

Meeting Summary
DCTF Executive Committee
Monday, April 20, 2015

Meeting Participants

EC Members Present Geoff Bettencourt, Larry Collins, Mike Cunningham, Vince Doyle, Brett Fahning

EC Members Absent Bill Blue, Bill Carvahlo

Other Meeting Participants: Tom Barnes, CA Department of Fish and Wildlife
Bob Farrell, CA Department of Fish and Wildlife
Pete Kalvass, CA Department of Fish and Wildlife
Christy Juhasz, CA Department of Fish and Wildlife
Jacki Meyer, Ocean Protection Council
Rachelle Fisher, DCTF Administrative Team
Kelly Sayce, DCTF Administrative Team

Meeting Summary

All "next steps" are **in bold** below.

1. *Welcome, Introductions, Agenda Review*

- The DCTF Administrative Team (Admin Team) explained the role of the Executive Committee (EC).
 - The EC was appointed and approved by the Dungeness crab task force (DCTF) at the [April 2012 DCTF meeting](#). The intent of the EC is to act as an advisory body between scheduled DCTF meetings. The EC cannot make decisions or recommendations on behalf of the DCTF and all discussion topics and ideas generated by the EC must be reported back to the DCTF for consideration and review.
- The Admin Team walked through the [agenda](#) and clarified that the purpose of the call is to address a number of topics the DCTF directed the EC to address during its October 2014 meeting. Today's call will only focus on a few of these topics, while additional topics will be addressed during future EC calls throughout 2015.
 - The Admin Team introduced EC members, OPC Staff and California Department of Fish and Wildlife (CDFW) staff from the Marine Region, Enforcement, and the License and Revenue Branch.
- [Guidelines for providing public comment](#) were reviewed.

2. *Updates*

Updates- Admin Team

- The Admin Team provided a brief update to the EC on their activities since the October 29, 2014 DCTF meeting. The Admin Team:
 - Developed and submitted a [report](#) on behalf of the DCTF providing initial recommendations to the California Legislature, CDFW, and the Fish and Game Commission (Commission) as mandated in Senate Bill (SB) 369.
 - Continued coordinating with DCTF, CDFW, OPC, and the California Legislature on all DCTF related issues to help inform DCTF and EC discussions.
 - During an initial set of one-on-one conversations with DCTF Members, the Admin Team heard support to postpone DCTF meetings until 2016. The Admin Team is investigating an alternative of convening multiple EC conference calls in 2015 and the Admin Team

participating in a series of port meetings to gain additional insights on the priorities of the fleet. If this timeline is broadly supported, two DCTF meetings would be held in 2016. The Admin Team will hold additional conversations with other DCTF Members to gain further guidance on the DCTF's 2015-2016 meeting schedule.

- If interested members of the public have input on the DCTF's meeting schedule, please contact the Admin Team at info@dungenesscrabtaskforce.com or 805.845.9852.

Updates- CDFW

- CDFW provided a number of updates:
 - CDFW staff provided an update regarding the status of appeals. A total of 43 appeals were made during the window period. Through the appeals process, a total of 15 upgrades have been made to trap allocations of permit holders, resulting in 1,050 additional traps added to the tier allocations. Updated information regarding the appeals process should be [available on online via CDFW's website](#) in the coming weeks.
 - CDFW staff reviewed the accounting of costs associated with the [commercial Dungeness crab trap limit program](#). CDFW explained that additional time is needed to gain a full assess of the costs of the program, and that this document only accounts for data through December 31, 2014. CDFW will provide a more accurate accounting of the first 2 full seasons of the trap limit program in April 2016, which will account for any additional enforcement costs related to the program, as well as revenue generated by through permits and trap tags in 2015.
 - An EC member clarified that four years for the program may be needed to see start-up costs begin to even out before the DCTF and CDFW will understand the operational costs of the program. CDFW staff agreed clarifying that additional funds may be needed to pay for legal fees incurred through the program and CDFW needs to confirm law enforcement costs associated with the program are being tracked/billed appropriately.
 - The Admin Team reminded the EC that this accounting summary is a snapshot of costs/revenue to date, and to keep in mind that additional information will be made available to the DCTF in the coming months. It was acknowledged that since the DCTF may not have a meeting in 2015, the EC might need to develop a proposal(s) for how any surplus of funds may be used in 2016.
 - A CDFW staff member identified there may be additional unforeseen costs to CDFW associated with implementing the trap limit program that could come to light in the near future (e.g., additional workload to CDFW staff related to implementing DCTF recommendation in 2017, convening discussions regarding whale entanglements, etc.).
 - An EC member acknowledged that [Fish and Game Code](#) 8276.5 states specific (limited) uses for the utilization of trap tag fees and changes to these uses would require legislation. The Dungeness Crab Account was established to fund start-up costs related to the trap limit program and the Dungeness crab industry anticipates those costs will begin to decrease once the program is underway.
 - **The Admin Team will continue working with CDFW and the DCTF to support ongoing discussions regarding trap limit program accounting.**
 - CDFW did not have any specific updates related to enforcement, and invited the EC to ask any enforcement related questions.
 - An EC member stated that during the 2014-15 season, enforcement appeared to be implementing the 96-hour rule more diligently than in the past, particularly in District 10. He explained this rule was put into place to encourage out-of-state

