



~California Dungeness Crab Task Force~

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

DCTF MEETING 3 UKIAH, CALIFORNIA OCTOBER 7 AND 8, 2009

MEETING SUMMARY

INTRODUCTION

The purpose of this meeting summary is to:

- Inform all Members of the Dungeness Crab Task Force (DCTF) and the wider public of ongoing work of the DCTF
- Provide a summary of discussions and outcomes from DCTF Meeting #3 held in Ukiah, California on October 7 and 8, 2009

During each meeting of the DCTF, notes are taken by Ocean Protection Council (OPC) staff. Subsequently, the neutral project Facilitation Team (staff from the California State University Sacramento, Center for Collaborative Policy [CCP] and T.C. Hoffmann & Associates) reviews and edits the meeting summary, which is then reviewed by the full DCTF.

Day 1 – October 7, 2009

9:00 a.m. to 7:00 p.m.

ATTENDEES

Task Force Members Present on Day 1:

Jim Anderson, F/V Alliane	Kevin McKernan, recreational fisherman
John Atkinson, F/V New Rayann	Brooke McVeigh, CA Department of Fish and Game
Bill Carvalho, Wild Planet Fisheries	Ben Sleeter, recreational fisherman
Lawrence Collins, F/V Autumn Gale	Randy Smith, F/V Mistasea
Michael Cunningham, F/V Sally K	Don Standley, F/V Terry S and F/V One and All
Bill DeBacker, F/V She N I and F/V Jard	Roger Thomas, F/V Salty Lady, Golden Gate Fishermen's Association
Vince Doyle, F/V Verna Jean	Johanna Thomas, Environmental Defense Fund
William Forkner, F/V Shirley and F/V Audrey	Jim Waldvogel, CA Sea Grant
Gerry Hemmingsen, F/V Pollux	Lee Wilson, F/V Gold Coast
Paul Johnson, Monterey Fish Market	Richard Young, California Association of Harbor Masters and Port Captains
Chris Lawson, F/V Seaward	
Chuck Cappotto, F/V Rosella, Alternate for Stan Carpenter, F/V Sandy B	
Mike McHenry, F/V Merva W, Alternate for Geoff Bettencourt, F/V Moriah Lee	
Dennis McKiver Alternate for Lt. Steve Riske, CA Department of Fish and Game	
Zack Rotwein, F/V Abundance, Alternate for Mike Zamboni, F/V Lucky 50	
Rick Shepherd, F/V Sunset, Alternate for Brett Fahning, F/V Rogue	

Absent:

William Blue, F/V Morning Light

OPC staff present:

Chris Blackburn
Rachelle Fisher
Cina Loarie

Facilitation Team present:

Dave Ceppos
Dr. Tegan Hoffmann
Rich Wilson

1. Welcome, introductions, and agenda review

Dave Ceppos, lead facilitator for the Facilitation Team and Managing Senior Mediator at CCP, welcomed everyone to the meeting and introduced the rest of the Facilitation Team – Dr. Tegan Hoffmann and Rich Wilson of T.C. Hoffmann & Associates. Prior to reviewing the meeting agenda and facilitation strategy, Mr. Ceppos explained that the Facilitation Team and OPC would be recording the plenary at every meeting. However, as allowed by the Bagley-Keene Open Meetings Act, all recordings will be deleted 30 days after each meeting.

Mr. Ceppos discussed the road map used at the previous DTCF meetings, and reviewed the agenda for meeting 3 in Ukiah. The first day of the meeting would consist largely of informational presentations, followed by DCTF Members providing port specific feedback on preliminary objectives and management approaches developed during meeting 2 in San Francisco. The second day would involve reviewing and developing potential management measures. These measures are expected to be discussed by DCTF members with their constituents in the days between meetings 3 and 4.

Mr. Ceppos provided a recap of the objective setting exercises of the San Francisco meeting, acknowledged the lack of universal agreement among the DCTF on short and long-term objectives for the fishery, and pointed out that there may even be competing objectives. Rather than aiming for full agreement during the Ukiah meeting, Mr. Ceppos encouraged Members to consider management approaches that can be *both/and* versus *either/or* in terms of achieving objectives. He explained that a non-binding straw poll would be conducted on a consolidated list of objectives derived from the San Francisco meeting to inform subsequent discussions and allow Members to generate a prioritized list of specific management approaches to share with their port constituents. He further stressed that Members may begin to identify *conditional agreements* as well as *final agreements* on prioritized management approaches for the fishery.

