

# Meeting Summary

## DCTF Executive Committee

### June 29, 2022

#### *Meeting Participants*

EC Members Present	Gerry Hemmingsen, Zach Rotwein, Mike Cunningham, Nick Krieger (Alternate for Larry Collins), Bill Blue, John Barnett, Dick Ogg, George Bradshaw
EC Members Absent	Geoff Bettencourt
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 Lt. Brent Chase, CA Department of Fish and Wildlife Cpt. Eric Kord, CA Department of Fish and Wildlife Tim Scully, Joint Committee on Fisheries and Aquaculture  Rachelle Fisher, DCTF Administrative Team Brittani Bohlke, 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.*

- Bart Chadwick, Sub Sea Sonics, requested input from the EC on a gear testing application that he is submitting through the [Experimental Fishing Permit \(EFP\) Program](#). Bart explained that Sub Sea Sonics has been developing and testing various types of new fishing gear for Dungeness crab and other fisheries, including those with acoustic and timer release features. In early 2022, Sub Sea Sonics requested input on their draft EFP application from the DCTF and any interested parties. Bart also [provided comments via email](#) following the meeting.

- Jamie O'Neill, Dockstreet Brokers, explained that the interpretation of [Senate Bill \(SB\) 1310](#) by the California Department of Fish and Wildlife (CDFW) has recently shifted. He explained that CDFW is no longer requiring vessel surveys to transfer a permit creating a loophole where the vessel lengths for some permits is reverting to the original length on file with the US Coast Guard. Anyone who did not submit a new vessel survey by March 31, 2020 could lose length on their permit. He asked the EC if this topic was something the DCTF should address at a future meeting to build upon their previous recommendations on the topic.

*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 are carrying out DCTF commercial fishing elections as described in [Fish and Game Code Section 8276.4](#). Ballots were mailed out on June 24 to those permit holders with homeports declared in the following port complexes: Crescent City (includes all California ports north of Trinidad), Trinidad, Fort Bragg (includes all ports in Mendocino County), San Francisco (includes ports from within San Francisco Bay), South of Half Moon Bay (includes all ports from Monterey Bay south). Ballots, including the Permit Holder Verification Form, must be returned (via email or mail) and/or postmarked by Monday, July 25, 2022. Results are anticipated to be available by the end of August. 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.
- *Risk Assessment and Mitigation Program (RAMP):* CDFW gave a number of updates on the RAMP.
  - *RAMP 2.0 and the Conservation Plan:* CDFW stated they will go to notice in early 2023, mindful of the fishing season. CDFW anticipates changes to the current impact score system, establishing more predictable season open dates, and updating electronic monitoring requirements. CDFW has been working closely with the Tri-State Dungeness Crab Committee to inform these efforts. In addition to working on RAMP 2.0, CDFW is on track to submit another draft of the Conservation Plan to the National Marine Fisheries Service (NMFS) by the end of this year. The Admin Team reminded folks that when RAMP 2.0 is released, there will be opportunities for public comment.
    - An EC Member asked how the anticipated changes to RAMP would impact the way risk was determined. For example, the current impact score is 3. What would it be under the current system? CDFW responded that the new system may eliminate the impact score such that the review of entanglements at the start of the season would not be based on a 3-year average, but on entanglements from the following season. CDFW does not anticipate the new system would cause large changes to the RAMP and season openers. EC Members expressed concern that eliminating the impact score would result in earlier season closures. CDFW reminded folks that if an impact score is exceeded, that does not mean the fishery is automatically closed, it means the CDFW Director has a conversation with NOAA and the Dungeness Crab Fishing Gear Working Group to discuss how to assess risk.
  - *RAMP Funding:* Tim Scully, Joint Committee on Fisheries and Aquaculture, gave an update that with the recent signing of the Governor's budget, there are additional funds available to help support the implementation of the RAMP and the state's evisceration order mandate.
  - *Close of the 2021-22 Fishing Season:* As of June 14, there were 5 humpback whale entanglements including two in Dungeness Crab fishing gear and three in unknown fishing gear. The season closed early in all fishing zones because impact scores were exceeded. It is hard to predict what this means for the next season and the CDFW will likely be more risk averse in the 2022-23 fishing season. For example, if a large number of humpbacks are observed during fly-over surveys, the Director may delay the season until risk has been reduced.

