

**Meeting Summary  
DCTF Executive Committee  
August 25, 2022**

*Meeting Participants*

EC Members Present	John Barnett, Geoff Bettencourt, George Bradshaw, Mike Cunningham, Nick Krieger, Dick Ogg, Zach Rotwein, Randy Smith (Alternate for Gerry Hemmingson)
EC Members Absent	Bill Blue,
Other Meeting Participants	Noah Ben-Aderet, Ocean Protection Council Joanna Grebel, CA Department of Fish and Wildlife Christy Juhasz, CA Department of Fish and Wildlife Ryan Bartling, CA Department of Fish and Wildlife Lt. Santos Cabral, CA Department of Fish and Wildlife Captain Brent Chase, CA Department of Fish and Wildlife Asst. Chief. Eric Kord, CA Department of Fish and Wildlife Tim Scully, Joint Committee on Fisheries and Aquaculture  Rachelle Fisher, DCTF Administrative Team Scarlett Schroeder, DCTF Administrative Team Support Kelly Sayce, DCTF Administrative Team

**Meeting Summary**

*1. Welcome, introductions, agenda overview.*

- The California Dungeness Crab Task Force (DCTF) Administrative Team (Admin Team) introduced and welcomed participants to the DCTF Executive Committee (EC) call.
- The EC is a subcommittee of the DCTF and cannot make decisions on behalf of the DCTF. The DCTF has directed the EC to begin discussions to address priority topics and help usher DCTF recommendations between DCTF meetings. The [2021-2023 Work Plan](#) and submissions from the public (see [Guidelines to Submit Requests DCTF & Executive Committee Agenda Items](#)) also guide EC discussions. All meeting outcomes, including ideas and options developed by the EC, will be shared with the full DCTF for consideration during the next DCTF meeting that is anticipated for October 2022.
- Agenda topics, meeting agreements, and [guidelines for providing public comment](#) were reviewed. The Admin Team reminded participants that per the Bagley-Keene Open Meetings Act, new topics cannot be added to the agenda once it has been posted (a minimum of 10 days in advance of the meeting).
- A recording of the call will be available upon request for 30 days following the call. Please contact [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com) for more information.

*2. Public comments on non-agenda items.*

- Geoff Shester, Oceana, expressed Oceana's continued support for the Dungeness crab fishery. They are interested in working with the Dungeness crab fishery as allies to address emerging issues of concern (e.g., whale entanglements). They have tried to help the fishery avoid litigation and kill legislation that would have mandated ropeless gear. Additionally, Oceana wants to see the Dungeness crab fishery stay in business and hope to work collaboratively with the industry.

3. Updates on issues involving the Dungeness crab fishery, including, but not limited to 2022 DCTF Election status, Risk Assessment and Mitigation Program, etc.

- **2022 DCTF Election Status:** The Ocean Protection Council (OPC) and CDFW carried out DCTF commercial fishing elections as described in [Fish and Game Code Section 8276.4](#). Results will be sent out through the DCTF email list once all Members have confirmed their willingness to serve.<sup>1</sup> Election information, including a frequently asked questions document, is available on the [DCTF's webpage](#). The next round of elections in the remaining port complexes will begin early next year.
- **CDFW positions and retirement:**
  - Through the Governor's most recent budget, the California Department of Fish and Wildlife (CDFW) was allocated funding that would help support the development of evisceration and electronic monitoring programs. Three positions in the [Whale Safe Fisheries Program](#) will be added to support the Risk Assessment and Mitigation Program (RAMP), development of the Conservation Plan, and line marking. Law enforcement received funding for a Lieutenant Specialist position intended to support the evisceration program.
  - Sonke Matrup has retired. CDFW is actively working to hire a replacement with Joanna Grebel working to support Mr. Mastrup's Dungeness crab and Whale Safe Fisheries duties for the interim.
- **Risk Assessment and Mitigation Program ([RAMP](#)):**
  - **Risk Assessment:** CDFW will perform the first risk assessment to inform the season opener at the end of October. The CDFW Director will make a decision regarding the recreational fishery south of the Mendocino-Sonoma County line by November 1, 2022. Information will be sent through the [Whale Safe Fisheries email list](#).
  - **RAMP 2.0 and the Conservation Plan:** CDFW is currently making amendments on the RAMP program and will have more updates and rule making information by early 2023. CDFW will provide an update on amendments and timeline at the October DCTF meeting.