2. Informational presentation and DCTF discussion- Management approaches in the Washington and Oregon Dungeness crab fishery

Cyreis Schmitt Oregon Department of Fish and Wildlife (ODFW), gave a [presentation](#) on the history of Dungeness crab management in Oregon. She provided a brief description of the history and purpose of the Oregon Dungeness Crab Commission, followed by an overview of Oregon's process to implement their pot limit program and lessons learned from its implementation.

Ms. Schmitt discussed the stepwise process of collaboration between the state and stakeholders in developing and implementing the Oregon pot limit program. She described aspects of the public process, goals of the program, approaches considered, and lessons learned from a recent review of the program.

Ms. Schmitt described the initial goals of the program to conduct an orderly fishery, reduce “derby” driven behavior and associated pot loss and conflicts with other fisheries, provide improved access, and enhance the value of the resource. Ms. Schmitt explained that an iterative, lessons-learned approach was used to develop, implement and conduct a recent review of the

effectiveness of the program to date. This process reflects ODFW's response to industry. Furthermore, the program has been implemented at a pace that meets the needs of participants in the fishery.

She explained that when setting up the program, pots were distributed to permit holders by ranking each permit's landings over a six year period. ODFW did not use the average production over this six year period but, rather, the six years were ranked individually. This method prevented fishermen from being penalized in bad years and helped minimize the amount of appeals. Ms. Schmitt further explained that since there was no clear way of determining the definition of a latent permit, all permits were given some pots regardless of their landings.

ODFW has reviewed their pot limit program and found that the bulk of the landings still occurred during the first 2 months of the season and there was no anecdotal information to show that overall landings behavior changed with the implementation of the pot limit program. However, through interactions with fishermen, Oregon has learned that prior to the implementation of the pot program, individuals exhibited "derby style" behaviors (fishing as much gear as fast as possible) but, with pot limits fishermen can get the same landings with less effort. Still, while it was expected that a pot limit program would result in landings being spread out over the season, data showed that the overall fishery did not exhibit this change in behavior.

Ms. Schmitt provided an overview of key lessons learned since implementation of the program. She explained that while anecdotal evidence demonstrates fishermen have been able to land similar numbers of crab while fishing a smaller allocation of pots, data has shown that the bulk of crab landings still occur during the first two months of the season. However, since initiation of the program, the total number of pots fished in Oregon waters has been reduced, and thus represents progress towards the set capacity goal of 150,000 pots.

Following the presentation, Members asked Ms. Schmitt about the Oregon Dungeness crab commission, landings taxes in Oregon, logbooks, the possibility of changing Oregon's Dungeness crab season opening date, cooperation with California and Washington's Dungeness crab management, as well as Oregon's ability enforce pot limits.

Mr. Ceppos asked Ms. Schmitt to comment on how the Oregon pot limit program represented an approach in adaptive management, and how lessons learned might be applied to the California Dungeness crab fishery. In response, Ms. Schmitt commented on how decisions were made, events sequenced, and problems solved as the program unfolded. She described that essentially, ODFW has applied an adaptive approach but that there was not a set "game plan" that described specific iterative steps on how to adjust the management of the fishery. Rather, management approaches have been developed over time. She described how the program has created a working relationship between stakeholders, ODFW, the Oregon Dungeness Crab Commission and decision-makers in government.

Tegan Hoffmann provided additional information for Members to review on their own time, including: 1) [Marketing Orders, Commissions and Associations](#), 2) [Landings Taxes](#); 3) [The Alaskan Pollock Fishery Cooperative](#); 4) [Rent Generation in the Alaskan Pollock Fishery](#) ; as a management tool and; a comparative analysis of landings tax rates and uses in Washington,

Oregon and California.

Public Comment

- Troy Gardner, Fisherman- Asked if there were detrimental effects of making it easier to transfer permits.
 - Ms. Schmitt explained that there did not appear to be any negative aspects of easier permit transfers.

