

“California Dungeness Crab Advisory Committee Draft by-laws”

The draft below was put together by EDF based on areas of agreement at the March 20 crab steering committee meeting. This draft is being used by the crab steering committee to determine the critical points and necessary specifics to include in enabling language for a Dungeness Crab Advisory body. **Text in bold indicates discussion points and revisions from the 4/14 steering committee meeting.**

- I. Organization
  - a. The name of the organization shall be the California Dungeness Crab Advisory Committee
  
- II. Purpose and Goals
  - a. The harvest of Dungeness crab is one of the largest in volume and value of the state’s commercial fishing industry. To maintain this significant contribution to the state’s economy, there is need to make regulators aware of the unique economic factors affecting the Dungeness crab fishery, and how these factors could be integrated with appropriate management measures to conserve a sustainable Dungeness crab resource. The activities made possible by the establishment of a Dungeness Crab Advisory Committee will meet this need and further the interests of the industry and the state.
  - b. The establishment of a California Dungeness Crab Advisory Committee is necessary to advise and make recommendations to regulators on the conduct and needs of the commercial Dungeness Crab fishery, including maximizing the value of the crab resource, more efficient resource assessment, and effective fishery management regulations.
  
- III. Definitions
  - a. Unless specified otherwise, the following definitions apply to this organization
    - i. “Committee” is the California Dungeness Crab Advisory Committee
    - ii. “Permit holder” is a fisherman who holds one or more California Dungeness Crab Vessel Permits.
    - iii. “Crab” means the species Dungeness crab, *Cancer magister*
    - iv. “Dungeness crab fishery” means any activity, including economic activity, involved in the harvesting of Dungeness crab, parts of Dungeness crab, or products therefrom. **[needs refinement]**
  
- IV. Membership
  - a. There is hereby established the California Dungeness Crab Advisory Committee. The committee shall be comprised of 19 voting members to fairly represent the broad interests of Dungeness crab permit holders by geographic area and levels of Dungeness crab production on a port and individual basis. The committee shall also include at least 3 non-voting members to represent the Department of Fish and Game, scientific expertise, and other necessary stakeholder groups at the discretion of the committee.
  - b. Permit holders shall elect 19 committee members from among those persons licensed pursuant to the Fish and Game Code to engage in the commercial Dungeness crab fishery.
  - c. Permit holder members or their alternates **will represent either an upper or lower production level within their port, which will be determined based on the average**

- landings of a permit holder during the previous 5 years. shall have documented crab landings in the period from \_\_\_ to \_\_\_.**
- d. Where there is more than one member seat from a specific port, members shall be elected to represent both an upper and lower half of production levels specific to that port. **[Still some active discussion about how to vote for representation in the two tiers of production; the method of determining the ‘middle’ point of production by port needs more discussion based on data and the Department]**
  - e. Committee members shall be nominated in the following manner
    - i. Permit holders shall register by mail for their home port
    - ii. Home port registrations shall be verified by a committee sub-committee
    - iii. Permit holders who register shall be eligible to vote for committee members from their port
  - f. Permit holders shall be elected in these numbers from the following ports **[go with this until any additional data indicates otherwise]**
    - i. Four (4) from Crescent City
    - ii. One (1) from Trinidad
    - iii. Two (2) from Eureka
    - iv. Two (2) from Ft. Bragg
    - v. Two (2) from Bodega Bay
    - vi. Two (2) from San Francisco
    - vii. Two (2) from Half Moon Bay
    - viii. Two (2) from ports South of Half Moon Bay
    - ix. Two (2) holders of Non-Resident California Dungeness Crab Vessel Permits
  - g. **The above breakdown of seats per port will be re-evaluated every 5 years.**
  - h. ~~Committee members may appoint alternates to be approved by the full committee. A permit holder receiving the 2<sup>nd</sup> most votes for any seat is the alternate.~~ Alternates must meet the qualifications for election pursuant to this article.
  - i. **The Department will appoint a non-voting rep from its staff.**
  - j. **Other non-voting members (academic, etc) shall be appointed to the committee from nominees recommended by the committee.**
  - k. The term of all members, alternates, and appointees on the committee shall be two years from the beginning of the crab fishery season in the year of their election. Members may be re-elected or re-appointed.
- V. Meetings – **these can be determined/refined by the advisory body once formed**
- a. Meetings of the committee shall be held \_\_ [annually? Biannually? Quarterly?]
  - b. Meetings of the committee shall be held in rotating locations through the state.
- VI. Voting
- a. The committee shall advise and make recommendations to the **Joint Committee Fisheries and Aquaculture, Director of Department of Fish and Game, and the Fish and Game Commission of the State of California, and to the Tri-State Crab Committee**, based on its decisions. **[entities at decision-making level to ensure this advisory body is recognized and its recommendations carry weight in the state]**
  - b. **Three-fourths (3/4) members** of the committee present shall constitute a quorum for decisions that require a vote.

- c. Decisions shall be made by a vote of not less than 2/3 majority of the committee **members present**

VII. Administration – **these can be determined/refined by the advisory body once formed**

- a. The committee may adopt and from time to time modify or amend all proper and necessary bylaws in accordance with committee procedures.
- b. The committee may appoint its own officers, including a chairperson, and such other officers as it deems appropriate. The officers shall have the powers and duties delegated to them by the committee.
- c. The committee may employ a person or firm to serve at the pleasure of the committee as executive officer of the committee, or other personnel necessary to carry out its purpose.
- d. The committee may fix the compensation for all employees of the committee.
- e. The committee shall keep accurate books, records and accounts of all of its dealings.
- f. The committee may conduct, or contract with others to conduct, scientific research and data collection.
- g. The committee may enter into contracts to acquire and render services in carrying out its purpose.
- h. The committee may accept contributions of, or match, private, state, or federal funds.
- i. The committee may establish an assessment rate to defray its operating costs.
- j. The committee shall establish an annual budget.
- k. No member or alternate of the committee shall receive a salary, but may receive compensation for reasonable and necessary expenses occurred as defined by the committee.