for retrieval of lost gear when they did not receive support from their port association. A DCTF Member asked if funds from the account could be borrowed to pay for gear retrieval. CDFW is required to repay any funds removed from the account, and there is no way to repay them. Additionally, the Fish and Game Code restricts the use of the funds to manage the Dungeness crab trap limit program and the DCTF.
- DCTF Members explored whether the Fish and Game code could be amended to allow alternative uses of the account or be vague enough to encompass a variety of programs and priorities (e.g., gear retrieval, vessel surveys, donations to PCFFA, paying for folks to participate in the TRT, the whale working group, increasing payment for folks conducting quality testing,

potential reimbursements for domoic acid testing, a general fund, etc.). The DCTF, CDFW, and Admin Team discussed the complexities of what entities can access the account and utilize the surplus. The current understanding is that CDFW is the only agency that can access the account, and any changes would require legislation. Various Members suggested a legislative change to have the surplus transferred to PSMFC to manage and support DCTF priorities. A DCTF Member shared that the Tri-State crab quality testing program should be self-supporting and should not be funded through this account.

- A DCTF Member suggested creating a smaller group to identify priorities for surplus funding. Others believed the Executive Committee has been helpful in moving this conversation forward.
 - A DCTF Member shared that California Sea Grant is interested in supporting research focused on sustainable aquaculture and fisheries and welcomes opportunities to partner on research projects that could advance sustainable fishery priorities. Funding would likely be available a few years following discussions and could continue as long as research questions that support their collective priorities were being asked and answered.
 - Some DCTF Members saw value in exploring the use of surplus to fund GPS buoy trackers, which could help eliminate the need for line marking, bi-weekly reporting, and other regulations tracking the fleet's activities.
 - DCTF Members generally agreed that it is important to be thoughtful and intentional about how they recommend the surplus be used.
- DCTF Members shared their desire for the surplus to be managed in an interest-bearing account. The interest could potentially be used to fund a variety of priorities long-term.²
 - Various DCTF Members stated that when the Dungeness Crab Trap Limit program was initiated, the \$1,000 biennial permit fee was supposed to temporarily support litigation costs. However, the fee persists, and CDFW is not using the fund or its spending authority to its full extent. A Member suggested the DCTF recommend the \$1,000 fee be eliminated. However, a DCTF Member estimated that the fee could not be eliminated but could be reduced (e.g., \$600) if the program continued to be self-supported without generating a surplus. This would require both legislative and regulatory changes.
 - DCTF Members discussed reducing fees temporarily (e.g., for one to two years). CDFW expressed concern about the regulatory complexity and strain on CDFW resources in accomplishing this option.
 - DCTF Members discussed whether the surplus should be reallocated to the fleet through reduced permit and buoy tag fees. If this were to occur, funds should not be equally distributed across the fleet because the higher tier permit holders pay more into the fund than the lower tier.

To better understand the DCTF's priorities for how surplus funds should be allocated, the DCTF engaged in a sticker dot activity. The priorities that rose to the surface were GPS buoy trackers and returning funds to the fleet. The next highest priorities were funding gear retrieval and vessel surveys.

² Following the meeting, CDFW confirmed that the surplus is residing in an interest-bearing account. Approximately 4% of the revenue summarized in 2022-23FY report contains the investment income accrued by the account being held in the state's PMIA: <https://www.treasurer.ca.gov/pmia-laif/pmia/index.asp>

Stipends for Whale Working Group Members, funding domoic acid quality testing vessels, and increasing reimbursements to vessels participating in crab quality testing, respectively, received the least support.

The DCTF took straw polls to assess the level of agreement around the best way to address the Dungeness crab accounting surplus.

Straw Poll: The DCTF supports a regulatory change to reduce biennial permit fees to \$1 and buoy tag fees to (a # the DCTF will come up with) over a four-year period to spend down the account to \$2.2 million (CDFW's requirement). Once the surplus is removed, transition to a \$600 permit fee and a \$5 buoy tag fee. (3 up, 11 sideways, 5 down, 0 abstain)

Straw Poll: The DCTF supports a regulatory change to reduce the biennial permit to \$600 and the buoy tags to remain at \$5 per tag. A legislative change will happen to identify how to use the surplus based on DCTF priorities. (13 up, 6 sideways, 0 down, 0 abstain)

Straw Poll: The DCTF supports reducing the biennial permit fee to \$1 for four years (to eliminate the surplus). Any deficit would be addressed in the future, including adjustments to the permit fee costs. (4 up, 12 sideways, 3 down, 0 abstain)

Public comment was taken on the topic at hand.