Heather Reed, Washington Department of Fish and Wildlife (WDFW), gave a [presentation](#) on the history of management of the Dungeness crab fishery in Washington, and lessons learned to date from a pot limit program and fair start provisions.

Ms. Reed described how management objectives for the Dungeness crab fishery in Washington were approved in 1999, and included an explicit goal of creating an evenflow season for the fishery. She further highlighted how management of the fishery has had to adapt to the Rafeedie court decision of 1994, which provided specific harvest rights to Indian tribes in the state. Many stakeholders in the fishery complained that the state fishery was harvesting too much too fast (with the majority of the seasonal harvest being landed within the first 4-6 weeks of the season), and this led to the creation of a Washington Dungeness crab advisory committee to discuss and collaborate with WDFW on management measures especially those relative to the evenflow mandate. Spreading out the state landings would help WDFW provide harvest opportunity to tribal fishers.

Ms. Reed described the goal of Washington's evenflow management plan to not catch more than 50 % of the total crab harvest in the first two months of the season. She explained that to date Washington has taken "baby steps," making one small management change at a time, to move towards this goal. The "baby step" approach has historically been used because Washington was not able to obtain a consensus within the industry. Only those ideas that have general industry support are presented to the Washington Fish and Wildlife commission. Moreover, each progressive management change has been evaluated before a new one is implemented.

Ms. Reed described some lessons learned to date in evaluating the program. She described how data conclusively shows that pot limits have not contributed significantly to meeting the goals of the evenflow management plan. WDFW is still investigating whether fair start provisions have contributed to a more evenflow season.

Lastly, Ms. Reed provided an overview of the Washington buyback program. She described a primary goal of the program is to make the Washington fishery healthier and keep fishermen in the region, therefore minimizing fleet migration to Oregon and California. To date, the Washington buyback program has not been implemented.

Following the presentation, Members further discussed Washington's pot limit program, fair start program, tribal crabbing in Washington, cooperation with California and Oregon's Dungeness crab management, the Tristate Committee's role in facilitating cooperation between the three states, and enforcement.

Mr. Ceppos inquired as to how boat expansion can occur under limited entry provisions in Washington, how decision-making occurs, and how the Washington crab advisory body is funded. In response, Ms. Reed explained that vessel length is capped in the Washington fishery; each license has a vessel length associated with it and is only able to increase once by 10ft once. She further explained that baby steps taken by Washington in the management of Dungeness crab have represented success in the face of not always having consensus or majority approval within the industry. She highlighted how members of the crab advisory body fund their own travel to advisory body meetings, but that funds generated from license renewals are dedicated to management of Dungeness crab.

Public Comment

- Troy Gardner, Fisherman- How do you give the public access to your information?
 - Ms. Reed explained that there was information available on the WDFW website, PSFMC and DCTF website.
- Forrest Wooden, Fisherman- How often is the WDFW website updated?
 - Ms. Reed explained that the website was updated periodically and is always updated after they get an industry notice.

The group adjourned for lunch.

3. General public comment

- Dave Gaon, Free Diver and Sport Fisherman- Expressed opposition to changing the size limit of the recreational Dungeness crab take from 5 ¾ inches to 6 inches, stating that it would devastate the sport the sport fishermen since there would be very few crabs available to the sport fishery. Additionally, he spoke in favor of keeping the same recreational bag limits in Fort Bragg because the weather conditions in Fort Bragg are so harsh that is difficult [for a sport fisherman] to get on the ocean and fish.
- Jim Martin, Recreational Fishing Alliance- Encouraged the group to keep working on pot program. He also explained that it is not biologically warranted to prevent the take of female crabs and would like to keep recreational bag limits the same. He further explained that it would be devastating to Fort Bragg and Eureka sport fishermen if sport regulations were changed.
- John Gebers, North Coast Fishing Association- Suggested that the group take small steps when changing sport fishery management measures. He explained that since the MLPA was beginning on the north coast, it is important create unity right now.
- John Dooley, Fisherman- Requested that the DCTF support team bring guest speakers to discuss fishing cooperatives.

