



## **Summary of Dungeness Crab Task Force (DCTF) Votes from Meeting 5**

This document provides a summary of votes taken by the DCTF on days 1 and 2 of meeting 5 of the DCTF (February 17-18, 2010 in Ukiah, California). Any vote marked as “approved” will be forwarded as a recommendation in the March 31, 2010 DCTF final report to the Department of Fish and Game, the Fish and Game Commission, and the Joint Committee on Fisheries and Aquaculture. Any votes marked as “not approved” will not be included in the report.

While straw polls were taken during the February meeting, they are not included in this document. All straw poll votes were nonbinding and will also not be included into the final report without a formal vote from the DCTF. To review the results of the straw polls from meeting 5, visit the DCTF webpage. All votes taken during all DCTF meetings prior to March 31 will be memorialized in a “record of the proceedings document” that informs future DCTF efforts. These votes may also be included in potential legislation regarding Dungeness crab management.

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 final and straw votes memorialized at meeting 5, please refer to the DCTF meeting 5 summary at: <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>**

- **NOT APPROVED: Fishery Management Objective 1** - Maintain existing capacity of the commercial fleet.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (2): Hemmingsen, Smith

Thumbs sideways (1): Zamboni

Thumbs down (16): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Collins, Cunningham, DeBacker, Doyle, Fahning, Forkner, Johnson, Lawson, McKernan, Standley, Wilson

Abstained (1): Thomas

Absent: Carvalho, Sleeter

*Vote of the ex officio Members:*

Thumbs down: Ostdahl, Young

Abstained: McVeigh, Pomeroy, Riske

- **APPROVED: Fishery Management Objective 2** - Reduce existing capacity of the commercial fleet.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (14): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Collins, DeBacker, Doyle, Fahning, Forkner, Johnson, Lawson, Thomas, Wilson,

Thumbs sideways (1): Hemmingsen

Thumbs down (4): Cunningham, Smith, Standley, Zamboni

Abstain (1): McKernan

Absent: Carvalho, Sleeter

There was no vote of the ex officio Members for this Fishery Management Objective.

- **APPROVED: Fishery Management Objective 3** - Create a permanent (post January 1, 2011) definition of “latent permit” (as defined in the DCTF January 15<sup>th</sup> 2010 report).

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (18): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Cunningham, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Thomas, Wilson, Zamboni

Thumbs down (1): Standley

Abstain (1): McKernan

Absent: Carvalho, Sleeter

*Vote of the ex officio Members:*

Thumbs up: Young

Abstained: McVeigh, Ostdahl, Pomeroy, Riske

- **APPROVED: Fishery Management Objective 4** - Reduce the potential threat of latent permit activation.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (15): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Collins, DeBacker, Doyle, Fahning, Hemmingsen, Johnson, Lawson, Smith, Thomas, Wilson

Thumbs sideways (3): Cunningham, Forkner, Zamboni

Thumbs down (1): Standley

Abstain (1): McKernan

Absent: Carvalho, Sleeter

*Vote of the ex officio Members:*

Thumbs up: Young

Abstained: McVeigh, Ostdahl, Pomeroy, Riske

- **NOT APPROVED: Fishery Management Objective 5** - Eliminate the potential threat of latent permit activation.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs sideways (2): DeBacker, Fahning,

Thumbs down (17): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Cunningham, Collins, Doyle, Forkner, Hemmingsen, Johnson, Lawson, Smith, Standley, Thomas, Wilson, Zamboni

Abstain (1): McKernan

Absent: Carvalho, Sleeter

*Vote of the ex officio Members:*

Thumbs sideways: Young

Abstained: McVeigh, Ostdahl, Pomeroy, Riske

- **APPROVED: Fishery Management Objective 6** - Define vessel expansion under existing permits.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (15): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Thomas, Wilson

Thumbs down (4): Cunningham, Smith, Standley, Zamboni

Abstain (1): McKernan

Absent: Carvalho, Sleeter

*Vote of the ex officio Members:*

Thumbs up: Young

Abstained: McVeigh, Ostdahl, Pomeroy, Riske

- **APPROVED: Fishery Management Objective 7** - Prevent transfer of permits to processors.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (12): Atkinson, Bettencourt, Blue, Carpenter, Collins, DeBacker, Fahning, Forkner, Johnson, Lawson, Smith, Wilson,

