



# Crab Industry Public Meeting

## October 22nd, 2020 – 1-4PM

**Attendance:** Caren Braby, Troy Buell, Kelly Corbett, Brittany Harrington, Jill Smith, Eric Anderson, Josh Metzler (PSU tech support), Mika Sakai (PSU tech support), Cari Brandberg, Scott Benson, Clint Funderburg, Joe Conchelos, Shannon Davis, Bob Eder, Karen Lohman, Nadine Hurtado, Jack Ficken, Seth Whitsett, Meghan Dugan, Colleen Weiler, Steve Lerch, Casey Bushnell, Joanna Goslin, John Corbin, Todd Thompson, Victoria Knorr, Jim O'Connor, Karie Silva, Susan Chambers, Daniel Obradovich, Chang Lee, Jessica Watson, Scott McMullen, Ben Enticknap, George Shillinger, Chris German, Hugh Link, Gway Kirchner, Zach Petrine, Jon Gonzalez, Victoria Williams, Heather Van Meter, J Stevenson, Melanie Howey, Tim Novotny, Amanda Gladics, Tom Banse, Justin Yager, Hans Radtke, Upwell Turtles, 15 call-in participants without names displayed

### Summary

To open the meeting ODFW staff provided a welcome and [agenda](#) overview, followed by 3 sessions. Combined slides from all sessions can be found [here](#).

The Session 1 staff presentation covered a review of the presentations and discussion from meeting 1 related to Oregon's adaptive management approach for ODFW's whale entanglement Conservation Plan (CP) and Incidental Take Permit (ITP) application. Staff provided a description of the proposed requested take that will be the basis of adaptive management triggers, considerations for determining a response if triggers are exceeded and potential adaptive measures that could be considered if they are triggered in the short-term. Participants were asked which of the responses were least impactful or most preferred, and how they would suggest phasing in a management response.

The Session 2 staff presentation covered potential future risk reduction measures that require some additional development time to be ready to implement. These measures could be considered in addition to the existing measures, or as possible alternatives that could replace existing measures as part of Oregon's CP adaptive management strategy. Participants were asked to provide input on which they would like to see prioritized for development and why. Additionally, staff described several accountability measures which are in development and geared at improving identification of entangling gear and gaining a better understanding of the spatial and temporal footprint of fishery activity.

The Session 3 staff presentation covered the Dungeness Crab Fisheries Management Plan purpose, scope, process, and key components. This included a discussion of the potential benefit of an FMP for the Oregon Dungeness Crab Commission's Fishery Improvement Plan, Marine Stewardship Council certification, and CP/ITP development process. This was followed by a description of the FMP goals and objectives. Participants were asked to provide input on what their goals are for the fishery and if they are reflected in the goals that were described.

After each Session presentation, there was significant discussion and input on these topics. The presentation portions of each Session were recorded and posted ([here](#)). The discussion portions

of the Sessions were not recorded, to facilitate open dialog of concerns and suggestions. Instead, brief summaries of both discussions are provided below. All meeting materials are available on the ODFW whale entanglement website [here](#).

## **Session 1 Discussion Summary – Conservation Plan Short-Term Adaptive Management Responses**

### **Clarifying questions**

*Industry question – Should I take the “adjust implementation date” response to mean that if we have an entanglement in February, we would have the implementation date moved earlier?*

Staff response – Yes, these are the potential responses we’re considering if we exceed or expect to exceed take in a year. We heard last meeting about the importance of considering when/where an entanglement occurs to determine the appropriate response.

*Industry question – Are these measures being considered only in response to a confirmed take, or an elevated level of risk (e.g., increased presence)?*

Staff response – We haven’t fully developed a list of triggers, but take [entanglements] is the obvious one. There are other, less extreme options that we will work to identify with NMFS as well.

*Industry question – Is there flexibility to change triggers to reflect new stock assessments or abundance estimates? Could the numbers change in real time or would it be tied to the 3-year review period?*

Staff response – Yes, there is some flexibility but we have to write a process into the CP that involves consultation with NMFS. We’re not sure exactly what that will look like yet. It’s not automatic.