4. Informational presentation on California Dungeness crab fishery

Pete Kalvass, California Department of Fish and Game (DFG), gave a [presentation](#) on the California Dungeness crab fishery and presented commercial and recreational landings data to the group. Additionally, he explained ways California could explore a pot limit program.

Mr. Kalvass and DCTF Members representing DFG explained that there is a lot of “data crunching” that DFG can do to help the group make some decisions. Some Members requested

that the data be “crunched” in other ways to answer the following questions:

- For those individuals that fish more than one area, are they moving north or south during the season?
- What is the ten year average of the district 10 residents’ catch? Has it changed over time?
- What is the ten year average of the northern boats fishing in district 10? Has it changed over time?
- Compare the poundage harvested by non-district 10 boats and district 10 resident boats. Compare the first two weeks of the season with the whole season.
- What percentage of northern boats is fishing in district 10?
- Compare the value (per pound) of the crab harvested by non-district 10 boats and district 10 resident boats. Compare the first two weeks of the season with the whole season.
- Compare the landing prices in district 10 in years where northern boats fished in district 10 and years when they did not (May be best to look at soft years instead of the Costco Busan oil spill year).
- Combining the four graphs in the presentation: What is the effort trend over time? How has it changed?
- Use the Costco Busan oil spill to determine how a uniform start would impact the price of crab.

The Facilitation Team noted these requests and committed to coordinate with DFG to engage in further analysis of data. However, it was noted that, DFG cannot necessarily rapidly provide this data and there is no committal that the information will be provided in the next few weeks.

DFG mentioned that the data collection/management options and any tax or dedication of funds recommended by the DCTF require change by the legislature. Given today’s economic climate it may be difficult to get funds dedicated. However, if the group decides to write a bill it may be possible for the legislature to create dedicated funds to pay for management options recommended by the DCTF. For example, the legislature can assess higher fees for permits or pot tags [should they be considered by the DCTF].

Public Comment

- Troy Gardner, Fisherman- Requested data relative to the groundfish buyout including the number of people that moved to California to fish as a result of the buyout.

5. DCTF Member report back on constituency input in meeting 2 Workgroup objectives and solutions- management approaches and tools.

Before the Ukiah meeting, DCTF Members were provided [workgroup outputs from meeting 2](#) in San Francisco. Each Member was asked to report back to their port constituents to discuss the ideas generated during the San Francisco meeting. Mr. Ceppos requested each Member share feedback received during these port discussions.

Some northern ports mentioned that they would only be in favor of a fair start in district 10 if there was also a fair start with Oregon and Washington. Other northern ports explained that they would not support any fair start for district 10, but would be open to pot limit in district 10. It was described that while fair start afforded protection for some, it represented lost opportunity for others. Other ports explained that support for a district 10 pot limit program would be

dependent on the program being paid for exclusively by landings generated in district 10. Many ports were hesitant to support a state-wide pot system because they felt that it did not work in other states. They further explained that they would need additional information about such a program before they could support it, specifically reference cost and ability to enforce. Some ports mentioned that they would also like to consider fishing cooperatives and weekly delivery limits.

Some ports mentioned concern about the effort shift from Oregon's pot limit program, as well as the Washington buyback program, into California. One port mentioned that crab caught in California should stay in California.

Many of the southern ports considered a fair start program for district 10 to be a high priority. Some southern ports would like to consider a state-wide opener and pot limit program. One port suggested a pot limit only for the two week opener and then, status quo for the remainder of the season. Another port suggested changing the Gualala line to Cape Mendocino so that there was more coastline available for the early season opener. Various ports stated that individual fishing quotas (IFQs) and a uniform start were not popular with their constituents.

Many Members reported that their constituents wanted to make sure that SB 1690 does not sunset. Not only would they like the DCTF to continue but, they would also like to keep the control date for latent permits. However, one port mentioned that they would want to continue the DCTF with the caveat that something is produced by January 15.

Most ports wanted to make the Dungeness crab fishery exempt from the MPLA process. Some ports identified latent permits as a priority issue and would like to put some sort of restriction on them. Various ports were split on whether to eliminate latent permits or merely put restrictions on them.