Thumbs sideways (3): Doyle, Hemmingsen, Zamboni

Thumbs down (2): Cunningham, Standley

Abstain (3): Anderson, McKernan, Thomas

Absent: Carvalho, Sleeter

*Vote of the ex officio Members:*

Thumbs up: Young

Abstained: Pomeroy, Ostdahl, McVeigh, Riske

- **ACTION:** Consideration and possible adoption of a recommendation regarding the exemption of Dungeness crab fishing in marine protected areas – **NO ACTION WAS TAKEN.**
- **APPROVED: Recommendation 1** - The DCTF proposes new legislation to fund the pre-season Dungeness crab testing in Districts 6, 7, 8, and 9 and amend Fish and Game Code section 8276.2. The director may authorize one or more operators of commercial fishing vessels to take and land an amount of crab for the purpose of quality testing according to a testing program conducted by, or on behalf of the Pacific States Marine Fisheries Commission or an entity approved by the department. Dungeness crab taken pursuant to Fish and Game Code section 8276.2 may be sold to cover costs incurred by the entity conducting the test. Excess crab shall be used for charitable purposes.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (19): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Cunningham, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Standley, Thomas, Wilson, Zamboni  
Absent: Collins, McKernan, Sleeter

*Vote of the ex officio Members:*

Thumbs up: Young  
Abstained: McVeigh, Ostdahl, Pomeroy, Riske

- **APPROVED: Recommendation 2** - Create a statewide pot program with a goal of capping pots in the ocean, and quantifying the overall amount of gear in the fishery.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (16): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Wilson,  
Thumbs sideways (2): Sleeter, Thomas,  
Thumbs down (3): Cunningham, Standley, Zamboni  
Absent: McKernan

*Vote of the ex officio Members:*

Abstained: Ostdahl, McVeigh, Riske  
Absent: Pomeroy, Young

- **APPROVED: Recommendation 3** - Create a statewide pot program with a goal of reducing pots in the ocean.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (14): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Forkner, Johnson, Lawson, Sleeter, Wilson  
Thumbs sideways (3): Fahning, Hemmingsen, Thomas  
Thumbs down (4): Cunningham, Smith, Standley, Zamboni  
Absent: McKernan

*Vote of the ex officio Members:*

Thumbs up: Ostdahl

Abstained: McVeigh, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 4** - Create a statewide pot program for a two year pilot period.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (16): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Wilson,

Thumbs sideways (2): Sleeter, Thomas,

Thumbs down (3): Cunningham, Standley, Zamboni

Absent: McKernan

*Vote of the ex officio Members:*

Thumbs sideways: Ostdahl

Abstained: McVeigh, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 5** - Create a statewide pot program that undergoes a performance review at the end of the two year period.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (17): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Sleeter, Smith, Wilson,

Thumbs sideways (1): Thomas,

Thumbs down (3): Cunningham, Standley, Zamboni

Absent: McKernan

*Vote of the ex officio Members:*

Thumbs up: Ostdahl

Abstained: McVeigh, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 6** - Create a statewide pot program that has at least two tiers (1 = latent permit; 1 = active).

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (15) : Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Lawson, Smith, Wilson,

Thumbs sideways (3): Johnson, Sleeter, Thomas

Thumbs down (3): Cunningham, Standley, Zamboni

Absent: McKernan

*Vote of the ex officio Members:*

Abstained: McVeigh, Ostdahl, Riske  
Absent: Pomeroy, Young

- **APPROVED: Recommendation 7** - Create a statewide tiered pot program that has an appeal/grievance procedure.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (18): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Standley, Wilson, Zamboni

Thumbs sideways (2): Sleeter, Thomas

Thumbs down (1): Cunningham

Absent: McKernan

*Vote of the ex officio Members:*

Thumbs up: Ostdahl

Abstained: McVeigh, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 8** - Create a statewide tiered pot program that allows fishermen to enter the fishery.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (16): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, Doyle, Fahning, Forkner, Johnson, Lawson, Smith, Standley, Wilson, Zamboni

Thumbs sideways (4): DeBacker, Hemmingsen, Sleeter, Thomas

Thumbs down (1): Cunningham

Absent: McKernan

*Vote of the ex officio Members:*

Thumbs up: Ostdahl

Abstained: McVeigh, Riske

Absent: Pomeroy, Young

- **NOT APPROVED: Recommendation 9** - Maintain status quo of the fishery and do not create a statewide tiered pot program.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (3): Cunningham, Standley, Zamboni

Thumbs Sideways (3): Doyle, Hemmingsen, Thomas,

Thumbs Down (15): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Fahning, Forkner, Johnson, Lawson, Smith, Sleeter, Wilson

Absent: McKernan

Recommendation was not approved; therefore, there was no vote of the ex officio Members.

