

**Meeting Summary  
DCTF Executive Committee  
September 23, 2021**

*Meeting Participants*

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|----------------------------|--|
| EC Members Present         | John Barnett, Geoff Bettencourt, George Bradshaw, Larry Collins, Mike Cunningham, Gerry Hemmingsen, Dick Ogg, Zach Rotwein   |
| EC Members Absent          | Bill Blue  |
| Other Meeting Participants | Noah Ben-Aderet, Ocean Protection Council<br>Joanna Grebel, CA Department of Fish and Wildlife<br>Christy Juhasz, CA Department of Fish and Wildlife<br>Cpt. Eric Kord, CA Department of Fish and Wildlife<br>Noah Oppenheim, Joint Committee on Fisheries and Aquaculture<br>Asst. Chief Mike Stefanak, CA Department of Fish and Wildlife<br><br>Rachelle Fisher, DCTF Administrative Team<br>Carolyn Kraft, DCTF Administrative Team Support<br>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 [2019-21 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 2021.
- 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*

- Nick Kreiger, commercial fisherman, requested the EC/DCTF address overpayment of the CDFW-issued trap tags and switching to annual trap tags in a future agenda. He also stated that the 96-hour gear servicing requirement should be discussed by the DCTF.
  - CDFW explained that the full allocation of the trap tag account is being spent and that they will be sharing an update on the accounting during the October DCTF meeting.

- The Admin Team mentioned that the DCTF made a [recommendation in October 2020](#) to extend the gear servicing requirement to 9-days to be consistent with the recreational Dungeness crab fishery. Senator McGuire decided not to put the DCTF's recommendation in the bill because of opposition. During recent EC meetings, Geoff Shester, Oceana, offered to further discuss the organization's concerns about the 96-hour gear servicing requirement with fishermen to better understand fishermen's needs and work to identify a solution.

3. *Updates on issues involving the Dungeness crab fishery, including, but not limited to, the status of DCTF recommendations from previous meetings, legislation, etc.*

- *Dump box:* In March 2021, the [DCTF requested](#) CDFW develop a FAQ to provide guidance on how a commercial Dungeness crab fisherman can fish legally with a dump box. Fishermen expressed concern that, based on a recent citation, that the use of a dump box as common fishing practices may not be legal and requested clarification to ensure they are fishing in compliance with the law. CDFW explained that preparing a FAQ was challenging because each boat and crew are different and addressing every scenario seemed impractical. If fishermen have questions about the dumpbox, they are welcome to contact Cpt. Eric Kord, CA Department of Fish and Wildlife, Marine Enforcement District at [Eric.Kord@wildlife.ca.gov](mailto:Eric.Kord@wildlife.ca.gov). A number of EC Members expressed dissatisfaction and concern that the dump box issue hasn't been properly addressed and fishermen could still be cited and taken to court for running gear and using the dumpbox to sort short crabs and females.
- *Preseason Updates:* CDFW shared that domoic acid sampling started in two ports. CDFW requests fishermen who have solar loggers to start sampling and mentioned a need for additional fishermen to sample in San Francisco and Avila. Quality testing is targeted to start October 1, 2021 and coordination between CDFW, fishermen, and processors is currently in progress. CDFW is planning a preseason kickoff call for the fleet and is also preparing a newsletter to be sent with biweekly reporting reminders and other pertinent fishing information in advance of the 2021-22 season. A recent email in the DCTF email list-serv mentioned that receipt of CDFW-issued trap tags has been delayed due to trap tag production delays. The License and Revenue Branch (LRB) are shipping trap tags once they have been received and QAQC'ed. Some tags have been shipped and the remaining tags are expected to be shipped as soon as possible and received by the end of September. If fishermen have questions about the trap tags, please contact Ruth Flores, Commercial Fishing Analyst, at (916) 928-7470 or [Ruth.Flores@wildlife.ca.gov](mailto:Ruth.Flores@wildlife.ca.gov).
- *RAMP:* CDFW shared that the [California Dungeness Crab Fishing Gear Working Group](#) (Working Group) annual meeting will be held October 5-7, 2021. The first risk assessment of the season will take place the week of October 25, 2021. Ryan Bartling, Senior Environmental Scientist, will share all pertinent information, and updates will be posted on the [California Whale Safe Fisheries website](#). Mr. Bartling has also been asked to attend the October 2021 DCTF Meeting to support and inform the DCTF's RAMP-related discussions. A more robust conversation was had on this topic during agenda item 5 below.
  - An EC Member requested more information on the three-year rolling average impact score and marine life concentration triggers and requested it be posted on the [Whale Safe Fisheries website](#) to prevent misinformation and speculation. The Admin Team will share this request with Ryan Bartling. Another EC Member expressed concern that unknown entanglements are being counted against the Dungeness crab fleet and suggested this be addressed to prevent serious consequences such as closures.
- *Draft Conservation Plan:* CDFW plans to release the [draft Conservation Plan](#) in late October, which will be followed by a 45-day public comment period. Individuals are welcome to submit comments during that time. CDFW plans to host a public meeting to share information about the [draft Conservation Plan](#) and answer questions. Based on the public comments received, CDFW will make changes to the draft Conservation Plan before submitting it to the National Marine Fisheries Service by Spring 2022.
- *Senate Bill 80 (SB 80):* Noah Oppenheim, Joint Committee on Fisheries and Aquaculture, expects that SB 80 will be signed by the Governor before the end of the month. Since it is an urgency bill, some aspects will be implemented by the 2021-22 commercial fishing season opener including changes to the