The processors mentioned that their constituents' first priority was to keep the Thanksgiving market and ensure that district 10 maintains significant volume catch in November. They explained that larger processors would be more likely to favor a tiered pot limit program than a limit on landings. This will help decrease the effort shift in district 10 and from out of state boats. It was explained that while pot limits may not create an even-flow season, it may allow fishermen to save money on gear and also reduce effort shift. The group generally did not support IFQs, the destruction of latent permits, a state-wide opener, fair start clause, or increase in landing fees that only paid for by buyers.

The sport fishery representatives explained that lack of enforcement, commercial vessels fishing under sport rules, the lack biodegradable cotton requirements in sport pots, pot theft, and lack of biological data are all issues of concern. While changes to the take of females and bag limits have been discussed, nothing has been conclusively decided. The increased effort and other district 10 issues are important to the sport fishery. The perceived problems facing the commercial fishery in district 10 are also a concern to sport fishermen in the south. For example, the increase in commercial pot densities affects the sport fishing community's ability to participate in the fishery. The sport fishermen in the north were generally opposed to modifying

regulations north of district 10 but, were interested in understanding what impacts the sport group has on the entire fishery. Both groups wanted more research and monitoring.

Some non-fishing representatives mentioned that the shared objective of their constituents is to improve safety, maintain a profitable fleet, and increase the value of the product. Other representatives explained the DCTF needs to decide on a method to pay for any recommended management measures.

Members requested that the outcome of meeting 3 be a package or specific proposals that they could bring back to their ports and shop around. Most Members agreed that they would like “hard, fast ideas” to bring back to their ports for voting.

Mr. Ceppos explained that the project team would continue working through the night with the intention of bringing consolidated objectives for the group to discuss and digest during day 2. . He requested that all Members be prepared to come in and “share pain” with one another as well as offer some incentives so that common ground can continue to be identified.

6. Mr. Ceppos adjourned the meeting at 7:00 p.m.

Day 2 – October 8th, 2009

7:30 a.m. to 4:00 p.m.

ATTENDEES

Task Force Members Present on Day 2:

Jim Anderson, F/V Alliane	Brooke McVeigh, CA Department of Fish and Game
John Atkinson, F/V New Rayann	Ben Sleeter, recreational fisherman
Bill Carvalho, Wild Planet Fisheries	Randy Smith, F/V Mistasea
Lawrence Collins, F/V Autumn Gale	Don Standley, F/V Terry S and F/V One and All
Michael Cunningham, F/V Sally K	Roger Thomas, F/V Salty Lady, Golden Gate Fishermen’s Association
Bill DeBacker, F/V She N I and F/V Jard	Johanna Thomas, Environmental Defense Fund
William Forkner, F/V Shirley and F/V Audrey	Jim Waldvogel, CA Sea Grant
Gerry Hemmingsen, F/V Pollux	Lee Wilson, F/V Gold Coast
Paul Johnson, Monterey Fish Market	Richard Young, California Association of Harbor Masters and Port Captains
Chris Lawson, F/V Seaward	
Kevin McKernan, recreational fisherman	
Chuck Cappotto, F/V Rosella, Alternate for Stan Carpenter, F/V Sandy B	
Tom Estes, F/V Tara Dawn, Alternate for Vince Doyle, F/V Verna Jean	
Mike McHenry, F/V Merva W, Alternate for Geoff Bettencourt, F/V Moriah Lee	
Dennis McKiver Alternate for Lt. Steve Riske, CA Department of Fish and Game	
Zack Rotwein, F/V Abundance, Alternate for Mike Zamboni, F/V Lucky 50	
Rick Shepherd, F/V Sunset, Alternate for Brett Fahning, F/V Rogue	

Absent:

William Blue, F/V Morning Light

OPC staff present:

Chris Blackburn
Rachelle Fisher
Cina Loarie

Facilitation Team present:

Dave Ceppos
Dr. Tegan Hoffmann
Rich Wilson

7. *Welcome and recap of Day 1*

Mr. Ceppos reintroduced the Facilitation Team, gave a recap of events from day 1, and provided an overview of the day's modified agenda.