- **NOT APPROVED: Recommendation 10** - Create a statewide one size fits all pot program.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (2): Standley, Zamboni

Thumbs Sideways (7): Blue, Carpenter, Collins, DeBacker, Forkner, Sleeter, Thomas

Thumbs Down (12): Atkinson, Anderson, Bettencourt, Carvalho, Cunningham, Doyle, Fahning, Hemmingsen, Johnson, Lawson, Smith, Wilson

Absent: McKernan

Recommendation was not approved; therefore, there was no vote of the ex officio Members.

- **APPROVED: Recommendation 11** - Create a statewide tiered pot program in which administrative costs are supported by a tag fee.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (16): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Wilson

Thumbs sideways (2): Sleeter, Thomas,

Thumbs down (3): Cunningham, Standley, Zamboni

Absent: McKernan

*Vote of the ex officio Members:*

Abstained: McVeigh, Ostdahl, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 12** - The DCTF does not support the use of catch shares as a management tool in the California Dungeness crab fishery.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (19): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, Cunningham, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Standley, Wilson, Zamboni

Thumbs sideways (2): Sleeter, Thomas

Absent: McKernan

*Vote of the ex officio Members:*

Abstained: McVeigh, Ostdahl, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 13** - The DCTF does not support the use of total allowable catch as a management tool in the California Dungeness crab fishery.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (17): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Lawson, Smith, Standley, Wilson, Zamboni

Thumbs sideways (3): Cunningham, Sleeter, Thomas

Thumbs down (1): Johnson

Absent: McKernan

*Vote of the ex officio Members:*

Abstained: McVeigh, Ostdahl, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 14** - The DCTF supports the use of total allowable effort (e.g. limited entry and a statewide tiered pot program) as a management tool in the California Dungeness crab fishery.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (15): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Johnson, Lawson, Smith, Wilson

Thumbs sideways (3): Hemmingsen, Sleeter, Thomas

Abstained (3): Cunningham, Standley, Zamboni

Absent: McKernan

*Vote of the ex officio Members:*

Abstained: McVeigh, Ostdahl, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 15** - Under any pot allotment proposal, the DCTF supports conducting further work to clarify and make recommendations to potentially include but not be limited to the following topics:
  1. Adaptive management procedures
  2. Tag fees, requirements, and enforcement
  3. Allocation based on single year or multi-year average
  4. Methods to address effort shift
  5. Pot program adjustments based on CA attorney general ruling on landings
  6. Collection and dissemination of data
  7. Landings tax to support program
  8. Permit fee to support program
  9. Permanent permit tracking number
  10. Others

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (19): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, Cunningham, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Standley, Wilson, Zamboni

Thumbs sideways (2): Sleeter, Thomas

Absent: McKernan

*Vote of the ex officio Members:*



Thumbs up: Ostdahl  
Abstained: McVeigh, Riske  
Absent: Pomeroy, Young

- **APPROVED: Recommendation 16** - The DCTF supports creating an industry funded Dungeness crab advisory committee.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (15): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Wilson

Thumbs sideways (3): DeBacker, Sleeter, Thomas

Thumbs down (3): Cunningham, Standley, Zamboni

Absent: McKernan

*Vote of the ex officio Members:*

Thumbs up: Ostdahl

Abstained: McVeigh, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 17** - The DCTF does not support creating a California Dungeness crab marketing commission.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (16): Atkinson, Bettencourt, Blue, Carpenter, Carvalho, Collins, Cunningham, DeBacker, Doyle, Forkner, Hemmingsen, Lawson, Smith, Standley, Wilson, Zamboni

Thumbs Sideways (5): Anderson, Fahning, Johnson, Sleeter, Thomas,

Absent: McKernan

*Vote of the ex officio Members:*

Abstained: McVeigh, Ostdahl, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 18** - The DCTF supports extending the sunset date for the DCTF up to and not to exceed January 1, 2014 to ensure the DCTF functions as the industry funded Dungeness crab advisory committee until that revised sunset date.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (16): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Wilson,