boats to service their gear within a relatively short timeframe, not for a biological reason. While a 96-hour soak time works well at the start of the season, later in the season there may be benefits to allowing a longer soak in order to catch a reasonable amount of crab.

- CDFW was open to modifications to the 96-hour rule, while being mindful of the need to tend gear in a timely manner to reduce gear loss and/or potential entanglement issues. CDFW explained that federal laws require traps to be serviced every 7 days, while Oregon and Washington allow a soak time of 14 days and 30 days, respectively.
- One EC member suggested 7-10 days as a reasonable timeframe to service gear, which would make the Dungeness crab fishery consistent with federal rules. CDFW staff acknowledged this suggestion may also correspond with anticipated changes in the spiny lobster fishery.
- CDFW reminded call participants that waivers are available for those who can not service their gear every 96-hours due to extenuating circumstances.
- **The EC will develop proposal(s) regarding making changes to the 96-hour rule during a future call, which will be submitted to the DCTF for full review and consideration.**

Updates- OPC

- OPC did not have any updates to provide at this time.

Updates- Executive Committee

- Members of the EC identified a number of items they would like to see addressed/considered during future EC calls:
 - Require the buoy tags to be labeled with the name of the boat on the buoy tag.
 - Eliminating in-season replacement tags.
- **The Admin Team will make note of these additional items and include them as discussion topics for an upcoming EC call.**

Public comment

- Tom Weseloh, Senator McGuire's staff, inquired about the specifics of CDFW legal fees related to the appeals process. CDFW clarified that, to date, the legal costs have exceeded what was initially budgeted. Mr. Weseloh stated that he understood there should not be any legal fees associated with the program, as CDFW should have recovered all fees during the appeals process. He recommended the DCTF and CDFW review the Fish and Game Code that describes how trap tag fees can be used, and if changes/clarification is needed, to inform the California Legislature as soon as possible.
 - **The Admin Team will work with CDFW and the DCTF to review the [Fish and Game Code](#) that outlines how trap tag fees can be used.**
- David Helliwell, Fisherman/DCTF Member, asked for additional clarification on how CDFW was able to financially support the management of the Dungeness crab fishery prior to the Dungeness Crab Account being active/available. He also expressed concern regarding the trap tag fees being used for overseeing projects like whale entanglements or other issues that may not be directly related to the trap limit program.
 - In the recent past, CDFW has not invested a great amount of staff time into Dungeness crab management because it is a healthy fishery. The implementation of the trap limit program, however, could increase CDFW workload and associated costs.

3. Discussion about opportunities for California to collaborate with Oregon and Washington (e.g., insights on the evaluation of the California commercial Dungeness crab trap limit program, etc.)