8. Discussion of reporting method for DCTF recommendations to legislature

Mr. Ceppos described a proposed DCTF reporting format to the Legislature. Chris Blackburn, OPC staff, helped to clarify what a useful reporting format might consist of, and stated that it is important to make the most of any recommendations provided to the Legislature. Mr. Ceppos stated there will likely be two public documents generated by the DCTF. One will be set of recommendations provided to the Legislature as mandated by SB1690. The second document may be a scope of work based on conditional agreements of the DCTF, and the need for additional work to inform an adaptive approach to managing of the fishery. The Facilitation Team and OPC will coordinate to draft both reports, and then circulate each document to DCTF Members for comments using an iterative process.

Members briefly discussed how, and potential funding mechanisms, to continue work of the DCTF as an advisory body or commission. While SB1690 states that the DCTF will exist until 2011, recommendations must be forwarded to the legislature by January 2010. The OPC needs to evaluate what capacity they can aid the DCTF beyond January 15, 2010.

Public Comment

- Troy Gardner, Fishermen – Expressed concern about the derby dynamic and the issues in district 10 but also noted that safety has not yet been addressed by the DCTF.
- Rod Fujita, Environmental Defense Fund – Stated that there are many management tools being employed in the 97 other crustacean fisheries. He described 3 examples of tools: 1) Share the fishery 2) Share the catch or 3) Cooperatively reduce the effort. There is a need to link tools to objectives and address Legislative needs. There is also a need to address the big issues even if they are difficult and can take a long time to implement.

Mr. Ceppos stated that, given the compressed time frame facing the DCTF, it is beneficial for the DCTF to identify things that can be accomplished now and things that can be addressed in the future.

9. Consolidated Objectives Discussion

Mr. Ceppos presented a draft set of [consolidated objectives](#) derived from the Workgroup outputs of the San Francisco meeting. He acknowledged the difficult role that DCTF Members have in reporting back to their ports. Mr. Ceppos highlighted that DCTF Members are not simply conduits of information, but rather elected Members that represent the interests of their port constituents. He reminded them that they were elected to be the representative of their ports as well as thinkers, and creators of new ideas. Like most elected representatives their role is to vote on issues in a way that both represents the input of their constituents, and in a way that reflects what they think is best for the fishery.

Members discussed various amendments to the objectives, and then Mr. Ceppos

facilitated a straw poll to measure DCTF support or lack thereof for each objective. (Click [here](#) for the updated version as edited by the DCTF at the October 8 meeting). The following voting protocol, established by the majority approved Charter, was used to conduct the straw poll:

Thumbs Down: I do not agree with the proposal. I feel the need to block its adoption and propose an alternative.

Thumbs Sideways: I can accept the proposal although I do not necessarily support it.

Thumbs Up: I think this proposal is the best choice of the options available to us.

Below are the results of the straw poll:

1. Maintain or reduce the existing capacity, and monitor future capacity of the commercial fleet (5 up, 1 down, 12 sideways)
2. Minimize effort shift in CA (11 up, 6 down, 1 sideways)
3. Minimize effort shift between CA and OR and WA and permanent effort shift from other states (16 up, 0 down, 4 sideways)
4. Increase profitability through the supply chain of the fishery (16 up, 1 down, 3 sideways)
5. Operate a safe fishery (1 up, 20 down, 4 sideways)
6. Establish mechanisms to spread the volume of commercial harvest over a longer period of time to reduce the derby dynamic (12 up, 1 sideways, 7 down)
7. Fishery participation to inform management, policy, and marketing (18 up, 1 down, 2 sideways)
8. Create a shared management structure (fishery/state) that allows for efficient and transparent adaptive management of the fishery (6 up, 1 down, 13 sideways)
9. Increase/improve data collection for future implementation of management measures in the fishery (15 up, 2 down, 3 sideways)
10. Clarify regulations of the fishery (16 up, 2 down, 4 sideways)
11. Improve enforceability of the fishery (11 up, 3 down, 5 sideways)
12. Have the commercial and sport Dungeness crab exempt from the MPA designations (19 up, 1 down, 1 sideways)

Public comments

- Troy Gardner, Fisherman – Pot limits in OR and WA did not hurt the industry and could address overcapitalization of the fishery. DCTF should address buyouts. There is no advocate for latent permits on the DCTF. I would like to be that representative. Give the owners with latent boats 200 pots. No permit stacking but make them transferable. Allow for upgrades for people who have boats for 5+ years.
- Rod Fujita, Environmental Defense Fund – Objective 1 missing two keys parts. The Dungeness crab fishery should 1) Reduce and maintain capacity, 2) Define a threshold to understand what you are aiming for.
- Jon Dooley, Fisherman – Safety issue should be explored further. Fishermen should get stability ratings so they do not overload their boat.