*Industry question –What is the timeline for implementing linemarking?*

Staff response – We fully intend to continue discussions about linemarking. We implemented a prohibition on using other states’ marks this season based on input we heard about false negatives/positives. We’ve been talking to NMFS about past entanglements and what kind of linemarking might be most effective. We need further development and don’t have an exact timeline, but it’s a short-term plan. What we really need is a group of industry members to work with us and give us a positive proposal of what can work.

*Industry question – What’s being done to test alternative gear or approaches (e.g., weak links, pop-up gear, longlining)?*

Staff response – Currently, under Oregon regulations, we have provisions to allow testing, but we don’t have proposals to test. We don’t have the internal capacity at this point for an extensive program within ODFW, so we need people to come to us with permit requests to test gear. The real gear innovation capacity seems to be with California, and some in Washington as

well. We'll be working closely with NMFS and the other states on those concepts and we're anxious to hear what gear innovations might be field ready. There is no permitting barrier to gear innovation, we are just short on ideas that will be effective for the whale entanglement issue as well as work with the logistics of the fishery.

*Industry question – How long will Leigh Torres' aerial surveys be happening?*

Staff response – Leigh currently has funding through June of next year. We're in the final throws of applying for two additional years (through 2023) for just the helicopter survey (additional work is needed for ecosystem and predictive modeling).

*Industry question – Are these adaptive management proposals for if we exceed PBR and are you looking for stuff that would happen in-season or in the following season? Do you have an idea of what the triggers are?*

Staff response – Anticipated take is definitely a trigger, but other things could be considered (e.g., whale aggregations observed on the fishing grounds). We need to establish triggers for reevaluation and potential management response. In that evaluation period, the context will be very important. If a trigger is met on August 13, the response would likely have to be next season. There are scenarios where in-season would be possible and preferred. Our work is to have a toolkit of options in hand, that we can apply given the context of the situation.

## **Discussion and input**

- 1) *With regard to depth closure, from June through August, groundswell isn't really an issue and there isn't much movement of crab gear on and off the beach. In May, there can still be swell that is damaging to gear, but not after June 1.*
- 2) *Gear reduction may or may not have a direct relationship with production until the summery fishery regulations go into effect, but not as much once the 1,200 lb limit is in place. The 1200lb limit is the economic limit once they go into effect.*
- 3) *Need to keep in mind that we have a potential gray whale issue on our horizon. Pushing gear in would potentially create issues for the Pacific Coast Feeding Group.*
- 4) *Consider approach involving "soft triggers" which sunset during the same season, then more drastic triggers if a more extreme response is warranted (e.g., temporary rule versus permanent rule response).*
- 5) *Incentivizing fishermen to get their gear out of the water when it's needed is the least impactful. ODFW should work with others to find funding for an incentivization program.*

## **Session 2 Discussion Summary – Conservation Plan Potential Future Measures for Development**

### **Clarifying questions**

*Industry question – What funding sources are available to secure work on monitoring for some of these measures? Are there options to implement a measure in a certain area if an entanglement occurs there, rather than statewide?*

Staff response – We would need to get stable funding through the Legislature. Species monitoring funds are hard to find and obtain. There are grants, but nothing long-term.

*Industry question - Can we work with information from Leigh Torres' surveys to develop hot spot measures?*

Staff response – That is something we're working on.

*Industry question – Would the Tri-State pot limit just apply to someone that fishes both sides of the state border?*

Staff response – It would be a limit on the total number of pots for vessels fishing more than one permit, so the idea is only to impact vessels that are actively fishing in both states, not just because they hold more than one permit.

*Industry question – Does ODFW have a contact with the State Legislature that could get a buyback program going?*

Staff response – The most effective way for this to happen would be to have industry members approach legislators. There are examples of past programs like this which have started by Congress getting federal money allocated.

## **Discussion and input**

### **1) Permit stacking and buyback**

- *It does make it harder to buy into the fishery, but it would make a more viable fishery for those who do choose to participate. These could be implemented in combination with other required risk reduction measures since these are voluntary effort reduction measures.*
- *The number of boats fishing would likely go down and you would probably achieve your goal, but it would only benefit the larger operations. You would reshape the fishery and be left with a handful of boats.*
- *Worth talking about, starting now. Not going to be simple, but might serve the fishery going forward with coming effects of hypoxia, acidifications, etc. A combined approach would be good. We could get there with some combination of borrowing, self-taxing among the fleet, government support, and NGOs. No boats would have to participate.*
- *Permit stacking would be pretty disruptive, but a buyback combined with a lottery system would hopefully help promote the industry instead of drastic modification. When the groundfish trawl fishery buyback happened, the boats that stayed in were essentially just the big boats. If you do allow permit stacking, that will be even more likely to happen in the crab fleet.*
- *ODFW could buy back a permit, cull the amount of pots allowed to fish on the permit, and then sell the permit back to someone who wants to enter the fishery to fund the buyback program.*

