

## STAFF SUMMARY FOR DECEMBER 11-12, 2019

**30. WHALE AND TURTLE PROTECTIONS IN THE RECREATIONAL DUNGENESS CRAB FISHERY****Today's Item****Information** ☐**Action** ☒

Receive update and potentially provide direction on draft DFW-proposed regulations to provide additional whale and turtle protections in the recreational Dungeness crab fishery.

**Summary of Previous/Future Actions**

- |   |                                    |
|---|------------------------------------|
| • FGC discussed entanglement settlement and referral to MRC                 | Apr 17, 2019; Santa Monica         |
| • MRC discussed possible management measures for recreational fishery       | Jul 11, 2019; MRC, Ventura         |
| • FGC supported considering recreational measures per MRC recommendation    | Aug 7-8, 2019; Sacramento          |
| • MRC discussed proposed recreational management measures                   | Nov 5, 2019; MRC, Sacramento       |
| • <b>Today's discussion on proposed management measures referred by MRC</b> | <b>Dec 11-12, 2019; Sacramento</b> |

**Background**

FGC has authority to regulate the recreational Dungeness crab fishery, while authority over the commercial Dungeness crab fishery is held by DFW and the California State Legislature.

In recent years, whale populations in California's waters have increased, leading to greater presence in Dungeness crab fishing grounds and an increased risk of entanglement in deployed fishing gear. While focus had centered on the commercial fishery, in Apr 2019 FGC referred a discussion on the recreational Dungeness crab fishery to MRC; the purpose was to proactively explore if new management measures might be warranted. See Exhibit 1 for additional background.

In Aug 2019, FGC approved an MRC recommendation for DFW to explore possible "common-sense" recreational management measures and consider including the recreational fishery in its federal habitat conservation plan/incidental take permit application (see Exhibit 1). In Nov 2019, DFW presented MRC with six potential management measures for the recreational fishery (Exhibit 2):

1. *Trap limits* - currently the recreational fishery does not have a trap limit
2. *Stamp program* - currently there is no participation reporting structure
3. *Enhanced gear marking* - currently only a GO ID number is required
4. *Service intervals* - currently there is no service interval requirement for traps
5. *Gear configuration* - currently there are no requirements that specify scope
6. *Director of DFW authority for in-season action* - current authority is split between DFW and the legislature (commercial trapping) and FGC (recreational trapping)

## STAFF SUMMARY FOR DECEMBER 11-12, 2019

On Dec 3, 2019, DFW hosted a webinar to engage recreational Dungeness crab fishermen and other members of the public in dialogue about the potential management measures.

Today DFW will present the proposed range of management options for potential application to the recreational fishery. DFW and FGC staff will be seeking guidance on a potential regulatory timeline.

### Significant Public Comments

1. The California Dungeness Crab Fishing Gear Working Group provided a summary of key themes and next steps for the industry from its Oct 15 and 31 preseason risk assessment meetings. The working group presented a number of recommendations on the design and implementation of the 2019-2020 Risk Assessment and Mitigation Program, including data gathering, gear innovation, and communication efforts. The initial recommendation was to open the season as scheduled, and that the fleet implement voluntary actions to prevent entanglements (Exhibit 3).
2. The California Coast Crab Association, representing commercial fishermen and buyers, sent a letter supporting the efforts to pursue whale and turtle protections in the recreational fishery to both minimize entanglements and to provide parity with the commercial fishery (Exhibit 4).

### Recommendation

**FGC staff:** Schedule a rulemaking for the recreational fishery with notice in Apr 2020, as recommended by DFW. FGC staff supports the suite of potential management measures in general, but recommends that FGC provide direction on which measures to include in a draft initial statement of reasons.

**Committee:** Support DFW providing a suite of options to be analyzed for potential regulatory action that may include part or all of the management measures generally described at the Nov 5 MRC meeting.