Thumbs sideways (2): Sleeter, Thomas,

Thumbs down (3): Cunningham, Standley, Zamboni

Absent: McKernan

*Vote of the ex officio Members:*

Thumbs up: Ostdahl

Abstained: McVeigh, Riske

Absent: Pomeroy, Young

- **APPROVED: Recommendation 19** -The DCTF supports the continued use of 3S (sex, size, season) principles as the primary management tool for the California Dungeness crab fishery.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (20): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, Cunningham, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Standley, Thomas, Wilson, Zamboni

Thumbs sideways (1): Sleeter

Absent: McKernan

*Vote of the ex officio Members:*

Abstained: McVeigh, Ostdahl, Riske

Absent: Pomeroy, Young

- **NOT APPROVED: Recommendation 20** - The Dungeness crab task force supports a unified season start date of December 1 for the commercial fishery.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (8): Atkinson, Bettencourt, Blue, Carpenter, Collins, Forkner, Lawson, Thomas

Thumbs sideways (5): Anderson, Fahning, Hemmingsen, Sleeter, Wilson

Thumbs down (6): Carvalho, Cunningham, Doyle, Johnson, Standley, Zamboni

Abstained (2): DeBacker, Smith

Absent: McKernan

Recommendation was not approved; therefore, there was no vote of the ex officio Members.

- **NOT APPROVED: Recommendation 21** - The DCTF supports a 15 day fair start provision for boats that have fished in district 10 between November 15<sup>th</sup> and December 1<sup>st</sup>. This provision prohibits boats fishing in other regions for 15 days following the opening date for districts north of district 10. The DCTF supports application of this recommendation to all California permit holders (resident and non-resident).

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (13): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Collins, Forkner, Johnson, Lawson, Sleeter, Thomas, Wilson, Zamboni

Thumbs sideways (1): DeBacker

Thumbs down (5): Carvalho, Cunningham, Doyle, Fahning, Standley

Abstained (2): Hemmingsen, Smith

Absent: McKernan

Recommendation was not approved; therefore, there was no vote of the ex officio Members.

- **APPROVED: Recommendation 22** - The DCTF proposes that new crab legislation be introduced in early 2010 for a statewide, tiered pot limit program. The pot limit program shall be designed as a pilot: active for two years, adaptively managed, and reviewed to inform future management measures. It shall also be consistent with the recommendations presented in the March 31, 2010 report from the DCTF. If the bill is approved in the legislature, a pot limit program shall be implemented in conjunction and consistent with the recommendations of the DCTF (January 15<sup>th</sup> and March 31<sup>st</sup> reports). The implementing agency shall not implement the program without the approval of the DCTF. The bill would extend the life of the DCTF.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (18): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Cunningham, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Thomas, Wilson, Zamboni

Thumbs sideways (2): Sleeter, Standley

Absent: Collins, McKernan

There was no vote of the ex officio Members for the Recommendation.

- **APPROVED: Recommendation 23** - The DCTF proposes that new crab legislation be introduced in early 2010 for a statewide, tiered pot limit program. The pot limit program shall be designed as follows:
  - Tier cut offs will be based on individual landings history between November 15, 2003, and July 15, 2008, inclusive.
  - If a permit was transferred during the time period above, the landings history attached to the permit prior to the transfer will follow the permit following the transfer.
  - Boats will be ranked by production so that the top producing 55 boats will receive 500 pots, the next 55 boats will receive 450 pots, and so on. The breakdown of the pot distribution is described below:
    - Tier 1= 55 boats will be allocated 500 pots
    - Tier 2= 55 boats will be allocated 450 pots
    - Tier 3= 55 boats will be allocated 400 pots
    - Tier 4= 55 boats will be allocated 350 pots
    - Tier 5= 55 boats will be allocated 300 pots
    - Tier 6= 172 boats will be allocated 250 pots
    - Tier 7= 141 latent permits\* will be allocated 175 pots
    - The number of pots fished will not exceed 177,675 pots

\*Note: The DCTF would like to use the Recommendation 4 in the January 15, 2010 report to define the criteria for a latent permit.

*Vote of all DCTF Members (ex officio Members abstained):*

Thumbs up (18): Atkinson, Anderson, Bettencourt, Blue, Carpenter, Carvalho, Collins, DeBacker, Doyle, Fahning, Forkner, Hemmingsen, Johnson, Lawson, Smith, Thomas, Wilson, Zamboni

Thumbs sideways (1): Sleeter,

Thumbs down (2): Cunningham, Standley

Absent: McKernan

There was no vote of the ex officio Members for this Recommendation due to time constraints.