Public Comment

- No public comment was received on this agenda item.

4. Background and updates on the state's efforts to implement line marking as a tool to better identify the source of marine life entanglements (including the origin state and fishery) and, potentially, to exclude or eliminate fisheries from confirmed, unknown entanglements.

- During the October 2021 DCTF meeting, the DCTF made a [recommendation regarding line marking](#) to reduce the incidence of unknown entanglements along the California coast. The reason for this recommendation is because the DCTF expressed frustration that the Dungeness crab fishery is penalized under the RAMP for unidentified gear involved in an entanglement. Line-marking could be a tool to increase the number of identifiable sources of entanglements. Since that meeting, CDFW has been working with the Tri-State Dungeness Crab Committee to further this discussion. They have discussed the need to balance the needs to make the lines more identifiable with the need to ensure options are simple and cost-effective for fishermen to implement. The current focus is on the commercial Dungeness crab fishery.
- Christy Juhasz, CDFW, [provided an update](#) on the state's efforts to explore line marking for the California Dungeness crab fishery.
  - CDFW is working with Washington and Oregon through the Tri-State Dungeness Crab Committee to collaborate on a west coast-wide line marking system for Dungeness crab, and

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<sup>1</sup> Following this meeting, on August 31, election winners were announced and [posted on the DCTF's webpage](#).

eventually all west coast fisheries. Gear marking currently occurs in Dungeness crab fisheries, however, line marking could be used as an additional tool to help identify the sources of entanglements to state origin and fishery gear type in the future.

- The conversation has been informed by National Marine Fisheries Services (NMFS) forensic entanglement reports. The states are considering: larger marks for easier detection, smaller marks may reduce cost to fishermen, distinctive colors for fishery and state, solid application colors to increase the likelihood of detection. Need further conversation about the number of marks and placement of the marks.
- A line marking mandate will not occur during the upcoming 2022-2023 season, but is being pursued for future seasons. It will require a public rulemaking process by CDFW.
- Multiple EC Members expressed support for tools to make fishing gear more identifiable, thus reducing the number of unknown entanglements that can contribute to negative impacts on the Dungeness crab fishery. They expressed concern that other fisheries may copy Dungeness crab line marking instead of using those mandated for their respective fisheries (i.e., copycat).
  - CDFW Law Enforcement Division (LED) acknowledged the concern as an active part of CDFW discussions.
- An EC Member flagged that line marking would be a burden on the fleet because of the amount of work and expense required to adopt line marking protocols. He questioned whether there have been conversations with NMFS regarding identifying and categorizing unknown entanglements and requested the information before the October DCTF meeting. He also shared that when used in other states, line markings fade or come off.
  - CDFW stated that they are actively engaging with NMFS and will share any available information regarding entanglements at the October DCTF meeting. They explained that when only a line is visible on an entanglement it can be difficult to tell which parts of the line are associated with the entanglement. Surface markings are essential since they are often the most visible. LED would like to see a solution to address faded or missing marks.
- An EC Member explained the challenges of fishing multiple states if this line marking is mandated. He explained that California gear could not be fished over the Oregon border and permanent rope markings would have a significant financial impact on fishermen who have multiple permits from different states. Requiring line marking all the way to the trap would require a whole new set of lines for each state. Meeting the line marking requirements for one state would be financially difficult for many fishermen, let alone multiple states.
  - CDFW acknowledged the concern and mentioned that Tri-State partners are trying to find a solution for these problems and are open to suggestions. They are currently in a discussion with the three states to align using a fishery color on their markings.
- A couple EC Members explained that they can ask the line manufactures to sew in colored threads at the specified lengths. Using this process would take longer than marking with other means since it will take time and money to completely replace each fishermen's lines. If line marking were to become a requirement in 2023, it would be beneficial to have a temporary marking system in the beginning to allow fishermen to phase in new permanently marked lines when replacing their old lines.
- Multiple EC Members explained that fishermen use different length lines depending on the depth, requiring them to add or remove lines, which would complicate the line spacing requirements being proposed. Perhaps, there could be a minimum number of marks per some predetermined length of line instead of marks at set intervals of the line.
  - CDFW stated that they do not have an issue with more marks than the 'standard' and would investigate further with the Tri-State Dungeness Crab Committee.
- An EC Member requested more information about line marking requirements for East Coast fisheries.

