



**Commercial Dungeness Crab Fishery Statewide Trap Limit Program**

*Abridged Summary of Dungeness Crab Task Force (DCTF) Votes and*

*Items Under DCTF Consideration*

March 12, 2012

This document provides a summary of votes taken by the DCTF at its March 12, 2012 meeting in Ukiah, California. Also summarized are items specific to the commercial Dungeness crab fishery statewide trap limit program that are still under consideration by the DCTF and will be discussed further at its April 2, 2012 meeting.

Any vote marked as “approved” will be forwarded as a recommendation in the May 1, 2012 DCTF final report to the Department of Fish and Game. Any votes marked as “not approved” will not be included in the report.

The following voting protocol, described in the DCTF Charter, was used to conduct straw polls and final voting:

**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.

**Abstention:** At times, a pending decision may be infeasible for a Member to weigh in on. Examples could include but not be limited to: a Member cannot get a consensus of his/her constituents and therefore cannot offer a proposal or opinion; and other similar conditions.

**For more background about the March 12, 2012 meeting, please refer to the meeting summary at: <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>**

**DCTF Votes**

**ACTION:** *Consideration and possible adoption of recommendations to the Department of Fish and Game on its proposed statewide trap limit program regulations.*

**APPROVED: Recommendation 1.** Section 1(a): Replace language from “vessel name and phone number of the operator of the vessel” to “at least contact phone number.”

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
18	0	0	0	4

*Vote of all DCTF Members (nonvoting Members abstained):*

**Thumbs up (20):** Anderson, Atkinson, Bennett, Bettencourt, Blue, Cappotto, Carvalho, Collins, Doyle, Gorelnik, Goucher, Hemmingsen, Lawson, Shepherd, Standley, Thomas, Whaley, Wilson,



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Yarnall, Yearwood

Thumbs sideways (0): None

Thumbs down (0): None

Absent (2): Cunningham, Johnson

**APPROVED: Recommendation 2.** Section 2: Waiver would allow for six (6) traps belonging to someone else or six (6) untagged traps to be aboard vessel at any time. These traps may only be transported and may not be fished.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
18	0	0	0	4

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (20): Anderson, Atkinson, Bennett, Bettencourt, Blue, Cappotto, Carvalho, Collins, Doyle, Gorelnik, Goucher, Hemmingsen, Lawson, Shepherd, Standley, Thomas, Whaley, Wilson, Yarnall, Yearwood

Thumbs sideways (0): None

Thumbs down (0): None

Absent (2): Cunningham, Johnson

**APPROVED: Recommendation 3.** Section 4: DCTF approved the following process for replacement/lost tags:

- All tags will be sequentially numbered;
- Temporary replacement tags (30 days after beginning of season) may be purchased, however cannot exceed 10% of the permit holder’s total trap allocation;
- At the end of the season permit holders will report missing tag numbers to the Department, at which time permit holders will apply for replacement of all lost tags.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
18	0	0	0	4

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (20): Anderson, Atkinson, Bennett, Bettencourt, Blue, Cappotto, Carvalho, Collins, Doyle, Gorelnik, Goucher, Hemmingsen, Lawson, Shepherd, Standley, Thomas, Whaley, Wilson, Yarnall, Yearwood

Thumbs sideways (0): None

Thumbs down (0): None

Absent (2): Cunningham, Johnson



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**APPROVED: Recommendation 4.** Section 1: DCTF original intent of \$1,000 permit fee was to sunset after 2 years.

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
16	2	0	0	4

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (20): Anderson, Atkinson, Bennett, Bettencourt, Blue, Cappotto, Collins, Doyle, Gorelnik, Goucher, Hemmingsen, Lawson, Shepherd, Standley, Thomas, Whaley, Wilson, Yearwood

Thumbs sideways (0): Carvalho, Yarnall

Thumbs down (0): None

Absent (2): Cunningham, Johnson

**APPROVED: Recommendation 5.** General: Remove “licensed” from “marine surveyor.”

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
18	0	0	0	4

*Vote of all DCTF Members (nonvoting Members abstained):*

Thumbs up (20): Anderson, Atkinson, Bennett, Bettencourt, Blue, Cappotto, Carvalho, Collins, Doyle, Gorelnik, Goucher, Hemmingsen, Lawson, Shepherd, Standley, Thomas, Whaley, Wilson, Yarnall, Yearwood

Thumbs sideways (0): None

Thumbs down (0): None

Absent (2): Cunningham, Johnson

## **DCTF Considerations for April 2, 2012 Meeting**

- **Section 1(b): Distribution of buoy tags**
  - Consider adding language to the draft regulations to ensure that buoy tags will be disbursed in a timely manner.
  - Suggestion for DFG to supply tags on or before September 30 of each year.
    - This would not apply to those who are delayed or delinquent in paying permit fees.
  - Request to DFG’s License and Revenue Branch to contact vendor to see if tags can be delivered by September 30.



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- **Section 2: Waiver for personal hardship.**

- Proposed DFG regulations include:
  - Written waiver may be granted to allow retrieval and transport to shore of traps and associated gear provided that:
    - A permitted vessel is either destroyed due to fire, capsizing, or sinking, or non-operational due to major mechanical failure; or
    - Circumstances beyond the control of the permit holder created undue hardship.
  - Requests for a waiver, including proof of vessel and/or personal hardship would be required to be submitted to DFG.
  - Each permit holder is limited to one waiver request per fishing season.
  - Any permit holder that is granted a waiver cannot retain any Dungeness crab when retrieving another permit holders' traps.
- Other DCTF considerations include:
  - A one-time waiver could be issued to a permit holder that would allow someone to retrieve his/her gear and keep the crab. However, the traps could not be fished for the remainder of the season.
  - A warden would do a hold inspection on the vessel retrieving the gear, the crab may not be retained, and the traps may be fished again during the season.
    - The waiver may be issued multiple times in a season, OR
    - The waiver may be issued once in a season.
  - The permit holder with the hardship can hire someone else to operate his/her vessel. In this case, no waiver would be necessary since the traps being retrieved are associated with the vessel retrieving them.

- **Consideration of out-of-state landings**

- In 2010, the DCTF voted to recommended a tiered trap limit program based on California landings receipts to the California Legislature. The recommendation was upheld by the legislature in SB 369.
- During the March 12, 2012 DCTF meeting, the public provided comment on this issue and request that DCTF revisit it.
- For its April 2 meeting, the DCTF has requested the Admin Team gather additional information on how out-of-state landings may impact the trap limit program's tier system. Options for DCTF consideration include:
  - Maintain status quo and consider only California landings as part of the trap limit program.
  - Consider out-of-state landings as part of the trap limit program.



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- Request the opinion of the California Attorney General to determine the legality of considering only California landings as part of the trap limit program. In this instance, it is anticipated DFG will move forward with the trap limit program as-is, and the AG opinion will be considered as a parallel process.