presoak period in the Central Management Area, DCTF recommendations requiring a  $\frac{2}{3}$  vote, and permit transfer changes. Other aspects such as evisceration and the ability to transit closed areas due to public health concerns with an electronic monitoring device will require further work by state agencies before they can be implemented.

- *DCTF Membership:* The Ocean Protection Council (OPC) provided an update on the [request for nominations for non-commercial fishing representatives on the DCTF](#). No nominations have been received for the NGO seat and OPC plans to leave this seat open until it is filled. Nominations have been received for the two processor seats. The nominees have gone through the CDFW approval process and are awaiting final review by Secretary Crowfoot. OPC hopes to send out notices to the nominees soon.
- *DCTF Facilitation:* Strategic Earth's DCTF facilitation contract ended June 30, 2021. Strategic Earth reapplied to continue facilitating the DCTF and was awarded a new facilitation contract through the end of June 2023.
- *MPA Decadal Management Review:* CDFW, in partnership with OPC and the California Fish and Game Commission, is hosting community meetings to inform the 2022 Marine Protected Area (MPA) Decadal Management Review from October 18 - November 4, including a Community Meeting for commercial fishermen on October 19, 2021. [Links to sign up for the meetings](#) and other information about the Review are available on the [MPA Decadal Management Review website](#).
- *30x30:* There are no updates about the [Governor's Executive Order](#) to conserve at least 30 percent of California's land and coastal waters by 2030 at this time. For more information and to continue to track this initiative, visit the [California Natural Resources Agency website](#).

#### Public Comment

- Tim Gillespe, Commercial Passenger Fishing Vessel Operator (CPFV), asked when the recreational fishing season will open.
  - CDFW stated that the RAMP regulations become effective for the recreational fishery on November 1, 2021. The season is scheduled to open on November 6, 2021, but a risk assessment for both the commercial and recreational Dungeness crab fisheries will occur in late October and will determine if a season delay is necessary. If warranted for the recreational fishery, a public notice will be made available at least 5 days in advance of the scheduled season start date. Public notice of season delays and closures will be posted on the [Whale Safe Fisheries website](#), and CDFW recommends the public sign up for email updates at this site. Tim asked whether Commercial Passenger Fishing Vessels were subject to the same timeline. CDFW confirmed that they are.

#### *4. Brainstorm options and ideas around a potential buy-out for the commercial Dungeness crab fishery including goals and funding options.*

- Due to time constraints, the EC paused on discussing this topic and will revisit it at a future EC meeting.

