Board Report

TO: Board of Harbor Commissioners

FROM: Sabrina Brennan

DATE: January 6, 2016

SUBJECT: Dungeness Crab Fishery (Closure)

General Manager Recommendation:

District Policy allows for any Commissioner to submit a report on any one item at any time up to noon of the Tuesday in the week prior to a meeting of the Board of Commissioners.

Such a short time frame does not allow for staff analysis of the issue presented. No staff review of this item has occurred, thus staff cannot present either a Policy or Fiscal implications analysis.

Staff recommends that any item requiring action be discussed as described on the agenda, and, prior to action being taken, this Commission direct that the item be placed on a future agenda when policy implications, costs, external relations and unintended consequences can be presented as a part of the discussion.

Commissioner Discussion:

Please see attached.

December 16, 2015

To: Steve McGrath- San Mateo County Harbor District General Manager (via email)

The Half Moon Bay Seafood Marketing Association is an organization of commercial fishing producers of all gear types, all local target species and all sizes of fishing businesses working out of Pillar Point Harbor. We are a diverse group, but one thing all of our members have in common is their dependence on the Dungeness Crab Fishery to operate their businesses.

As you know, the Dungeness Crab fishery has been delayed due to high levels of naturally occurring domoic acid. We are reaching out to you to share the impact this is having on our fleet, and request that the San Mateo County Harbor District explore if there are any options available to support the fleet during this difficult time.

As of right now, the reopening of the crab season, is still very much unknown. Levels are coming down, which is encouraging, but some crabs are still testing above current threshold limits. Based on current testing protocol at least 2 consecutive tests with below threshold level results are required in all California testing areas, before the Department of Public Health can recommend a reopening of the season. As of today, we have yet to have any test meet the necessary criteria in California. Testing continues, and multiple state agencies are monitoring the results and doing the best they can to work with industry groups to manage this evolving and unprecedented disaster.

Unfortunately, even if the season were to reopen as quickly as possible, local crab fishermen have already suffered a tremendous economic loss. The holiday crab market is gone. According to the Department of Fish and Wildlife, 89% of the total Dungeness Crab harvested in the SF Area in 2014 was harvested in the months of November and December. As always, crab fishermen will work hard, and risk everything to harvest crabs and generate income as soon as they are able. However, the likelihood that losses of this magnitude can be recovered without holiday market demand and following a public health and consumer confidence crisis is daunting.

In the short term, following a weak salmon season, many local fishermen are simply running out of funds. Many are trying to find other employment to support their families, which is especially trying at the holidays. In addition, the expenses of running a commercial fishing business continue while vessels are tied to the dock. The situation is not good, and not likely to get better any time soon. It is not easy for fishermen to ask for help, so as the Executive Director of the Half Moon Bay Seafood Marketing Association, I am asking on their behalf.

I am not sure what is possible for the San Mateo County Harbor District to offer in the way of support to our fleet. I am open to ideas and would appreciate working with you on the issue. Some initial thoughts of our members include reduction, deferment or forgiveness of berthing fees for verified crab fishermen until the season reopens, waiving the $300 crab pot storage fees, extending the time during which gear can be stored without additional charges, and possibly returning gear storage deposits to fishermen early. If there are other policies that may be under review that impact commercial fishermen financially, such as RV space rental rates or any other fees, perhaps those could be tabled until a more stable time for fishermen. Also, if there are opportunities for seasonal employment or project based work around any harbor properties, perhaps crab fishermen could be considered for these positions.

We understand and appreciate that the District is in a state of transition, and that asking for financial concessions may be a complex issue, particularly as other entities such as Boating and Waterways, LafCO, or County Board of Supervisors may need to be involved. Still, we are hopeful that to the extent possible, the San Mateo County Harbor District commissioners and staff will want to make an effort to work with fishermen during this challenging time. Please let me know how I can help facilitate any next steps.