- An EC Member asked if risk assessments were performed and applied at a regional level rather than statewide. CDFW responded that the incidental take permit is applied to the state such that the number of entanglements that close the fishery early are statewide. However, the RAMP risk assessments are performed at a zonal level. Various EC Members expressed concerns that entanglements observed in the Central Management Area resulted in the closure of the Northern Management area. They suggested CDFW manage the fishery at a zonal level such that entanglements are applied by zone. CDFW responded that whale entanglement allocation discussions are very challenging because NMFS requires entanglements at the state-level. Additionally, even though a whale entanglement is spotted in an area, it doesn't mean the entanglement occurred there.
- Another EC Member asked where to start and who to talk to to propose zonal/regional management for the RAMP. The Admin Team and CDFW responded that NMFS is responsible for determining that entanglements must apply at the state-level rather than the zonal level so folks should also talk to them directly. The Admin Team would be happy to extend an invitation to NMFS to join a future DCTF meeting if that is the desire of the DCTF.

#### Public Comment

- No public comment was received on this agenda item.

#### *4. Discuss and develop options for the DCTF's consideration for more consistent and predictable commercial Dungeness crab fishery season opener dates.*

- During the May 4 EC Meeting, EC Members requested a conversation around predictable season openers in response to experiences over the last few years where the fishery has been delayed as a result of the RAMP.
- CDFW shared a draft concept for more consistent and predictable season openers that modeled the Tri-State crab quality opener and requested feedback. The current RAMP regulations allow this to be piloted this year and CDFW is considering this for RAMP 2.0. CDFW indicated that with this level of predictability comes a loss of flexibility in determining openers.
  - *Draft Concept:* The Director shall conduct Risk Assessments in advance of the opening of the Fishing Season as follows:
    - On or before November 1, the Director will evaluate risk for a November 15 Fishing Season opener.
    - If the November 15 Fishing Season opener is delayed, the season will open on December 1 unless the subsequent risk assessment leads to additional season delay.
    - If a December 1 Fishing Season opener is delayed, the season will open on December 16 unless the subsequent risk assessment leads to additional season delay.
    - If a December 16 Fishing Season opener is delayed, the season will open on December 31 unless the subsequent risk assessment leads to additional season delay.
    - If the season needed to be delayed beyond January 1, CDFW would evaluate opening on a case-by-case basis.
  - Several EC Members expressed support for this proposal and agreed that the highest priority was to know the date of the potential opener. They explained that they would be amenable to this concept even if notice of an opener on these days was given within 3 days as outlined in the RAMP regulations. They also indicated the importance of accurate and timely information of risk of whale entanglements. Ideally, assessments would be done about a week before the potential opener (e.g., November 15, December 1, or December 15). Support was expressed for piloting this draft concept for the 2022-2023 season.
  - Some EC Members also expressed not wanting the season opening process and risk

assessments to be tied to the recreational fishery such that the commercial fishery would be delayed further to give the recreational fishery additional soak time.

- The Admin Team explained that this draft concept will be discussed further at the DCTF meeting and likely voted on at the October DCTF meeting. Participants were invited to propose any additional specifics to this concept in advance of the DCTF's discussion.

#### Public Comment

- No public comment was received on this agenda item.

