

Date of Hearing: March 19, 2024

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 1797 (Wood) – As Amended February 8, 2024

SUBJECT: State crustacean

SUMMARY: Declares that the Dungeness crab (*Metacarcinus magister*) is the official state crustacean of California and makes findings and declarations regarding the ecological and social value of the Dungeness crab.

EXISTING LAW:

- 1) Declares, among other official emblems, that:
 - a) The golden poppy (*Eschscholzia californica*) is the state flower (Government Code § 421);
 - b) The California redwood (*Sequoia sempervirens*, *Sequoia gigantea*) is the state tree (Government Code § 422);
 - c) The California red-legged frog (*Rana draytonii*) is the state amphibian (Government Code § 422.7);
 - d) The California desert tortoise (*Gopherus agassizii*) is the state reptile (Government Code § 422.5);
 - e) The California dog-face butterfly (*Zerene eurydice*) is the state insect (Government Code § 424.5); and
 - f) The pallid bat (*Antrozous pallidus*) is the state bat (Government Code § 425.12).
- 2) Does not identify an official state crustacean.

FISCAL EFFECT: None. This bill is keyed non-fiscal.

COMMENTS:

- 1) **Purpose of this bill.** This bill declares that the Dungeness crab (*Metacarcinus magister*) is the official state crustacean of California in order to promote the appreciation, study, and education of Dungeness crabs in California. According to the author, “The Dungeness crab is an iconic crustacean and one that has made a significant contribution to the economies of coastal communities in California and to those in the commercial fishing industry. The industry supports fishing ports and bolsters retail and hospitality businesses, bringing patrons to restaurants and inns. It is a key delicacy that is often at high demand when Californians ring in the New Year. We must recognize, however that the Dungeness crab industry is not without its challenges. We need to ensure that the fishing industry, the ocean and its inhabitants are all protected.”

- 2) **Background.** California is renowned for its diverse landscapes, rich history, global influence, and its industrious and colorful people. The state represents its natural beauty, historical significance, and cultural identity with a unique array of official symbols. To celebrate this diversity, the state designates a number of state emblems that serve as reminders for residents and visitors alike of the state's distinct identity and the importance of preserving its heritage for future generations. As California continues to evolve and grow, its state emblems are intended to remain steadfast symbols of the state's past, present, and future.

Crustaceans are a select group of arthropods that includes shrimp, barnacles, crayfish, lobsters, crabs, and isopods (*i.e.* roly polies). The California Department of Fish and Wildlife (CDFW) regulates commercial fishing seasons for several crustaceans including Dungeness crab, ghost and pink shrimp, golden and ridgeback prawns, spiny lobster, rock crab, and tanner crab. The Dungeness crab is the most abundant crab in California.

The readers Dungeness. Dungeness crab range from Alaska to Mexico and are found primarily north of Monterey Bay. Although they inhabit a wide variety of ocean floor habitats, they generally prefer sandy- or soft-bottom areas and are commonly found at depths ranging from the intertidal to 300 feet (91.4 meters), but may occupy depths as deep as 750 feet (228.6 meters).¹

Dungeness crab play multiple roles in the ecosystem: opportunistic predator, scavenger, and prey item. Dungeness crab feed on a wide range of prey items, including bivalves, fish, and shrimp and also scavenge for prey items buried within the sediment. All life stages of Dungeness crab are important prey items for many species of fish, octopus, other crab, and sea otters. The primary threats to this species include predation by sea otters, ocean acidification, habitat damage, and overfishing. Dungeness crabs reach sexual maturity after three years with an estimated maximum life span from 8 to 13 years. A large male Dungeness crab can exceed 10 inches in shell width.

Dungeness crab gets its name from the port of Dungeness located on the Olympic Peninsula in Washington State, where they were harvested commercially for the first time. This area was in turn named after the coastal area of Kent, England.

