



## CALIFORNIA OCEAN PROTECTION COUNCIL

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### MEMORANDUM

TO: Ocean Protection Council

FROM: OPC Staff

DATE: March 17, 2009

RE: Dungeness Crab Task Force Noncommercial Fishing Representatives

ATTACHMENTS: [Call for nominations](#)

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### REQUESTED ACTION:

Staff recommends the council approve the following resolution:

“The Ocean Protection Council hereby appoints Ben Sleeter and Kevin McKernan (recreational fishermen), Bill Carvalho and Paul Johnson (processors), Roger Thomas (commercial passenger fishing vessel), and Johanna Thomas and Richard Young (nongovernmental organizations) to serve as representatives to the Dungeness crab task force, pursuant to Senate Bill 1690 (Chapter 727, Statutes of 2008). If any of these individuals are unable to serve through the tenure of the Dungeness crab task force, the Ocean Protection Council hereby grants authority to the Council Chair to appoint a replacement for that member.”

### BACKGROUND:

Senate Bill 1690 (which added Section 8276.4 of the California Fish and Game Code) requires the establishment of a Dungeness crab task force (task force) to review and evaluate Dungeness crab management measures and make management recommendations. The Ocean Protection Council (OPC) is designated as the entity to develop and administer the task force. The goal of the task force is to provide recommendations concerning Dungeness crab fishery management to the Joint Committee on Agriculture and Fisheries, the California Department of Fish and Game (DFG), and the California Fish and Game Commission (FGC).

Pursuant to the directives of the bill, the task force is to be composed of 27 members as follows: two members representing sport fishing interests, two members representing crab processing interests, one member representing commercial passenger fishing vessels (CPFVs) interests, two members representing nongovernmental organization (NGO) interests, one representative of Sea Grant, two representatives of DFG, and seventeen members representing commercial fishing interests.

OPC staff has been working to convene the task force. To identify the commercial fishermen representatives, staff administered a two-step election by mail: 1) a request for nominations was sent out in a first mailing in which permit holders were also asked to provide updated personal information; 2) in a second mailing, permit holders were asked to rank nominees in order of preference using anonymous ballots. In addition, Sea Grant and DFG selected their own representative(s) for the task force. Jim Waldvogel, a marine advisor located in Del Norte County, will represent Sea Grant and Brooke McVeigh, a biologist, and Steve Riske, a patrol lieutenant, will represent DFG.

The OPC is being asked to appoint the remaining representatives on the task force. In December 2008, staff sent out a request for nominations for the NGO, sport fishing, processing, and CPFV representatives (attachment 1). Nominees were ranked based on the following criteria: experience and knowledge of the Dungeness crab industry, time availability, support from industry, geographical balance, diversity of views and opinions, the ability and willingness to represent others within their category (i.e., candidates for the processor slot should be willing to bring in ideas from other processors not on the task force), and their willingness and ability to work in a group dynamic. After all nominations were reviewed and ranked, staff interviewed the top several candidates in each category. Following the interviews, top choices were vetted with DFG.

## **Recommended Task Force Members**

### *Sport Fishing Interests*

**Ben Sleeter** has participated in the recreational Dungeness crab fishery out of San Francisco and Pillar Point for a number of years. Mr. Sleeter is a member of the Marine Life Protection Act (MLPA) North Central Coast Stakeholder Group as well as on the board of directors for the Coastside Fishing Club. Staff believes that his work on the MLPA Stakeholder Group demonstrates his ability to communicate his views in a group similar to this task force. His position with the Coastside Fishing Club gives him the ability to easily communicate with others in the sport fishing community, which staff believes will allow him to better serve as a representative voice of the sport fishing community. Mr. Sleeter received five nominations from individual commercial fishermen, demonstrating his good working relationship with the commercial fishing sector. Those that nominated Mr. Sleeter believe he understands the issues facing the Dungeness crab fishery and will be a constructive member of the task force.