*5. Continue discussions about tools that can create fishing opportunities when risk of whale entanglements is elevated. Discussion may include but will not be limited to regulations in other states, alternative gear (e.g., stringing traps, pop-up, hoop nets), etc.*

- Since the adoption of the RAMP, the DCTF and broader Dungeness crab fishery have been working to identify solutions for reducing whale entanglements while also supporting a thriving Dungeness crab fishery. The EC made it clear on the May 4 call that they would like to discuss which approaches could best meet these goals. The ensuing discussion was aimed at discussing the range of tools and management measures that could meet the needs of the fleet and CDFW.
- Some EC Members said the fishermen in their ports were not interested in experimenting with or discussing pop-up gear. However, interest was expressed in identifying ways to keep the fishery open during times of high risk (i.e., in the spring), which may include alternative gear use or other tools.
- Some EC Members suggested using fathom constraints (which is allowed via RAMP) and requiring the use of a single surface buoy (i.e., no trailer buoys) when risk is elevated. Another EC Member suggested stringing gear in combination with other innovations as part of an EFP. CDFW indicated there are other tools that have been discussed. Some may require testing or regulatory changes (e.g., requiring fishing with less surface gear, long-lining and hoop nets) and testing through an EFP could make options happen faster. CDFW responded that EFPs will be evaluated on a case-by-case basis. The state will be looking for gear that reduces whale entanglements overall, not the severity of entanglements.
- One EC Member asked if whale entanglements occurring as a result of experimental gear under an EFP would be counted toward the fishery impact score. Since the entanglement would not be a result of fishing under the commercial Dungeness crab fishery, CDFW explained that entanglements occurring when testing under an EFP would not count against the commercial Dungeness crab fishery.
- The EC continued discussing the EFP process. CDFW explained that as an EFP goes through the approval process, the application is publicly noticed through the Fish and Game Commission and is available for public comment. There is no restriction on the number of participants on an EFP but their names must be included on the EFP such that folks cannot test gear under the permit without prior approval. Factors such as when testing can occur and the cost of EFPs will vary by EFP. The Admin Team also encouraged folks to reach out to CDFW before developing an EFP to the Fish and Game Commission.
- A few members of the EC reiterated an interest in exploring zonal management. They explained that they were not interested in consulting with NMFS, but rather, discussing with the state how entanglements under the RAMP could be applied at regional levels. The Admin Team and CDFW responded that a form of zonal management already exists in the RAMP and that if the DCTF is interested in entanglements being applied at a zonal level, conversations with NMFS are essential because they are the decision-makers on this topic.

#### Public Comment

- Bart Chadwick, Sub Sea Sonics, explained that he understood the resistance and reluctance around pop-up gear but that he would still like to get feedback on their EFP.
  - The Admin Team invited Mr. Chadwick, and any other EFP applicant, to send their contact information to [info@dungenesscrabtaskforce.com](mailto:info@dungenesscrabtaskforce.com) and the facilitators will share it through the public DCTF email list.

6. *Reminder of priority topics for future EC discussions and the fall 2022 DCTF meeting.*

- The EC reviewed and confirmed priority topics for upcoming EC and DCTF meetings.
  - During the next EC Meeting (Summer/Fall 2022), the EC will continue discussing the RAMP specifically to discuss tools that create fishing opportunities when risk of whale entanglements is elevated. Various EC Members are interested in discussing options for regional/zonal management. The Admin Team requested that EC Members and members of the public share proposals for the EC's discussion.
  - The next DCTF Meeting is anticipated for October 2022. The agenda will include discussions and potential voting on RAMP, predictable season opening dates, the lost fishing gear program, and evisceration orders.
  - The Admin Team is continuing to track other topics (i.e., conflicts with halibut trawling, sort box, removing vessel length restrictions from permits, and addressing concerns around vessel length surveys) and will add them to future agendas as they are deemed priorities by the EC and CDFW.

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:**
    - **Follow up with NMFS to see if they have information, they can share on the locations of whale entanglement reports vs where they are confirmed to be entangled.**
    - **Circulate Bart Chadwick's contact information.**
    - **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 next EC 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, season opener dates, EFP ideas/process/application, and fishing opportunities when risk of whale entanglements is elevated.**