Shell corporations. Prior to 1974, the common name of the Dungeness crab in California was "the market crab," indicating its economical and dietary prevalence. Around 99% of the Dungeness crab on the U.S. market comes from domestic sources.² Harvests have ranged from 8 million to 54 million pounds, peaking approximately every 10 years. The Dungeness crab fishery in California supports an economically important commercial sector as well as a popular recreational sector. Dungeness crab is an important fishery along the entire West Coast, and management measures in California, Oregon and Washington are coordinated through the Tri-State Dungeness crab Committee, overseen by the Pacific States Marine Fisheries Commission (PSMFC). The recreational fishery for Dungeness crab is open this year from November 4, 2023 through July 30, 2024 in Del Norte, Humboldt and Mendocino counties. The recreational daily bag limit is 10 crabs, and the minimum size limit is 5¾ inches at which time the crab will weigh between 2 and 3 pounds.

¹ CDFW, Dungeness Crab Enhanced Status Report, <https://marinespecies.wildlife.ca.gov/dungeness-crab/true/>.

² PSMFC, Tri-State Dungeness Crab, <https://www.psmfc.org/program/tri-state-dungeness-crab-tsdcc>.

- 3) **Policy considerations.** California is now represented by 44 symbols, 40 of which are codified: state amphibian, animal, bat, bird, colors, dance, dinosaur, fabric, flower, flag, folk dance, fossil, gemstone, gold rush ghost town, grass, historical society, insect, LGBTQ veterans memorial, lichen, marine fish, marine mammal, marine reptile, military museum, mineral, motto, mushroom, nickname, nuts, prehistoric artifact, reptile, rock, seal, silver rush ghost town, soil, song, sport, tall ship, tartan, tree, and Vietnam veterans memorial. (Government Code § 420–429.9). See “Related legislation” for a collection of current and unsuccessful state symbol legislation. *The Committee may wish to consider, at what point does adding additional symbols make the designation meaningless?*

Symbols present heartwarming opportunity for reflection, recognition, and civic engagement. Designating a new state symbol may briefly stir a media response, but does not materially accomplish any policy goal such as supporting habitat, research, or protections for the identified symbol. A 2002 LAO report estimates that each bill costs at least \$18,000, which is over \$30,000 today. So is it worth the cost? Other options are available to the Legislature, such as Resolutions, to establish state symbols. The Golden Trout (state fresh water fish), the California Coastal Trail (state trail), the California Consolidated Drum Band (state fife and drum band), and the Pasadena Playhouse (state theater) have all been established via resolutions. *The Committee may wish to consider whether legislation is the most appropriate mechanism to provide recognition to any potential symbol?*

- 4) **Related legislation.** AB 868 (Garcia) of 2021 would have established the date shake as the official state milkshake. AB 868 died in the Senate Governmental Organization Committee.

AB 1769 (Voepel) of 2018 would have established the California Vaquero Horse as the official state horse. AB 1769 died in the Assembly Governmental Organization Committee.

SB 73 (Hueso) of 2017 would have established the “San Salvador” as the official state ship of exploration. SB 73 died in the Senate Governmental Organization Committee.

AB 2470 (Nielsen) of 2012 would have established the sculpture in the Norther California Veterans Cemetery as the official state memorial for Vietnam veterans. AB 2470 died in the Assembly Veterans Affairs Committee.

AB 2063 (Huffman) of 2010 would have established the Chinook salmon as the official state anadromous fish. AB 2063 was vetoed by the governor.

SB 624 (Romero) of 2009 would have removed serpentine as the official state rock and lithological emblem. SB 624 died in the Assembly Rules Committee.

SB 1253 (Migden) of 2006 would have established zinfandel as the historic wine of California. SB 1253 was vetoed by the governor.

AB 2636 (House) of 2000 would have established the almond as the official state nut. AB 2636 died in the Assembly Governmental Organization Committee.

AB 1850 (Pellerin) of the current legislative session establishes the banana slug as the official state slug. AB 1850 is pending before this Committee.

AB 2504 (Dixon) of the current legislative session establishes the black abalone as the official state seashell. AB 2504 is pending before this Committee.

AB 3118 (Wallis) of the current legislative session establishes solar energy as the official state energy. AB 3118 is pending before the Assembly Committee on Utilities and Energy.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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