- The Admin Team stated that the DCTF is tasked with monitoring and evaluating the commercial trap limit program. At the October 2014 meeting, the DCTF requested the EC begin discussions and initiate ideas related to monitoring and evaluation that could be brought back to the full DCTF. The Admin Team is working with CDFW and Carrie Pomeroy, the DCTF Sea Grant representative, to set up an EC call in the near future to further these discussions.
- As an initial step, the Admin Team recommends the EC consider reaching out to OR and WA to learn what has been helpful in the evaluation of their respective trap limit programs. Similar to how CA looked to OR and WA's trap limit programs when developing the CA program, the Admin Team recommends learning from OR/WA experiences to help evaluate the CA program in order to not reinvent the wheel.
 - The Admin Team draft a memo (or other form of correspondence) on behalf of the EC to ask OR/WA a number of questions related to the evaluation of their trap limit programs. A conference call with OR/WA Department of Fish and Wildlife staff leads, the Admin Team, CDFW, and Carrie Pomeroy would also be convened to gather information that could inform EC discussions.
 - The EC expressed general support for this approach. An EC member reminded the Admin Team that the CA trap limit program differed from OR and WA since CA has seven tiers, and conversations regarding evaluating the trap limit program should not be confused with other tri-state issues (e.g., crab quality testing).
 - **The Admin Team will develop a memo for the EC's review, and once approved, circulate it to OR and WA staff leads. Additionally, the Admin Team will work with CDFW and Carrie Pomeroy to continue a conversation about the evaluation of the California commercial trap limit program.**

No members of the public commented on this agenda topic.

4. Discussion of Dungeness crab gear recovery program (e.g., generating ideas surrounding the structure and function of the gear retrieval program, review and consideration of a proposals, etc.)

- During the October 2014 meeting, DCTF Members prioritized the establishment of a gear recovery program, similar to the one operating in the north (Crescent City, Trinidad, Eureka), and identified the need to secure long-term funding, grow the range of the current program, and support the longevity of the program. The DCTF directed the EC to discuss this topic and bring it back to the DCTF for full consideration.
- David Helliwell, Fisherman/DCTF Member, provided the EC with a brief description of the initial ideas outlined in a 2-option [proposal](#) he developed with the SeaDoc Society and other fishermen. There are two primary options presented in the proposal.
 - A number of EC members from the North stated that over the past few years the gear recovery program operating in their region has worked well. In general, they support maintaining the model/option that is already up and running (Option 1 – the CA model).
 - One EC member expressed concern that Option 2 – the OR/WA model – created an incentive to search for gear that was easy to collect (to get paid faster), thus not addressing the issue of stuck gear.
 - Another EC member said he would be interested in seeing any future program include more than one boat per port to be involved with recovering lost gear.
 - Jennifer Renzullo, Field Manager for the California Los Fishing Gear Recovery Project, stated that it is up to the fishermen to decide what

model to use, including the specifics on the number of boats involved in recovering gear. She mentioned that Craig Goucher, DCTF Member from Trinidad, sees benefits in using two boats that can work collaboratively to remove stuck gear (i.e., smaller boat can get in closer to shore, larger boat can stack gear collected). Potentially local port associations would agree on who was involved in the recovery work.

- One EC member inquired if it would be possible to have the gear recovery program take place during the season, rather than only after the season has closed to ensure boats available to participate, rather than waiting until after the season when fishermen have moved onto other fisheries and are less available.
 - Ms. Renzullo stated her program had applied for a waiver during the season to recover lost gear. It is important to note, however, that the program works best when gear is identified in a specific location and then responded to – riding around looking for lost gear is not financially viable.
 - CDFW reminded the EC that there are waivers available that will allow more than 6 traps onboard if fishermen have stuck gear.
 - CDFW staff is interested in Option 2, stating it has the potential to recover more traps and get them out of the water in a short amount of time.
 - CDFW suggested the EC consider a hybrid approach, one that would begin with Option 2, and the later in the season transition to Option 1 so fishermen could be paid to recover stuck traps.
- An EC member clarified his understanding that within Option 2, if one of his traps was found and brought in, he would no longer have ownership to that trap. This was confirmed.
- Another EC member highlighted that the cost projections related to Option 1 would vary on an annual basis, depending on such factors as weather which would influence the amount of lost gear during a given season.
 - Ms. Renzullo suggested that once a gear recovery program is in place there would be more incentive within the fleet to remove their gear from the water in a timely manner thereby reducing the program costs.
- EC members from District 10 confirmed their desire to have the program extend to the southern extent of the fishery. Ms. Renzullo confirmed that this was the goal of the program in 2015-16, for which funding has been secured.
- The Admin Team asked the EC who would be responsible for running a gear recovery program?
 - A number of EC members identified Ms. Renzullo as the appropriate person to run the program. Ms. Renzullo acknowledged that she is available, however would recommend the DCTF develop a program whose success is not solely dependent on her/one person. She also encouraged the DCTF to keep the program simple and be realistic about funding options.
 - One EC member stated that he was interested in developing a simple program recognizing the value of recovering gear quickly and returning it to the rightful owner. He suggested that the San Francisco Community Fishing Association provide storage space for recovered gear until fishermen are contacted and traps are retrieved.