- CDFW explained that East Coast regulations are complex. Each state specifies a color, federal waters have a different color, and each fishery additionally has its own color. They shared the [Northeast Lobster and Jonah Crab Gear Marking Requirements](#).

Public Comment:

- Geoff Shester, Oceana, expressed support for the line marking effort. He acknowledged that it is challenging and frustrating to deal with 'unknown' entanglements, especially since they can negatively impact the Dungeness crab fishery. Line markings could benefit the industry to help rule out the Dungeness crab fishery in unknown entanglements. Oceana would like to see line marking mandated in an enforceable manner with low cost to the fleet.

*5. Continue discussions about tools that can create fishing opportunities when the risk of whale entanglements is elevated. Discussion may include but will not be limited to zonal management, regulations in other states, alternative gear, etc.*

- The EC continued their conversation from the June 29, 2022 EC meeting discussing solutions for how to reduce and prevent whale entanglements while also supporting the livelihood of the Dungeness crab fishery, especially in the spring. The last few seasons have been delayed (due to both domoic acid and RAMP) or closed early. The state and fishermen continue to seek fishery management tools that could allow continued fishing even when the risk of entanglements is elevated especially during the spring. On August 24, 2022, a few EC Members, fishermen, and gear manufacturers participated in an Alternative Gear Workshop hosted by the National Marine Sanctuaries Foundation, in partnership with CDFW and OPC. At the meeting, some tools that were discussed include alternative gear (e.g., pop-up gear) and long-lining gear. Testing of these tools through CDFW's Experimental Fishing Permit (EFP) program was also discussed.
- Many EC Members did not support the use of pop-up gear since it has not been tested and tailored to wide-scale use and west coast fishing conditions. Pop-up gear would take years to adapt to the Dungeness crab fishery and would cost millions for the fleet to exclusively use the gear.
- A few EC Members expressed interest in pursuing long-lining in the spring to reduce the overall number of vertical lines. They expressed that long-lining appears to be the fastest, cheapest, and most effective option to reduce vertical lines. An EC Member asked what the target level of vertical line reduction CDFW believes is sufficient to keep the season open in the spring. There was interest in long-lining, but also concern about its utility in the fall when there is a lot of gear being fished causing fishermen's gear to snarl with another's gear.
  - Various EC Members stated that long-lining would only be viable in the spring when there is a reduction in swells and less gear in the water. It will be important to have buoys on either end of the string to prevent interactions with other gear. They discussed that the maximum number of traps that should be fished per line depends on the vessel size (e.g., some vessels can safely fish a 40-50 trap string and smaller vessels could safely fish 2-10 traps per string). Long-lining would be problematic when fishing is restricted to shallow waters (i.e., 10 fathoms or less). Some EC Members explained that traditional Dungeness crab fishing gear could be easily converted into long-lining gear without additional cost to fishermen.
  - CDFW explained that if there was strong interest by the fleet, the CDFW Director may have the authority to approve long-lining under RAMP south of the Mendocino-Sonoma County border. However, it could not be authorized in the Northern Management Area without a regulatory change or use of an EFP.
- EC Members expressed little interest in pursuing an EFP to test gear for long-lining because it is a complicated, time consuming process.