Sincerely,

Lisa Damrosch-Executive Director

Half Moon Bay Seafood Marketing Association

cc: Harbor Commissioners Mattusch, Brennan, Bernardo, Paravanno and Chang-Kiraly via email

PO Box 872 Half Moon Bay, CA 94019 hmbsmaboard@gmail.com (650) 255-2063

Congress of the United States
Washington, DC 20515

November 24, 2015

The Honorable Jerry Brown
Governor of California
State Capitol, Suite 1173
Sacramento, California 95814

Dear Governor Brown,

We write to express our concern about the high levels of domoic acid in Dungeness crab, which is linked to a massive toxic bloom of the marine diatom *Pseudo-nitzschia*. The elevated levels of domoic acid have caused delays in the opening of the 2015/2016 recreational and commercial Dungeness crab fishing seasons. While we are hopeful that the situation will turn around and the fisheries can be opened safely and promptly, we remain concerned about the economic consequences of a fishery closure. So that state and federal resources can be brought to bear at the earliest opportunity, we urge you to dedicate adequate resources to monitor the situation closely and to stand ready to ask the Secretary of Commerce to declare a fishery disaster through NOAA Fisheries if the commercial fishery must be closed for the 2015/2016 season.

The bloom is the largest and longest-lasting in at least 15 years, and concentrations of domoic acid in seawater, some forage fish, and crab samples have been among the highest ever reported for this region. In mid-May, domoic acid concentrations in Monterey Bay, California were 10 to 30 times the level that would be considered high for a normal *Pseudo-nitzschia* bloom. We understand that state and federal agencies are monitoring the situation and are providing frequent updates and test results from samples collected off of the coasts from Santa Barbara to Crescent City.

The commercial Dungeness crab fishery is crucial to the economies of Central and North Coast communities and to the overall state economy. Last year, commercial Dungeness crab harvests in California were valued at $60 million. A closure of this fishery would be devastating for fishermen, who have already been impacted by a poor salmon season this year, which yielded just one third of the average harvest.

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We thank you for monitoring the situation and urge you to be prepared to immediately ask for the Secretary of Commerce to declare a fishery disaster in the event of continued closures so that state and federal resources can be quickly mobilized. If our offices can be of any assistance or if you have any questions, please don't hesitate to contact Katie Westfall with Rep. Huffman at katie.westfall@mail.house.gov or Miriam Goldstein with Rep. Speier at miriam.goldstein@mail.house.gov.

Sincerely,

JARED HUFFMAN
Member of Congress

JACKIE SPEIER
Member of Congress

SAM FARR
Member of Congress

LOIS CAPPS
Member of Congress

For Immediate Release:
November 24, 2015

Contact: Ben Miller (Huffman)
Ben.Miller@mail.house.gov
202.225.5161

Katrina Rill (Speier)
Katrina.Rill@mail.house.gov
(650) 342-0300

Reps. Huffman, Speier, Farr, and Capps Urge Gov. Brown to Stand Ready to Declare a Fishery Disaster for the Dungeness Crab Fishery

WASHINGTON, D.C.— California Reps. Jared Huffman (D-San Rafael), Jackie Speier (D-San Francisco/San Mateo), Sam Farr (D-Monterey), and Lois Capps (D-Santa Barbara) sent a letter to Governor Jerry Brown today urging him to closely monitor the levels of domoic acid in Dungeness crab and to stand ready to ask the Secretary of Commerce to declare a disaster if the fishery is closed for the season. The coastal lawmakers raised concerns about the high levels of domoic acid linked to a toxic algal bloom found along the West Coast, stretching from central California to the Alaska Peninsula, which have caused delays in the opening of the recreational and commercial seasons.

The Dungeness crab fishery was valued at $60 million last year for California. A closure of the Dungeness crab commercial fishery would impact coastal communities in Central and Northern California, as well as the state economy.

"The closure of the Dungeness crab fishery would not only make the holidays a little less bright, it would deal a hard blow for North coast fishermen, who have already been impacted by a poor year for salmon landings," Huffman said. **"While Californians' Thanksgiving celebrations may not feature Dungeness crab this year, we can at least provide the assurance that federal disaster relief will be available to fishermen and affected communities and businesses if we lose the fishery. We are keeping our fingers crossed for improved conditions next month, but in the meantime we will be working closely with our state and federal partners—from the Governor's office to the White House—so that we can respond quickly in the event of a total closure."**

"I, along with thousands of Californians, will miss eating Dungeness crab this Thanksgiving, but it's the fishermen who are paying the real price for the closure of the crab season,"Speier said. **"After being financially punished by a dismal salmon season this year, these same fishermen are now looking at no income from crab – traditionally 50 percent of their income – yet having to pay for their licenses and boat maintenance. If the season doesn't open soon, these men and women deserve a financial lifeline. I urge the governor to start preparing for a disaster declaration now."**