- Lisa Damrosch, PCFFA, supported a recommendation to continue to ensure the Dungeness crab trap limit program funding was maintained to the levels needed for future years and use the surplus on DCTF priorities. She suggested the surplus funds support fishermen's participation on the TRT participation beyond travel stipends.
 - The Admin Team explained that using the surplus for this purpose would require a legislative change and that the funds could not be made available in time for the anticipated spring/summer 2025 TRT.
- Brand Little, commercial fisherman, explained that the fleet overfunds the Dungeness crab account by roughly \$200,000 every two years. He would like to see fees reduced and a legislative change for the use of the fund to support stipends and travel for the DCTF and TRT.
- Alex Schmidt, commercial fisherman, expressed that while returning surplus funds to the fleet and reducing permit fees would be welcomed, the surplus could be beneficial in supporting lost gear retrieval and other entanglement priorities longer-term, likely leading to larger economic impacts to the fleet.

ACTION: Consideration and possible recommendation(s) to address the surplus funds resulting from the Dungeness Crab Trap Limit Program.

APPROVED: The DCTF recommends the surplus funds sitting in the Dungeness Crab Account (FGC §8276.5) that continues to accrue in excess of CDFW and the DCTF's expenditures, be deposited in an interest-bearing account managed and overseen by the Pacific States Marine Fisheries Commission (PSMFC). Any continued surplus in the Dungeness crab account should be deposited to PSMFC biannually. The DCTF expects PSMFC to work in partnership with the DCTF and CDFW to use these funds in a fashion that is in alignment with the DCTF's identified priorities. The funds should not be used without approval from the DCTF and should not be utilized by the Tri-State Dungeness Crab Commission.

If there is no way to distribute the funds to PSMFC or PSMFC cannot work with the DCTF to spend these funds in alignment with the DCTF’s priorities, then the DCTF rescinds this recommendation and recommends moving forward with an alternative option outlined in recommendation on pg. 19.

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
16	2	0	0	3

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

Thumbs up (16): Geoff Bettencourt, Bill Blue, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (2): Andy Guiliano, Zach Rotwein,

Thumbs down (0)

Abstain (0):

Absent (3): Joe Cincotta, Tom Estes Jr, Scott Hockett

APPROVED: If the surplus in the Dungeness Crab Account (FGC §8276.5) cannot be managed by PSMFC, then the DCTF recommends amending §132.1 Title 14, CCR to reduce the cost of the biennial permit fees to the fleet thereby eliminating the continued accrual of a surplus in the Dungeness crab account. The DCTF estimates that by reducing the biennial permit fee down to \$600 while continuing to charge \$5/tag, CDFW should be able to cover the costs of the DCTLP and the DCTF while not continuing to accumulate a surplus.

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

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

Thumbs up (19): Geoff Bettencourt, Bill Blue, Joe Cincotta, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Andy Guiliano, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Zach Rotwein, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (0):,

Thumbs down (0)

Abstain (0):

Absent (2): Tom Estes Jr, Scott Hockett

8. Discuss solutions to address Dungeness crab fishermen’s concerns that they cannot transit a closed area with Dungeness crab onboard.

The DCTF has discussed transiting a closed management area with Dungeness crab on board before with the rationale that EM would provide sufficient proof of a vessel’s location and speed in a closed management zone. The topic was discussed in detail during the [September 5, 2024 Executive Committee](#). EC Members shared how 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, would that constitute fishing speeds or is it because of mechanical issues?). The Executive Committee agreed that this issue is a high priority and should be discussed in full with the rest of the DCTF. DCTF Members asked clarifying questions and discussed various aspects of the presentations.