**Kevin McKernan** is a sport fisherman from Crescent City. Having fished crab recreationally in the area for almost fifteen years, Mr. McKernan is part of a very small fishing community and is familiar with the issues facing both the recreational and commercial fishermen. Mr. McKernan previously worked for the Yurok Tribe Environmental Program on issues such as watershed and salmon restoration. He currently works for the National Conservation System Foundation and has participated in various advisory groups related to TMDLs, water quality, and the Klamath dams. Mr. McKernan's work demonstrates his excellent interpersonal skills and ability to work collaboratively and constructively on difficult issues.

### *Crab Processing Interests*

**Bill Carvalho** is President of Carvalho Fisheries, which has been servicing ports in Eureka, Trinidad, Crescent City, and in the state of Oregon for the past thirteen years. Carvalho fisheries is a large processor that handles approximately 1,000,000-3,000,000 pounds of live and frozen

crab a year. In addition to the processing and distribution of Dungeness crab, the company is also involved with quality research and development such as the creation of a “minimal mercury” label, pathogen reductions, nutritional enhancements, and processing upgrades. Mr. Carvalho’s knowledge of the industry and interest in sustainable fisheries would greatly enhance Dungeness crab task force discussions. One nominator wrote “I believe [Mr. Carvalho] would be easy to work with and would fairly represent both large and small processors/buyers.”

**Paul Johnson** founded the Monterey Fish Market in 1979, a business that sells sustainably-captured and cultured seafood and promotes ocean conservation. The Monterey Fish Market, compared to Carvalho Fisheries, is a small producer, buying approximately 50,000 pounds of crab per year and dealing almost completely with live crab. A former chef and the co-author of *The California Seafood Cookbook*, Mr. Johnson currently serves on the advisory board of the Monterey Bay Aquarium’s Seafood Watch Program and has published the book *Fish Forever: The Definitive Guide to Understanding, Selecting, and Preparing Healthy, Delicious and Environmentally Sustainable Seafood*. Mr. Johnson was nominated by three members of the commercial fishing industry.

#### *CPFV Interests*

**Roger Thomas** has been a sport fisherman in California for nearly 40 years and has run the F/V Salty Lady out of San Francisco since 1978. He is very active in the fishing community and served on the North Central MLPA Regional Stakeholder group and as an advisor on the Pacific Fisheries Management Council. Mr. Thomas has also been very involved in fisheries policy work and testified at the House Natural Resources Subcommittee on Fisheries, Wildlife, and Oceans Oversight Hearing in May 2008. As President of the Golden Gate Fishermen’s Association, Mr. Thomas is in a unique position to widely disseminate task force meeting updates and outcomes to other members of the fishing industry. Mr. Thomas also received support from both the commercial fishing industry and other CPFV owners. Not only did he receive five nominations from commercial fishermen, but one CPFV owner forfeited his own nomination in favor of Mr. Thomas. One nominator wrote “I think [Mr. Thomas] is a fair individual with honest opinions.”

#### *NGO Interests*

**Johanna Thomas** is the Director of Fisheries Projects for the Pacific Ocean program of the Environmental Defense Fund (EDF). Ms. Thomas has more than 15 years of experience working in fisheries conservation and manages EDF’s efforts to implement market-based management solutions in the Pacific region. Under the direction of Ms. Thomas, EDF convened a steering committee of Dungeness crab fishermen that resulted in the creation and passage of SB1690. Through this work, Ms. Thomas has engaged extensively in the Dungeness crab fishery, has built trust with members of the commercial fishing community, and gained considerable knowledge about the issues facing the industry. EDF plans to convene meetings with other NGOs to ensure that the lines of communication remain open during the task force meetings.

**Richard Young** is the current harbormaster in Crescent City. Previously a commercial fisherman, he is also currently a Director with the California Association of Harbor Masters and Port Captains. Drawing on current and past experience, he brings a unique position to the task force since he is very well connected to commercial fishermen in both California and Oregon

and well attuned to the issues facing the Dungeness crab industry. Mr. Young realizes the importance of the commercial Dungeness crab fishery to small coastal communities and believes that it is necessary to promote both biological and economic sustainability of the fishery.