CALIFORNIA natural resources AGENCY

EDMUND G. BROWN JR., *Governor*
JOHN LAIRD, *Secretary for Natural Resources*

December 15, 2015

The Honorable Lois Capps
United States House of Representatives
2231 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jared Huffman
United States House of Representatives
1630 Longworth House Office Building
Washington, DC 20515

The Honorable Sam Farr
United States House of Representatives
1126 Longworth HOB
Washington, D.C. 20515

The Honorable Jackie Speier
United States House of Representatives
2465 Rayburn House Office Building
Washington, D.C. 20515

Dear Honorable Representatives Capps, Farr, Huffman, and Speier,

Thank you for your November 24 letter to Governor Brown regarding the high levels of domoic acid in Dungeness crabs found this year due to the unprecedented harmful algae bloom found off the West Coast. Governor Brown has asked me to respond to your letter since California's Natural Resources Agency is monitory the situation closely. In addition, the Natural Resources Agency is collaborating with the Ocean Protection Council (OPC), the Department of Fish and Wildlife (DFW) and the Fish and Game Commission (FGC) – all of which fall under my office – to respond to this evolving situation.

Regarding testing domoic acid levels, the OPC, DFW and the FGC have worked closely with our other state partners at the California Department of Public Health (DPH) and the Office of Environmental Health Hazard Assessment (OEHHA) on coordination in obtaining samples of Dungeness and rock crabs as well as spiny lobster along the California coast. For the most recent updates to the toxin levels by port can be found at the California Department of Public Health website. (https://www.cdph.ca.gov/HealthInfo/Pages/fdbDomoicAcidInfo.aspx)

We agree that the Dungeness crab fishery is an important fishery to the overall state economy, and that a total closure would be devastating to the fishermen and local coastal communities that depend on this fishery. We are closely monitoring the situation and will be in a position to seek federal disaster relief for the Dungeness and rock crab fisheries should the season be closed for an extended period of time. As the federal legislation notes, we must show data regarding the lost landings and revenue as a result of the closed fishery. As you know, requests for a fishery disaster determination are based upon provisions found in the Interjurisdictional Fisheries Act (IFA) or the Magnuson-Stevens Fishery Conservation and Management Act ("MSA"). Sections 308(b) and (d) of the IFA and Sections 312(a) and 315 of the MSA provide the avenues by which disaster funds are requested.

It is also worth noting that we are also very concerned about the impact that climate change and subsequently, warming ocean waters will have on all our fisheries along California. This year's bloom in particular is linked to an incredibly persistent patch of warm water off the West Coast, referred to by scientists as "the blob." Extending at least 1,000 miles from the coast of Mexico to waters off the Alaskan shore, the water in the blob measures about 2 degrees Celsius higher than historical temperatures. Scientists note that with climate change, events like the blob will be more common.

As we understand it, the House of Representatives and the Senate are expected to take up reauthorization of the Integrated Coastal and Ocean Observation System Act of 2009. The Senate version of the bill establishes and sustains a national integrated system of ocean, coastal, and Great Lakes observing systems, and improves the nation's capability to measure, track, observe, understand, and predict events related directly and indirectly to weather and climate change, natural climate variability, and interactions between the oceanic and atmospheric environments. This bill would also advance a national ocean acidification monitoring strategy and direct NOAA and the National Science Foundation to make investments in adaptation and mitigation research so we can better understand how to make our coastal economies, ecosystems, and communities more resilient to the threat of ocean acidification and other changing ocean conditions. Presently, the House version of the bill (HR 2744) does not include specific language about establishing an integrated system of ocean observing systems or ocean acidification monitoring. It is expressly this type of investment that is needed to help proactively reduce impacts and increase the resilience of the nation's valuable living marine resources and the communities that depend on them, such as with the current Dungeness crab fishery. We urge you to add this language to the House version of the bill.

We appreciate your expertise and outreach regarding federal disaster relief as well as this opportunity to seek support for the reauthorization of the Integrated Coastal and Ocean Observation System Act to help us be better prepared in the future. We thank you for your interest into this matter and will be following up with your staff should we need to seek federal disaster relief.

Sincerely,

John Laird

John Laird
Secretary for California Natural Resources