- One EC Member suggested the industry look to Oregon’s approach to the spring fishery and determine if one or more of their tools could be adopted in California including a spring permit, 20% vertical line reduction after May 1, and depth restrictions.
- Some EC Members highlighted zonal management as a high priority to allow lower risk areas to fish when higher risk areas are closed due to RAMP. For example, zones 1 and 2 were closed early last season when no whales were present in the area and all entanglements were observed in zones 3 & 4. They explained that zones 3 and 4 are “hotspots” and should not close zones 1 and 2. One EC Member explained that at the start of the 2021-22 season, whales were observed in zones 3 and 4, but the Northern Management Area was still allowed to open. There was strong interest for this management strategy to continue in the spring specifically for closures in higher risk locations while allowing lower risk zones to remain open. In 2016, the worst year for entanglements occurred, and all entanglements were observed south of the Mendocino-Sonoma County line. They further explained that different swell conditions occur throughout the coast, strengthening the need for stronger zonal management.
  - CDFW and the Admin Team requested support defining “high risk” or “hot spot areas” and explained that entanglements do not always occur where they are observed. CDFW explained that the 2021-22 season was closed due to exceeding the allowable incidental take for the season (i.e., 3 entanglements), which applies statewide. Theoretically if only one or two entanglements occurred, the Director would have closed the zones where the entanglements were observed while leaving the rest of the fishery open. That was not an option for the 2021-22 season.
- Various EC Members stated that management measures could be more proactive in the spring as opposed to reactive to risk assessments. For example, a depth restriction could be employed in various zones if there are any indications of whales after a specified date (e.g., April 1, April 15).

Public Comment:

- Ben Platt, commercial fisherman and President of California Coast Crab Association (CCCA), announced that CCCA is working on a long-line proposal and is glad to see long-lining considered as a realistic alternative gear solution. He believes that long-lining is the only realistic alternative to reducing whale entanglements and pop-up gear would put many fishermen out of business. Employing an EFP in the Northern Management Area could help better develop long-lining parameters for the fleet.
- Porter McHenry, commercial fisherman, stated that CDFW should listen to the DCTF and not just the loud voices who contact them on a regular basis since many of those individuals do not speak for the broader fleet. He explained that the season opener needs to be protected over the spring fishery because losing the opener could be detrimental to the majority of the fleet.

6. *Confirm priority topics for the fall (Oct) 2022 DCTF meeting.*

- The next DCTF Meeting is anticipated for October 2022. The Admin Team is working with CDFW to schedule the meeting around the risk assessment.
- The EC reviewed and confirmed priority topics for the upcoming DCTF meeting. The EC identified the following topics as high priority for the October meeting agenda: DCTF charter confirmation for new members, RAMP-related topics (i.e., predictable season opening dates, line marking, spring fishing options), the lost gear recovery program, and sort box. Evisceration orders may also be discussed if the California Department of Public Health (CDPH) has updates to share with the DCTF.
  - An EC Member stated that they were concerned with the [FAQ developed by CDFW](#) in response to the fleet’s concerns about the sort box and believed the DCTF should follow up on their conversation from October 2021 and potentially draft legislation to amend current sort box regulations.

## Public Comment

- No public comment was received on this agenda item.

## 7. Adjourn

- The Admin Team summarized the next steps that emerged from the call discussion:
- **The Admin Team will:**
  - **Produce a summary of this conference call and post it on the DCTF webpage once it has been reviewed for accuracy by the EC.**
  - **Schedule and develop an agenda for the October DCTF meeting and circulate it in accordance with the Bagley-Keene Open Meetings Act.**
- **CDFW will:**
  - **Continue to engage with folks and answer questions about DCTF elections, RAMP, EFP ideas/process/application, long-lining, and fishing opportunities when risk of whale entanglements is elevated.**

The next EC meeting is anticipated for spring 2023. More details will be shared on the [DCTF webpage](#) and through the [DCTF email list](#).