

Lawsuit led to stalled crab opener; state warns of domoic acid in viscera

By

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Will there be crab on the table for Thanksgiving? California's Department of Fish and Wildlife paired its opening of the recreational crab fishery last Saturday with an advisory from the public health department and, this week, announced it will delay the opening of the commercial fishery until Nov. 22 over concerns about whale entanglements. Recreational anglers were warned not to consume the viscera of Dungeness crabs caught in two areas: from Point Reyes south to Pillar Point in San Mateo County, and further north, between Point Arena and Shelter Cove. The culprit is domoic acid, a potent neurotoxin produced by the marine algae blooms that form in warmer ocean temperatures. The toxin accumulates in the bodies of crabs and, at low levels, can cause nausea, diarrhea and dizziness for people who eat them. At higher levels, the acid can lead to persistent short-term memory loss, seizures and even death. The health department recommended that people eviscerate crabs prior to cooking. Similar advisories have been issued over the past five years. Jordan Traverso, a spokeswoman for Fish and Wildlife, said domoic acid has in recent years impacted what commercial crab fisherman can sell. Yet the agency's postponement by a week of the commercial fishery was prompted by a different concern: whale entanglements. Fish and Wildlife reached a settlement agreement in March with the Center for Biological Diversity, and has since been advised by a Dungeness-crab fishing-gear working group. In a memorandum from the group released on Nov. 1, a minority of members asked for the delay, but their position trumped the majority that pushed to open the fishery on time. "Recent aerial survey data indicate high levels of marine life, specifically species protected under the Endangered Species Act, including Humpback and Blue whales," the memo stated. "A season delay of eight days will provide additional opportunity for whales and turtles to begin their southern migration prior to the start of the commercial fishery. An eight-day delay will also preserve the ability for the fleet to provide crab for the Thanksgiving holiday." After announcing a possible eight-day delay last Friday and putting out a call for public comments, the director of the agency, Charlton Bonham, announced Tuesday night that the season would be delayed by seven days—responding in part to comments he received that addressed the socioeconomic impact on the fishery. This was the first opportunity for the working group to inform the agency's decision-making over a start date. The primary outcome of Fish and Wildlife's settlement with the Center for Biological Diversity was a commitment by the agency to seek a federal permit to address protected species' interactions with the crab fishery. Obtaining a permit and developing a conservation plan as part of that process will take years, Ms. Traverso said, so the settlement spells out interim protections. In addition to regular consultation with the working group, Fish and Wildlife agreed to close the crab fishery three months earlier than usual this spring, in April, and will do so again in 2020—unless the risk is determined to be low for the species of concern. "We're happy to see an assessment of whale entanglement risk guiding when crab season opens. But we're still worried about this crab season because California hasn't made other key reforms," Kristen Monsell, the legal director of the center's oceans program, said in a press release. "Crab gear is still killing humpback whales. With crabbers about to drop thousands of lines into the Pacific, state officials should be doing a lot more to safeguard endangered marine animals." The National Marine Fisheries Service reported 18 whale entanglements from January through August, compared to around 40 during that same period in 2018. The Center for Biological Diversity says that three endangered humpback whales were found entangled in California commercial Dungeness crab gear since this August. Two of those whales died.