

March 26, 2008

To: Interested stakeholders in discussions concerning Dungeness Crab management in California

From: David Crabbe, consultant to Environmental Defense Fund

Re: Report on March 20 Crab meeting held in Ukiah

The purpose of this report is to keep all interested crab fishermen up to date on discussions about potential improvements to the management of the crab fishery. Environmental Defense Fund (EDF) hosted a third steering committee meeting on March 20 in Ukiah, following from the first two committee meetings on February 13 and March 3. We welcome input from meeting participants if there are changes that need to be made to this report to more accurately reflect discussion and decisions that were made at the meeting.

The purposes of this most recent meeting were:

- 1.) to discuss the legislative timeframe and the “placeholder” language for the crab process bill (SB1690). The sole purpose of this placeholder language (see below) is to preserve the option in the legislative process for the crab steering committee to continue to work to make progress on key issues of concern to the crab industry.
- 2.) to come to agreement on key areas of representation for the future Crab Advisory Committee, which would be authorized through SB 1690.

Meeting participants

Aaron Newman	Paul Wedell
Billy Debacker	Pete Leipzig
Chris Lawson	Tim Potter
Geoff Bettencourt	Tommy Ancona
Gerry Hemmingson	Vince Doyle
John Tarentino	Pete Kalvass, DFG
John Yearwood (Buzz)	Brooke McVeigh, DFG
Kenny Graves	David Crabbe
Larry Collins	Johanna Thomas, EDF
Patti Davis	Maggie Ostdahl, EDF

Legislative timeline and projected steering committee schedule

- | | |
|--------------------|---|
| 2/15 | SB1690 introduced - <input checked="" type="checkbox"/> |
| 3/17 – 3/19 | SB1690 process language drafted - <input checked="" type="checkbox"/> |
| 3/20 | Steering Committee Meeting in Ukiah - <input checked="" type="checkbox"/> <ul style="list-style-type: none">• Goal: discuss legislative timeframe and placeholder language |

- Discuss outstanding advisory board issues – including port representation and jurisdiction

3/25 – 4/9 **Preparation for next steering committee meeting (see next steps below)**

- Steering committee members are encouraged to hold port meetings to go over the steering committee’s progress and upcoming work;
- EDF will draft and circulate ‘by-laws’ of advisory body for the committee to review;
- Steering committee members and EDF will gather data on crab fishery to assist in next stage of discussions
- Possibility of steering committee conference call on March 31 or April 2 to review by-laws and decide on any remaining issues concerning the Crab Advisory Committee process

4/8 **SB1690 to Senate - Natural Resources policy committee for review**

- Senate Natural Resources Committee will advance the bill (again, see placeholder language below) so crab steering committee can continue to work through issues
- Bill will be amended through June based on steering committee decisions

4/14 **Steering Committee Meeting, location TBD**

- Goal is to complete bylaws for Crab Advisory Committee
- If bylaws are approved, steering committee begins discussion of potential management improvements

April -May Steering Committee Meeting TBD

5/1 – 5/30 **SB1690 to move through Senate committees to full Senate – exact dates of hearings to be determined**

- SB 1690 should include more specifics based on the crab steering committee’s progress but there is still ample time for additional work on the bill through June

6/2 – 7/31 **SB1690 goes to Assembly – legislative committees then full Assembly**

- Goal is to have bill language close to final, based on crab steering committee decisions
- Changes to language after bill goes to full Assembly is difficult

8/31 **End of current legislative session**

Placeholder bill language as submitted for the first Senate committee

SEC. 2. Section 8276.x is added to the Fish and Game Code, to read:

8276.x. (a)(1) The department and the council, in coordination with the Dungeness crab industry and other stakeholders, shall develop long-term management rules for the Dungeness crab fishery, consistent with the purposes described in Section 35650 of the Public Resources Code.

(2) The council may support the development of stakeholder meetings and other processes that help implement paragraph (a)(1), including the establishment of an advisory body that equitably represents crab fisherman from major crab ports in the state.

(b)(1) Commencing January 1st, 2009, the Dungeness crab fishery may operate under new regulations such as catch limits, trap limits, season opening dates, and/or a combination of these examples of regulations, which may be area-specific.

(2) These new regulations will remain in affect unless, or until, other rules are promulgated.

Areas of agreement to be captured in ‘by-laws’ for the Crab Advisory Committee

- Management recommendations made by advisory body based on decision votes carrying 2/3 majority
- Any CA crab permit holder to vote for representation on advisory body, based on ‘registering’ their home port where they will vote
- 2 Voting Mailings
 - Register home port to vote for rep
 - Of those who register, ‘ballots’ will be sent to crab permit-holders with candidates’ names
- ‘Verification sub-committee’ will review home port registrations
- Seats on advisory body – 2-year terms that can be re-elected, where alternates are chosen by those elected, with approval by full advisory body
- 19 industry seats:
 - Crescent City (4), Trinidad (1), Eureka (2), Ft. Bragg (2), Bodega Bay (2), San Francisco (2), Half Moon Bay (2);
 - Tentative agreement for Nonresident Permit (2), Ports from South of Half Moon Bay (2) – *additional data needed*
- Two tiers of eligibility for candidacy – voting for candidates depending on upper or lower production tier (production in a given port) – *additional data needed*
- Non-industry seats (non-voting role) – DFG; Scientist; NGO

Still unresolved: management jurisdiction for the fishery

- Steering committee prefers full management authority to remain in Legislature, but acknowledges that governor’s veto statements on past crab bills indicate that there needs to be a role for Fish and Game Commission

Next steps

EDF will draft by-laws for the Crab Advisory Committee to be reviewed by this steering committee before our next meeting

EDF will also work with Pete Kalvass and Brooke McVeigh, DFG, on fulfilling data needs for the steering committee

- Crab steering committee members are encouraged to let EDF know of specific data requests that might be useful in next phase of crab discussions

Steering committee representatives will discuss process so far with ports with phone calls or meetings to keep all informed of progress.

- David and EDF representatives will make every effort to attend port meetings if invited to attend

Next steering committee meeting target date: April 14 (back up: April 16)

- Since the 3/20 meeting, given interest in having port meetings/discussions, as well as the date of the April Pacific Fishery Management Council, EDF suggests pushing back the next steering committee meeting by a few days to allow everyone a little more time to prepare for a meeting.
- Note that EDF may want to convene a 2-hour conference call on either March 31 or April 2 to review bylaws and outstanding process issues – TBD based on crab steering committee members' availability.