



O R A N G E C O U N T Y  
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April 19, 2011

The Honorable Fran Pavley, Chair and Members  
Natural Resources and Water Committee  
Legislative Office Building  
1020 N Street, Room 112  
Sacramento, CA 95814

**RE: Senate Bill 369 (Evans) - SUPPORT**

Dear Chair Pavley and Members of the Committee:

On behalf of Orange County Coastkeeper, which seeks to protect and preserve the region's marine habitats, we write to strongly support AB 369 (Evans). Senator Evans' proposal to extend the expiration date for the requirement of permits for taking of a Dungeness crab in commercial fishing vessel is critically important to prevent the exploitation of this species and ensure the continuation of vibrant domestic fishery.<sup>i</sup>

Existing law regulates the Dungeness crab fishery under Sections 8275-8284 of the California Fish and Game Code. Some of the more prominent and important provisions are:

- Existing laws permit the Director of Fish and Game to delay opening the fishery in specified situations and regulates the taking of crab during those delays.
- Existing laws set forth the qualifications for a Dungeness crab vessel permit, and provides that no person shall use a vessel to take, possess, or land Dungeness crab for commercial purposes without a Dungeness crab vessel permit.
- Existing laws sets forth requirements for the issuance, transfer, and revocation of a vessel permit, and prescribes fees for each permit or permit transfer.
- Existing law requires the director to convene a Dungeness crab review panel for the purpose of reviewing applications for vessel permits and permit transfers, if the department makes a specified determination.<sup>ii</sup>

Currently, these protections will become inoperative on April 1, 2012, and, repealed as of January 1, 2013. Senator Evans' bill proposes to extend the deadline for these provisions to "become inoperative on April 1, 2015, and, as of January 1, 2016, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2016, deletes or extends the dates on which it becomes inoperative and is repealed."<sup>iii</sup>

In 2008, the Dungeness Crab Task Force (DCTF) was created as a part of the passage of SB 1690. The DCTF was required to address certain issues of concern to the Dungeness crab fishery and to report its recommendations for management of the fishery to the Legislature, DFG and the Fish and Game Commission in early 2010. The proposed management objectives focus primarily on reducing the threat of unsustainable expansion to the commercial fishery.<sup>iv</sup> The proposed management is also relevant to the economic impacts of Dungeness crab fishing.

The California Dungeness crab fishery is a valuable state resource - approximately \$24 million of crab are landed annually - and is one of the most profitable fisheries remaining in the state. The optimal long-term management strategy for the fishery is a contentious issue due to the competing interests of the multiple stakeholders.<sup>v</sup> Additionally, it is essential to the marine habitats of California to maintain unambiguous legislation for regulation of

the Dungeness crab as one of the most important economic and marine resources of California.

Currently, the Dungeness crab commercial fishery is currently managed by the Department pursuant to Fish and Game Code Section 8275 et seq., which requires that the fishery be managed by a 3-S (sex, size, and season) principle, which allow for commercial harvest of only male crabs, greater than 6.25 inches, from mid-November or the beginning of December until the end of June or mid-July. This management strategy is considered very successful because males have the opportunity to reproduce several times before reaching legal size, females are protected from harvest, and the fishing season avoids the soft-shell and primary breeding period.<sup>vi</sup> However, this section will be repealed along with the rest of the restrictions on the regulation on the California Dungeness crab on January 1, 2013, which will place the Dungeness crab's current population and reproduction in immediate danger from commercial taking.

Senate Bill 1093, which sought to implement many of DCTF's recommendations did not pass on the Senate floor during 2009-2010 session, so it is more important now than before that SB 369 pass and remain in force until more detailed and unambiguous legislation for the regulation of the California Dungeness crab is enacted.<sup>vii</sup>

We urge the Committee to pass SB 369 to protect both the marine habitat and economic interests of the state of California, for which the Dungeness crab is and will remain a valuable resource.

Sincerely,



Garry Brown  
Executive Director

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<sup>i</sup>Senate Bill No. 369, Introduced by Senator Evans on February 15, 2011, available at:

[http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb\\_0351-0400/sb\\_369\\_bill\\_20110215\\_introduced.pdf](http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0351-0400/sb_369_bill_20110215_introduced.pdf)

<sup>ii</sup>Fish and Game Code, Sections 8275-8284, Retrieved on April 18, 2011, available at:

<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=1476218436+0+0+0&WAIAction=retrieve>

<sup>iii</sup>Senate Bill No. 369; See above-referenced.

<sup>iv</sup>California Dungeness Crab Taskforce, Retrieved on April 18, 2011, available at: <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

<sup>v</sup>Bill Analysis for Senate Bill No. 369; See above-referenced, available at:

[http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb\\_0351-0400/sb\\_369\\_cfa\\_20110408\\_160039\\_sen\\_comm.html](http://www.leginfo.ca.gov/pub/11-12/bill/sen/sb_0351-0400/sb_369_cfa_20110408_160039_sen_comm.html)

<sup>vi</sup>Recommendations from the California Dungeness Crab Task Force regarding management of the fishery in accordance with SB 1690, by California Dungeness Crab Task Force on January 15, 2011, available at:

[http://www.opc.ca.gov/webmaster/ftp/project\\_pages/dctf/Final\\_DCTF\\_LegReport1.pdf](http://www.opc.ca.gov/webmaster/ftp/project_pages/dctf/Final_DCTF_LegReport1.pdf)

<sup>vii</sup>Senate Bill No. 1093, Introduced by Senator Wiggins on February 17, 2010, available at:

<http://www.leginfo.ca.gov/cgi-bin/postquery>