

AMENDED IN SENATE APRIL 5, 2010

SENATE BILL

No. 1093

Introduced by Senator Wiggins

February 17, 2010

An act to amend Section 8276.4 of the Fish and Game Code, relating to fish and game.

LEGISLATIVE COUNSEL'S DIGEST

SB 1093, as amended, Wiggins. Ocean Protection Council: Dungeness crab task force.

Existing law establishes the Ocean Protection Council and requires the council to, among other things, coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations.

Existing law requires the council to make a grant, upon appropriation of funding by the Legislature, for the development and administration of a Dungeness crab task force, and specifies the membership of the task force. Existing law ~~provides that eligibility to take crab in state waters and offshore for commercial purposes may be subject to specified restrictions~~ *requires the task force to cease to exist on January 1, 2011.*

~~This bill would make technical, nonsubstantive changes to these provisions.~~

This bill would extend that date to January 1, 2015.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 8276.4 of the Fish and Game Code is amended to read:

8276.4. (a) The Ocean Protection Council shall make a grant, upon appropriation of funding by the Legislature, for the development and administration of a Dungeness crab task force. The membership of the Dungeness crab task force shall be comprised of all of the following:

(1) Two members representing sport fishing interests.

(2) Two members representing crab processing interests.

(3) One member representing commercial passenger fishing vessel interests.

(4) Two ex officio members representing nongovernmental organization interests.

(5) One ex officio representative of Sea Grant.

(6) Two ex officio members representing the department.

(7) Seventeen members representing commercial fishery interests, elected by licensed persons possessing valid Dungeness crab permits in their respective ports and production levels, as follows:

(A) Four members from Crescent City.

(B) One member from Trinidad.

(C) Two members from Eureka.

(D) Two members from Fort Bragg.

(E) Two members from Bodega Bay.

(F) Two members from San Francisco.

(G) Two members from Half Moon Bay.

(H) One member from ports south of Half Moon Bay.

(I) One member who has a valid California nonresident crab permit.

(b) For ports with more than one representative, elected members and their alternates shall represent both the upper and lower, and in some cases middle, production levels. Production levels shall be based on the average landing during the previous five years, of valid crab permit holders who landed a minimum of 25,000 pounds of crab during the same period.

(c) The Dungeness crab task force shall do all of the following:

(1) Under the guidance of a professional facilitator hired by the Ocean Protection Council for this purpose, review and evaluate

1 Dungeness crab management measures with the objective of
2 making recommendations to the Joint Committee on Fisheries and
3 Aquaculture, the department, and the commission no later than
4 January 15, 2010.

5 (2) Make recommendations, including, but not limited to, the
6 need for a permanent Dungeness crab advisory committee, refining
7 sport and commercial Dungeness crab management, establishing
8 a Dungeness crab marketing commission, and the need for statutory
9 changes to accomplish task force objectives.

10 (3) In considering Dungeness crab management options,
11 prioritize the review of pot limit restriction options, harvest
12 allocation, current and future sport and commercial fishery effort,
13 season modifications, essential fishery information needs, and
14 short- and long-term objectives for improved management.

15 (d) The task force may establish subcommittees of specific user
16 groups from the task force membership to focus on issues specific
17 to sport fishing, commercial harvest, or crab processing. The
18 subcommittees shall report their recommendations, if any, to the
19 task force.

20 (e) The Ocean Protection Council may include in a grant funding
21 to cover department staffing costs, as well as task force participant
22 travel.

23 (f) A recommendation shall be forwarded to the Joint Committee
24 on Fisheries and Aquaculture, the department, and the commission
25 upon an affirmative vote of at least two-thirds of the task force
26 members.

27 (g) The task force shall cease to exist on January 1, ~~2011~~ 2015.

28 (h) Eligibility to take crab in state waters and offshore for
29 commercial purposes may be subject to restrictions, including, but
30 not limited to, restrictions on the number of traps utilized by that
31 person, if either of the following occurs:

32 (1) A person holds a Dungeness crab permit with landings of
33 less than 5,000 pounds between November 15, 2003, and July 15,
34 2008, inclusive.

35 (2) A person has purchased a Dungeness crab permit on or after
36 July 15, 2008, from a permitholder who landed less than 5,000
37 pounds between November 15, 2003, and July 15, 2008, inclusive.

38 (i) This section shall remain in effect only until January 1, ~~2011~~
39 2015, and as of that date is repealed unless a later enacted statute,

- 1 which is enacted before January 1, ~~2011~~ 2015, deletes or extends
- 2 that date, or it is rendered inoperative by commission regulations.