**DFW:** Authorize publication of a notice for a suite of proposed regulations for the recreational fishery in Apr 2020.

### Exhibits

1. [Staff summary from Nov 5, 2019 MRC meeting](#), Agenda Item 9 (for background purposes only)
2. [DFW presentation to MRC](#), made Nov 5, 2019
3. [Letter with transmittal email](#) from Kelly Sayce of Strategic Earth on behalf of the California Dungeness Crab Fishing Gear Working Group, received Nov 12, 2019
4. [Letter from Ben Platt](#), President of the California Coast Crab Association, received Nov 27, 2019

### Motion/Direction

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission recommends a rulemaking to commence in April 2020 that includes the six proposed management measures for the recreational Dungeness crab fishery as recommended by the Department to minimize the

## STAFF SUMMARY FOR DECEMBER 11-12, 2019

risk of whale and turtle entanglements in the recreational Dungeness crab fishery. Further, the Commission supports including the recreational Dungeness crab fishery in the federal habitat conservation plan/incidental take permit application.

**OR**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission recommends a rulemaking to commence in \_\_\_\_\_, supporting the following proposed management measures for the recreational Dungeness crab fishery recommended by the Department to minimize the risk of whale and turtle entanglements: \_\_\_\_\_. Further, the Commission supports including the recreational Dungeness crab fishery in the federal habitat conservation plan/incidental take permit application.

## STAFF SUMMARY FOR NOVEMBER 5, 2019

**9. WHALE AND TURTLE PROTECTIONS – RECREATIONAL DUNGENESS CRAB FISHERY****Today's Item****Information** ☐**Action** ☒

Discuss and consider possible recommendations for management strategies to provide additional whale and turtle protections in the recreational Dungeness crab fishery.

**Summary of Previous/Future Actions**

- FGC discussed entanglement settlement and referral to MRC Apr 17, 2019; Santa Monica
- MRC discussed possible management measures for the recreational fishery Jul 11, 2019; MRC, San Clemente
- FGC supported considering recreational measures per MRC recommendation Aug 7-8, 2019; Sacramento
- **Today's discussion** **Nov 5, 2019; MRC, Sacramento**

**Background**

FGC has authority to regulate the recreational Dungeness crab fishery; however, authority over the commercial Dungeness crab fishery is held by DFW and the California State Legislature. In recent years, whale populations in California's waters have increased, leading to greater presence in Dungeness crab fishing grounds and an increased risk of entanglement in deployed fishing gear.

In 2017, the Center for Biological Diversity sued DFW, challenging DFW authorization of the commercial Dungeness crab fishery as a violation of Section 9 of the federal Endangered Species Act for take of blue and humpback whales and leatherback sea turtles. In Mar 2019 a settlement was reached that defines a series of interim measures to protect listed whales and turtles in the commercial Dungeness crab fishery while DFW pursues a habitat conservation plan (HCP) for federal government approval Exhibits 1 and 2 provide additional background.

At the Apr 2019 FGC meeting, a discussion was held to recap the provisions of the commercial fishery settlement agreement and explore its potential application to the recreational Dungeness crab fishery. After hearing differing public comment and multiple stakeholder requests, FGC referred the topic to the Jul 2019 MRC meeting for further discussion and to explore the potential need for provisions in the recreational Dungeness crab fishery.

In Jul 2019, MRC received a DFW update on management strategies and the HCP application process, and initiated a discussion on the risk of and potential response to entanglements from the recreational fishery. As a result of the discussion, MRC recommended, and in Aug 2019 FGC approved, a request that DFW explore inclusion of the recreational crab fishery in DFW's commercial crab fishery HCP application, including a suite of common-sense management measures.

At this meeting, DFW will present management strategies that provide additional whale and turtle protection in the recreational Dungeness crab fishery, including six measures for possible application to the recreational crab fishery for MRC discussion and consideration (Exhibit 3).