#### *6. Confirm priority topics for the fall DCTF meeting.<sup>1</sup>*

- The Admin Team shared that the next DCTF Meeting will be two full days on October 27-28, 2021 and will most likely take place remotely. The Admin Team is looking into alternative platforms other than WebEx due to the challenges folks have had with this platform. Priority topics identified for the meeting include:
  - General updates related to the Dungeness crab fishery including, but not limited to, the status of DCTF recommendations, SB 80, the Dungeness crab account, DCTF appointments, etc.

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<sup>1</sup> Agenda items were taken out of order at the request of the EC.

- Confirm the DTCF's 2021-23 DCTF Work Plan
- Marine life entanglements, including highlights from the October 2021 Working Group meeting, the status of the draft Conservation Plan, early season gear reduction options, industry-led surveys, and electronic monitoring.
- The EC discussed modifications to the draft agenda.
  - A few EC Members stated that the 96-hour gear servicing requirement is a priority and should be added to the October 2021 DCTF meeting agenda. An EC Member did not think the 96-hour rule was worth revisiting because the DCTF had already made a recommendation. The Admin Team explained that this topic was addressed at the October 2020 DCTF meeting and had been dropped from SB 80 due to opposition. They stated they would contact Mr. Shester and others who may be opposed to this change to identify possible solutions to address concerns and will consider adding it to the October 2021 agenda.
  - A few EC Members stated that the DCTF should revisit the issue of fishing with a dump box as it is urgently needing resolution. They explained that while clarification from CDFW would be valuable, a regulatory change may be needed to address the issue so fishermen are not cited for standard fishing practices. An EC Member disagreed and did not think it was worth the DCTF's time to discuss since it's an enforcement issue. LED stated that they will connect internally to review this issue again and see if there is a way to provide clarification on the use of the dump box in advance of the season opener. The EC agreed that it is important for CDFW to connect internally before the DCTF meeting to better inform the DCTF discussion and suggested the topic be addressed during the October meeting. An EC Member requested that if CDFW is unable to provide the needed clarification that it be addressed by the DCTF immediately (i.e., at the October 2021 DCTF meeting).
  - To maximize time during DCTF meetings, an EC Member suggested generally forgoing presentations and instead email that information to the DCTF in advance for review and allocate time during the meeting for questions. He expected that most DCTF Members will do their homework to prepare for the meeting. The Admin Team agreed to focus on minimizing presentations during future DCTF meetings, expecting that Members and Alternates will arrive prepared having read the materials circulated in advance of the meeting.
  - An EC Member noted the need to talk about how hard it is for fishermen to get solar loggers during the electronic monitoring discussion.
  - A discussion on Tri-state in the Central Management Area was identified during the [June 2021 EC Meeting](#) but since it is a lower priority, the discussion will be paused until a future DCTF meeting.

#### Public Comment

- Harrison Ibach, commercial fishermen, expressed concern about organizations such as Oceana having the ability to influence legislation for the Dungeness crab fishery. Harrison emphasized that the DCTF should be the only organization legislators listen to about the Dungeness crab fishing industry.
  - The Admin Team reiterated that the purpose of following up with organizations opposed to the 96-hour gear servicing requirement will be to understand what their concerns are and how DCTF can be responsive to those concerns to reach a mutually supportive solution.

#### 5. Discuss options to reduce the number of lines in the water including, but not limited to, stringing gear, early season trap limits, etc.

- During the [June 10 Executive Committee meeting](#), the EC began discussing the need to reduce the number of lines in the water, mainly in the context of marine life entanglements. Early season gear

reduction was identified as an option to start the season earlier/increase the likelihood of the season starting on time. The Working Group also briefly discussed the possibility of stringing gear. The EC discussed the pros and cons of reducing the number of lines in the water as a potential management option, especially at the beginning of the season to prevent a delay.

