



CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DECLARATION OF SEASON DELAY DUE TO SIGNIFICANT MARINE LIFE
ENTANGLEMENT RISK IN THE DUNGENESS CRAB COMMERCIAL FISHERY

Pursuant to Fish and Game Code Section 8276.1(c), I find and declare that

I.

The California Dungeness Crab Fishing Gear Working Group (Working Group) met on October 15 and 31, 2019 to review available data and evaluate entanglement risk factors based on the Risk Assessment and Mitigation Program (RAMP).

II.

The four RAMP factors evaluated by the Working Group led to a majority recommendation to open the Central and Northern Management Areas as scheduled on November 15 and December 1, 2019 respectively. In consideration of the number of whales still present, a minority of Working Group members recommended a delay in the season opener from November 15 to December 1.

III.

Department staff conducted an independent assessment of available data related to the RAMP factors and the factors outlined in Fish and Game Code Section 8276.1(c)(3), and recommended an eight-day season delay. On November 1, 2019, I made a preliminary determination of significant risk of marine life entanglement. After consideration of recommendations and new information provided during the notice period, I delayed the opening of the commercial Dungeness crab fishery south of the Sonoma/Mendocino county line until November 22, 2019.

IV.

An aerial reconnaissance survey conducted by the Department on November 18, 2019, showed continued presence of Humpback whales in the fishing grounds. Additionally, NOAA sea turtle telemetry data indicated at least one animal was still foraging near the Farallon Islands as of November 18, 2019. An additional aerial reconnaissance flight conducted by the United States Coast Guard in partnership with the Department on November 21, 2019 confirmed the continued presence of the whales observed on the November 18 survey. Furthermore, the quality delay of the Northern Management Area (north of the Sonoma/Mendocino county line) is expected to increase participation in the southern fishery (south of the Sonoma/Mendocino county line).

V.

Based on input from fleet leadership, Port Associations, and members of the commercial Dungeness crab fishing fleet, opening south of the Sonoma/Mendocino county line with the current abundance of whales presents an unacceptable level of risk of whale entanglement. This input includes written requests for further delay from ports.

VI.

On November 20, 2019, I made a second preliminary determination of significant risk of marine life entanglement. Notice of the preliminary determination and anticipated management action was provided to the Working Group and other stakeholders with opportunity to provide recommendations and new information through 4:45 p.m. on November 22, 2019.

VII.

Pursuant to Fish and Game Code Section 8276.1(c), after further consideration of the recommendation from the Working Group provided on October 31, 2019, and consideration of recommendations and new information provided in response to the November 20, 2019, notice of preliminary determination of significant entanglement risk, I have determined that opening the California Dungeness Crab fishery on November 22 poses a significant risk of marine life entanglement, and that the appropriate management response is a further delay of the opening of the commercial Dungeness crab fishery south of the Sonoma/Mendocino county line until December 15, 2019.

VI.

THEREFORE, under the authority granted by Fish and Game Code Section 8276.1(c)(3), I am further delaying the opening of the commercial Dungeness crab fishery south of the Sonoma/Mendocino county line. The season will open on December 15, 2019 and traps can be set and baited 18 hours in advance, pursuant to Fish and Game Code Section 8283(b).

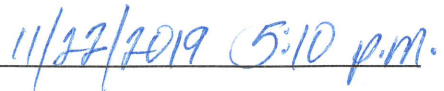
The Dungeness Crab Fishing Gear Working Group will be convened in early December to evaluate any new information that may be available to open the fishery prior to December 15. The Department will make every effort to do an additional aerial reconnaissance survey to evaluate continued whale presence in the delayed area.

Updates and material regarding the entanglement risk evaluations in the commercial Dungeness crab fishery will be made available on the Department's web page:
www.wildlife.ca.gov/Conservation/Marine/Whale-Safe-Fisheries

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Charlton H. Bonham, Director



Date/Time