### **All Nominees**

#### *Sport Fishing Interests*

Kevin McKernan

Paul Pierce

Ben Sleeter

#### *Crab Processing Interests*

Donald E. Alber, Alber Seafoods, Inc.

Joe Caito, Caito Fisheries

Richard Carroll, Ocean Gold Seafoods

Bill Carvalho, Carvalho Fisheries and Wild Planet Fisheries

John A. Dooley, F/V Shellfish

Paul Johnson, Monterey Fish Market

#### *CPFV Interests*

Phillip Glenn, Celtic Charter Service

Tom Mattusch, F/V Huli Cat

Roger Thomas, F/V Salty Lady, Golden Gate Fishermen's Association

#### *NGO Interests*

Ben Bowman, Food & Water Watch

David Crabbe

Astrid Scholz, Ecotrust

Johanna Thomas, Environmental Defense Fund

Richard Young, California Association of Harbor Masters and Port Captains

### **Appointment of sport fishing, crab processing, CPFV, and NGO interests**

Although all recommended task force members have confirmed that they are able and willing to serve on the task force, unforeseen circumstances may arise. Because the people appointed to these positions do not have alternates, it is in the best interest of the task force to have replacement representatives appointed as quickly as possible. Since the OPC meets only quarterly, staff is requesting the council to grant authority to the Chair to fill a vacancy if one arises.

## **CONSISTENCY WITH CALIFORNIA OCEAN PROTECTION ACT:**

This project is consistent the Ocean Protection Act, Division 26.5 of the Public Resources Code (PRC), in the following respects:

The California Ocean Protection Act (COPA) identifies duties and activities of the council in PRC Section 35615. This includes coordinating activities of state agencies, establishing policies to coordinate the collection of scientific data related to the ocean, transmitting the results of research and investigations to state agencies to provide information for policy decisions, or recommending to the legislature changes in law or identify changes in federal law.

Convening a Dungeness crab task force is consistent with these COPA objectives in that the task force will make fishery management recommendations to the Legislature and other state agencies. Data and information about biological and economic aspects of the Dungeness crab industry that is garnered for the purposes of informing task force members will be used to bolster any policy recommendations that the group reaches. The task force will provide a forum for the various stakeholders to discuss improved management of this fishery and, in particular examine fishery informational needs, management options, the establishment of a Dungeness crab marketing commission, the need for a permanent task force, and the need for statutory changes relating to the management of the Dungeness crab fishery.

## **CONSISTENCY WITH THE OPC'S STRATEGIC PLAN GOALS & OBJECTIVES:**

The proposed project is consistent with the OPC's Strategic Plan adopted June 8, 2006, in the following respects:

**Goal A (Governance) Objective 2b:** “Work with all relevant state agencies to develop necessary legislation, regulations, or other tools to improve ocean governance.” The OPC will work with the task force participants—including DFG—to provide direction for future management. The recommendations of the task force will likely span the range of potential ideas, including suggestions for legislative changes.

**Goal E (Ocean and Coastal Ecosystems) Objective 2:** “Help to establish ecologically and economically sustainable fisheries.” The task force will review and evaluate all aspects of the fishery and may recommend regulatory changes that would enhance both ecological and economic sustainability of the Dungeness crab fishery.

**Goal E (Ocean and Coastal Ecosystems) Objective 4b:** “Investigate the feasibility of various sustainable fishery management approaches, such as vessel buybacks, different quota systems, and limited entry programs. Encourage the development of sustainable fishing gear.” SB1690 instructs the task force to discuss harvest allocations, pot limit restrictions, season modifications, the need for statutory changes, and other potential management options. The task force will allow fishermen and stakeholders to work cooperatively with the OPC and DFG to review management options and apply market-based approaches to the fishery’s management policies and regulations.