### **2) Late season limited entry**

- *Don't see late season fishing being incentivized if we just make late season permits non-transferable. Seems very doable.*
- 3) **Tri-State (or bi-state) pot limit**
    - *Seems very doable. We might get cooperation from Washington just by bringing it up.*
  - 4) **Surface gear requirement**
    - *We can come to an agreement on maximum trailer length and limiting surface gear to 3 buoys per pot. Seems doable.*
  - 5) **Linemarking**
    - *Seems doable, using tracers at knots and splices (manufacture rope in different colors, cut into 10-inch lengths, splice tracers).*
  - 6) **Longlining/duplexing**
    - *We would need to have areas where small boats that can't support longlining or duplexing can still fish single pots.*
    - *Has potential outside 40 fathoms in spring and summer. A low-tech option would be to not use lines at all, just use a grapple. It takes some time, but maybe it's worth it because you've got 50 pots on it. It would require registering longitude lines to avoid possible chaos.*
    - *Another issue is conflict with other fisheries, specifically mid-water trawlers and the shrimp fishery in the spring. There is some conflict already, but it could potentially be a nightmare with a lot of gear offshore.*
  - 7) **Pop-up gear**
    - *Nowhere near ready, but using it with longlining might be a good test case.*
  - 8) **General**
    - *Want to hear more of the science and have clear goalposts for recovery.*

## Session 3 Discussion Summary – Dungeness Crab Fisheries Management Plan Goals

### Clarifying questions

*Industry question – What does it mean if there is a take (of whales) in the sport fishery? Would it count against us?*

Staff response – There have been very low numbers of whales entangled with sport gear from Washington and California, but not from Oregon. We are currently not asking for sport fishery coverage by the ITP. Under the ITP request, our approach is to acquire that for the ocean commercial sector, so it would be isolated in terms of whale take.

*Industry question – Will the FMP (and those goals) be a tool that you refer back to when creating management measures in the future?*

Staff response – Absolutely. It's a tool to describe what we're doing rather than an agent of change. Every ten years, it will be revised to reflect how the fishery has evolved. The plan itself will describe well what we're doing in 2020, and day by day it will get out of date [until the next

revision]. But it will always be a description of what our goals and ideals are, so it will provide a good reference point.

*Industry question – How big is the recreational fishery? How many licenses are sold?*

Staff response – About 170,000 licenses are sold for clamming and crabbing (i.e., not all crabbing). Sport take is about 5% of crab harvest, while the rest is commercial. Sport harvest estimates are based on surveys done by the ODFW Shellfish Program. That information will be described in the FMP.

### **Discussion and input**

- 1) *Glad to see that an evaluation of fleet equity and diversity are included in the goals for the fishery.*
- 2) *Would like to see long-term access to the resource as one of the goals. Some of the management measures regarding whale entanglement reduce access whether it's in where you can fish, when, or what type of operations.*
- 3) *Great to see fleet safety in here, since I have seen some management measure that push people to do unsafe things.*
- 4) *Some of the goals don't line up completely or are contradictory in some ways. Providing access in July when crab are in their worst condition, is counter to the quality goal. I would like to see better education, or some kind of softshell regulations.*
- 5) *Job applicant recruitment for the future replenishment of open positions within the industry (i.e., pathway for new captains, deckhands) – Could or should this be included?*
- 6) *Like to see closer alignment between regulations in the recreational and commercial fisheries. Identical season and size would be a good place to start and there may be other details as well.*
- 7) *Don't think that the sport take has necessarily been affecting us, unless it starts affecting us when it comes to gear maintenance. We should look into how the sport fishers maintain gear, more than just gear marking [with regard to whale entanglements].*
- 8) *In recent years, December has been taken back from the commercial bay crabbers. With the [ocean commercial] crab season delays, it's resulting in no crab on the market in December. Look at bringing the bay commercial season closer to when the ocean commercial season opens.*