Public Comment

- Forrest Wooden, Fishermen – The DCTF needs to have latent permit holders represented.
 - Rachelle Fisher, OPC staff, explained that Don Standley was a latent permit holder who was elected to represent latent permit holders and all inquiries on latent permits have been directed to him. She further explained that the OPC cannot give out the contact information of any permit holder without their permission. Therefore, it is the responsibility of each permit holder to contact his representative if he would like a voice in the process. A DCTF Member further explained that it is the responsibility of every low tier representative to represent, communicate with, and speak for the latent permit holders.

Subsequent to the straw poll, Members broke into port-specific (and organization-specific [e.g. DFG, ex-officios, etc]) discussions to prioritize proposed management measures that could be used to achieve one or more objectives. Following port / organization specific discussions, all Members were pooled together into multi-participant workgroups. The workgroup Members were instructed to deliver the specific brainstormed solutions from their ports and to then merge and blend ideas in an attempt to identify a consensus in each workgroup. He reiterated the importance of Members discussing options that could both protect the interest they represent, but also considers the needs of others in the fishery.

Mr. Ceppos explained that each Workgroup was comprised to reflect a balanced set of DCTF Members that maximized representation of each geographic region and production tier. He stressed that **all Workgroup discussions were brainstorming sessions only, and that none of the ideas discussed represented decisions by the DCTF. No final or official decisions would be made without a vote, noticed 10 days prior to the meeting, by the entire DCTF**

Mr. Ceppos described two terms that are helpful in discussion like that the DCTF is having. One term is “Mutually Assured Destruction” (MAD) He stated it was necessary and beneficial for the fishery to avoid MAD, since that has been a dynamic that has challenged the fishery’s decision-making in the past. He also encouraged each DCTF Members to assess what is their “Best Alternative To a Negotiated Agreement” (BATNA). He described that a BATNA is an essential aspect of any negotiation. Each party needs to know why they need to work hard to reach conclusions and, conversely, when they legitimately think that they can achieve a better outcome away from a negotiated process.

10. Reconvene full DCTF for initial report

The plenary was reconvened and each Workgroup briefly shared the outcomes of their discussions. After each presentation, the entire DCTF Membership was given the opportunity to weigh in on the results of each Workgroup. Mr. Ceppos described how the Facilitation Team would draft the outputs into a summary of various management approaches that DCTF Members could use to solicit additional feedback from their port constituents (See [Conditional Management Measures Survey](#)).

11. Closing thoughts, DCTF next steps and action items *Facilitation Team*

In closing the meeting, Mr. Ceppos highlighted similar conclusions reached by each Workgroup, and praised the full DCTF for its hard work and efforts. He reiterated the Facilitation Team's plans to draft a summary that could be used by Members to solicit additional feedback from their port constituents prior to meeting 4. He explained that the goal for meeting 4 is to see if there are some conditional agreements that can be achieved (agreements that will need future work done) and reminded the group that something must be reported to the Legislature by January 15, 2010.

- Fred Euphrat, Representative from Senator Wiggins's office – Agreed that bills need to be submitted by January. He stated, however, that a spot bill can be used to get something in the queue while the group continues to work out the details of the bill.

Mr. Ceppos stated that the group should take a pulse check regarding what should be submitted to the Legislature. He stated that no actions will be forced on DCTF Members.

Mr. Ceppos reminded the group that the next meeting is scheduled to be held on October 21, 22, & 23 in Ukiah. Some DCTF members stated they would prefer to meet in Crescent City. Mr. Ceppos said he would look into this option.

12. *General public comment*

- Forest Wooden, Fishermen – Encouraged everyone at the meeting to write to their representatives in the legislature about MPAs explaining that it would really help the fishermen up North.

13. Mr. Ceppos adjourned the meeting adjourned at 4:40pm