- A DCTF Member shared that other states (e.g., Washington) use EM to enforce transiting closed management zones. Additionally, those vessels call law enforcement to report their crossing before transiting. MED shared that the Archipelago units are continuously recording, have a GPS device, and are cellular-based so data is quickly and easily accessible. However, MED shared that in order to use EM to enforce transiting a closed area, a clause detailing vessel speed would also be needed to ensure folks are not fishing in a closed area. Federal fisheries have a definition for “continuous transiting,” which is direct, continuous, expeditious (i.e., no stopping), and no loitering. MED expressed concern that this definition was not sufficiently detailed. DCTF Members supported the federal definition of continuous transit because boats transit at different speeds depending on weather conditions.
 - A DCTF Member shared that Archipelago units show the variation in how the boat moves and believes it is not difficult to determine if a vessel is going slow versus broken down.
 - A DCTF Member suggested using hydraulic sensors to identify if the fleet is actively fishing. CDFW supports testing hydraulic sensors through pilot studies. Hydraulic sensors, coupled with EM could potentially be a viable option.
 - DCTF Members discussed the functionality of the EM units. Fishermen are responsible for making sure their EM units are operational and recording properly.
- A DCTF Member emphasized the need for good communication when transiting closed areas with crab onboard, and MED confirmed some declaration would be required similar to Washington. A DCTF Member shared that part of the declaration could include an option to declare vessel breakdowns and emergencies similar to other fisheries. EM data could be used to confirm breakdowns and help confirm suspicious behavior (e.g., the same person declaring a breakdown while transiting a closed area multiple days in a row). Another stated the majority of the fleet is honest and likely would not experience a breakdown more than 1-2 times. In the declaration, fishermen should share their intended port of destination to help address enforcement concerns. The DCTF recommended keeping the declaration process simple.
- A DCTF Member asked MED about their primary concern with transiting a closed area (e.g., marine protected areas (MPAs), domoic acid closure areas, Fishing Zones closed due to whale presence, etc.). MED shared that all are a concern, and once alternative gear (e.g., pop-up gear) becomes more prevalent, enforcement will be more challenging.

Public comment was taken on the topic at hand.

- Brand Little, a commercial fisherman, asked for clarification about the nature of the conversation. The DCTF and MED clarified that they are referring to any type of closed area (i.e., MPAs, RAMP closures, etc.). Mr. Little followed up by asking if the EM track lines were enough evidence or if MED would need more evidence to prosecute. MED explained that they need hard evidence to make a case, and in federal fisheries, when fishermen violate the continuous transit clause, the federal government issues citations. California could implement something similar in Dungeness crab. Mr. Little reminded the DCTF to ensure that violations

and crimes are reflective of the crime on the resource. For example, transiting a closed area with crab onboard is currently illegal but not as bad as fishing in a closed zone, and MED will prosecute accordingly.

ACTION: Consideration and possible recommendation(s) that will allow Dungeness crab fishermen to transit a closed fishing zone with Dungeness crab onboard.

APPROVED: While currently prohibited by law, the DCTF believes it is important to create a legal pathway to allow fishermen to transit a closed management zone with crab onboard. The DCTF recommends that before being allowed to transit a closed management zone while in possession of crab, vessel operators must make a declaration to CDFW’s Marine Enforcement Division. Operators must designate the port they are transiting to in their declaration with procedures to follow in case of mechanical failure and/or vessel breakdown during transit. Transiting vessels must continuously transit as defined by federal regulations. This includes taking a direct, expeditious route, without loitering or stopping. Transiting vessels must have a CDFW-approved electronic monitoring system onboard that is fully operational during the transit.

Thumbs Up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

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

Thumbs up (19): Geoff Bettencourt, Bill Blue, Joe Cincotta, Barry Day, Mike Cunningham, Shawn “Chenzo” Flading, Andy Guilliano, Gerry Hemmingsen, Harrison Ibach, Dave Kasheta, Nick Krieger, Brian Nolte, Tim Obert, Dick Ogg, Zach Rotwein, Luke Sallee, Fred Soares, Joe Thornburg, Troy Wakefield

Thumbs sideways (0):

Thumbs down (0)

Abstain (0):

Absent (2): Tom Estes Jr, Scott Hockett

9. Review next steps and confirm topics for future discussion by the DCTF and/or the Executive Committee.

- The next Executive Committee meeting is anticipated in Spring 2025, and the next DCTF Meeting is anticipated in October 2025.
- The DCTF reviewed the list of topics identified by the Executive Committee or requested by the public to be added to future EC and DCTF agendas.
 - Topics to discuss at future Executive Committee meetings include buoy markings (i.e., L# on buoys), gear retrieval, and buoy tracking. Other topics will be discussed throughout the remaining 2025 EC meetings.

10. Next Steps

The meeting next steps include the following:

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, a public comment letter in response to the proposed changes to §132.2 Title 14, CCR, and 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.
- 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.
- Begin preparing for 2025 elections in Crescent City, Fort Bragg, San Francisco, and South of Half Moon Bay, as well as appointments for non-fishing representatives.

DCTF Members will

- Review draft materials, including the meeting summary, public comment letter, 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.

11. Adjourn