- An EC member agreed that the program should be simple to minimize costs and felt the OR/WA model would be accomplish those goals.
- An EC member reminded the group that having the program run on a volunteer basis (Option 2) following the season would be challenging since the California season ends earlier than OR and WA.
- CDFW is interested in working with the DCTF to design a gear recovery program that reflects the industry's interests while being mindful of enforcement considerations.
 - **CDFW will lead a working group with fishermen and Ms. Renzullo to discuss initial ideas and develop a proposal(s) that can be discussed by the EC and DCTF.**

5. General public comment

- CDFW is working with the National Marine Fisheries Service (NMFS) regarding whale interactions with state managed fisheries, specifically large whale entanglements.
 - CDFW is engaged in discussions with Dan Lawson, NMFS Protected Resources Division, regarding an increase in reports of whale entanglements and interactions with Dungeness crab gear in 2014. NMFS has begun working with OR and WA to begin exploring a number of voluntary measures to help reduce these incidents. NMFS is looking to have similar conversations with California fishermen. The current thinking is to convene a group of fishermen in summer/fall in multiple locations (e.g., Northern California, Bay Area) to discuss this topic further.
 - The current categorization of Dungeness Crab as a Category II fishery and could change if the entanglement trend continues. Ideas to address whale entanglements this issue require legislation.
 - The Admin Team confirmed NMFS's interest in a cooperative approach working with fishermen, as long as all parties are willing to participate and work together.
 - Geoff Shester, California Campaign Director, Oceana stated that Oceana is a supporter of the Dungeness crab fishery and recognizes it as a sustainable, clean fishery. The issue and magnitude of increased whale entanglements was a surprise to Oceana and highlights a need to collect data to understand the cause of these increased interactions which could be due to increases in whale populations, shifts in foraging grounds, changes in fishing patterns, more eyes on the water, etc. Oceana recognizes whales travel great distances so it is difficult to ascertain the point in which a whale becomes entangled. Oceana is interested in working with the DCTF and Dungeness crab fleet to discuss ideas on how to address this issue with the goal of establishing changes in advance of the 2015-2016 season and setting the stage for a long-term dialogue. A number of ideas could be explored, including developing dis-entanglement teams, creating defining markers on buoys, gear changes, area changes, etc. Oceana is looking to send a letter to CDFW in the coming weeks outlining their interest in this issue and they are open to sharing the letter with the DCTF prior to sending to CDFW in an effort to start the conversation collaboratively.
 - All EC members expressed an interest in working collaboratively with CDFW, NMFS, Oceana and others to establish an open and constructive dialogue around whale entanglements. One EC member stated that fishermen do not want to hurt whales, but also want to balance the impacts of gear changes on fleet operations.
 - One EC member suggested convening a subcommittee that could discuss ideas in greater detail with all involved, and then report back to the EC. The more fishermen involved in the discussion the better. One EC member recommended discussions involve the members of the shipping.

- Another EC member stated the Dungeness crab fishery is a leader in taking proactive measures to manage their fishery in a sustainable manner by advocating for pre-season testing, a trap limit program, limited entry, escape rings, a gear recovery program, etc.
- One EC member thanked Oceana for considering supporting the DCTF's efforts to establish a gear recovery program, including potential funding.
- **The Admin Team will work with DCTF Members, CDFW, NMFS, Oceana and others who are interested in convening small group discussions to further generating ideas around this topic. Updates will be provided to the DCTF and EC.**
- John Corbin, Chairman of the Oregon Dungeness Crab Committee, stated that securing 1 buoy line to two traps can increase derelict gear issues, and cautioned the EC to develop that some ideas/recommendations to address the whale entanglement issue may result in a suite of different problems. Mr. Corbin also shared information about the OR/WA gear recovery program. Overall, both programs are working well with general support from both fleets. A full summary of his input is [available here](#).

6. Adjourn

- The Admin Team summarized the **next steps** that emerged from the call discussions.
- A summary of the call will be available on the DCTF webpage in the coming weeks. It is anticipated that the EC will hold another conference call in June/July.