- An EC Member stated there isn't any consensus within the Dungeness crab fishery on what reduction percentage makes sense whether it's 50% or 75%. Another EC Member noted that buyers would prefer to have crab available in November for the holiday market, but that fishermen were concerned reducing fishing lines by a certain percentage would create a precedent. Also, there isn't any research to support that a 50% gear reduction is effective in reducing entanglements. Better management tools could be restricting placement of fishing gear at specific depths or near MPAs. An EC Member suggested having the DCTF discuss various ways to reduce the number of lines in the fishery, but ultimately leave the percentage up to the CDFW Director. Another EC Member stated that fishermen question whether reducing gear prevents entanglements and worry about what would happen if there was a gear reduction and an entanglement still happened. A couple of EC Members noted that there are too many unknowns and too much uncertainty that needs addressing before pursuing gear/line reductions. An EC Member asked what CDFW's position is on reducing lines and how would it be implemented. CDFW explained that the RAMP regulations allow for a gear reduction, but there isn't a specific number or percentage identified. If fishermen are able to determine a number, it would be helpful in informing the discussion.
- An EC Member asked what would happen if the season opens on November 15, 2021 and then a whale entanglement occurs. CDFW explained that there is no way to know because each situation is unique and must be evaluated within the context of the RAMP.
- EC Members requested clarification on RAMP impact scores and what the triggers are for a closure or season delay. CDFW tried to explain the triggers for impact scores and marine life concentrations for Humpback whales. If 20 humpback whales are observed during a single aerial survey or five or more humpback whales are observed over a one-week within a Fishing Zone before the start of the season, that could trigger a season delay due to high marine life concentrations. Additionally, there are impact score calculations to consider. A three-year rolling average impact score based on the number of entanglements will be calculated beginning January 1, 2021. At the time of this meeting, the impact score for the Dungeness crab fishery was 1.13 based on one confirmed humpback whale entanglement in Dungeness crab gear and one humpback whale entanglement in unconfirmed fishing gear during last year's fishing season. The average rolling impact score needs to be two or less, and as the average nears two, CDFW will become more precautionary. With each humpback whale entanglement, CDFW determines what type of management action needs to be taken. There are also impact score calculations considered for the fishing season; if that score for humpback whales meets or exceeds three during a fishing season, the season will close. This information is explained in more detail in the [RAMP regulations](#), refer to subsection (c).
- An EC Member noted the 2020-21 fishing season was shut down several weeks early based on information available at that time and asked whether additional aerial surveys were completed to justify the closure. CDFW confirmed that surveys were completed after the closure. Ryan Bartling will be available to provide additional information during the October DCTF Meeting.
- An EC Member asked whether the increase in humpback whale populations will help the Dungeness crab industry. The Admin Team stated the RAMP regulations may be amended in the near future to reflect these population changes.

#### Public Comment

- Mike Conroy, The Pacific Coast Federation of Fishermen's Associations (PCFFA) and Working Group member, clarified that three humpback whale entanglements does not close the fishing season, rather it's an impact score of three during the season that could. Having an impact score of 1.13 should be viewed

by fishermen as a surplus rather than a hindrance or deficit to the fleet since the impact score could get as high as 2.8 and still be under three where a closure would be mandated.

## 7. Adjourn

- The EC identified priority topics for the October 2021 DCTF meeting including:
  - General updates on past DCTF recommendations, SB 80, the Dungeness crab account, DCTF appointments, elections, and other topics that are relevant.
  - More in-depth information and discussion on the 2021-23 DCTF Work Plan, marine life entanglements, status of the draft Conservation Plan, recap of October 2021 Working Group meeting, early season gear reduction options, industry-led surveys, and electronic monitoring.
  - Potentially reconfirm the 2020 DCTF recommendation on the 96-hour gear servicing rule.
  - Discuss how to legally fish with the use of dump boxes.
- The Admin Team summarized the next steps that emerged from the call discussion. The following next steps were identified in addition to the next steps listed in the summary:
  - **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.**
    - **Develop an agenda for the DCTF October Meeting and circulate it in accordance with the Bagley-Keene Open Meetings Act.**
    - **Provide materials for the DCTF to review in advance of the October DCTF Meeting including relevant information related to the RAMP regulations, etc.**
  - **CDFW will:**
    - **Share more detailed information about the impact scores outlined in the RAMP regulations.**
    - **Connect internally to discuss the short crab/dump box issue in advance of the DCTF October Meeting and season opener.**