## STAFF SUMMARY FOR NOVEMBER 5, 2019

**Significant Public Comments (N/A)****Recommendation**

Support development of a rulemaking for management measures in the recreational Dungeness crab fishery, considering recommendations provided by DFW and through public comments during the meeting.

**Exhibits**

1. Staff summary for July 11, 2019 MRC meeting, Agenda Item 9 (for background purpose only)
2. Staff summary for Apr 10-11, 2019 FGC meeting, Agenda Item 25 (for background purposes only)
3. DFW presentation

**Motion/Direction**

The Marine Resources Committee recommends that the Commission support six proposed management measures for the recreational Dungeness crab fishery as recommended by the Department to minimize the risk of whale and turtle entanglements.

OR

The Marine Resources Committee recommends that the Commission support six proposed management measures for the recreational Dungeness crab fishery as recommended by the Department to minimize the risk of whale and turtle entanglements, except \_\_\_\_\_.

# MANAGEMENT STRATEGIES TO PROVIDE ADDITIONAL WHALE AND TURTLE PROTECTION IN THE RECREATIONAL DUNGENESS CRAB FISHERY

**Ryan Bartling**

Marine Region

California Department of Fish and Wildlife



# MANAGING ENTANGLEMENT RISK IN THE RECREATIONAL DUNGENESS CRAB FISHERY

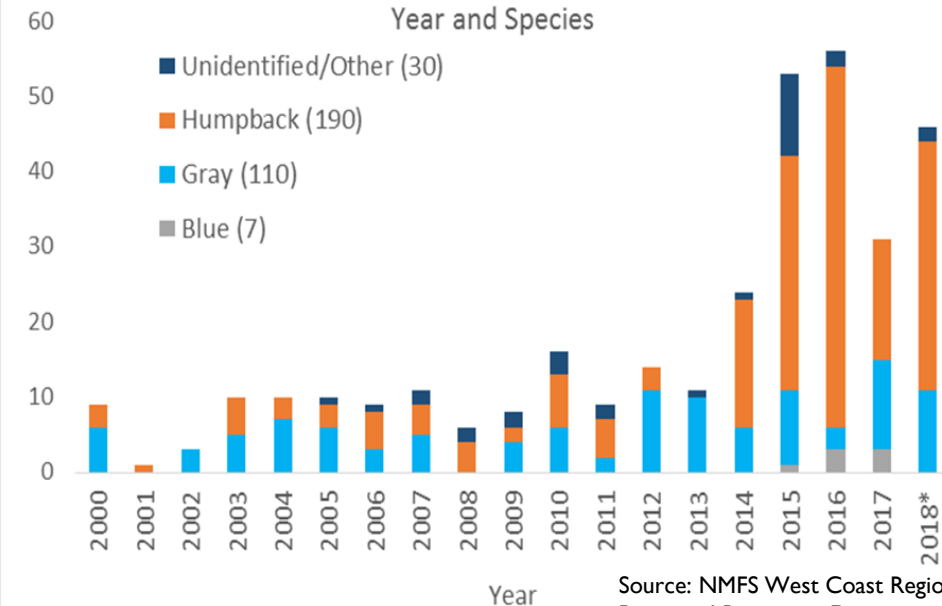
## Problem statement:

Since 2014, marine life entanglements have become more frequent on the U.S. West Coast. Species of greatest concern for entanglement include ESA listed Humpback whales, Blue whales and Leatherback Sea turtles. There have been 47 confirmed whale entanglements in Dungeness crab gear which includes two recreational gear entanglements. Gear identification is key to understanding the entanglement type and helps inform disentanglement response teams. Gear marking also helps fishery managers track gear and implement appropriate management measures to minimize entanglement risk.



Credit: Scott Benson - MMHSRP Permit 18786

Confirmed Whale Entanglements on the U.S. West Coast Per  
Year and Species



Source: NMFS West Coast Region  
Protected Resources Division

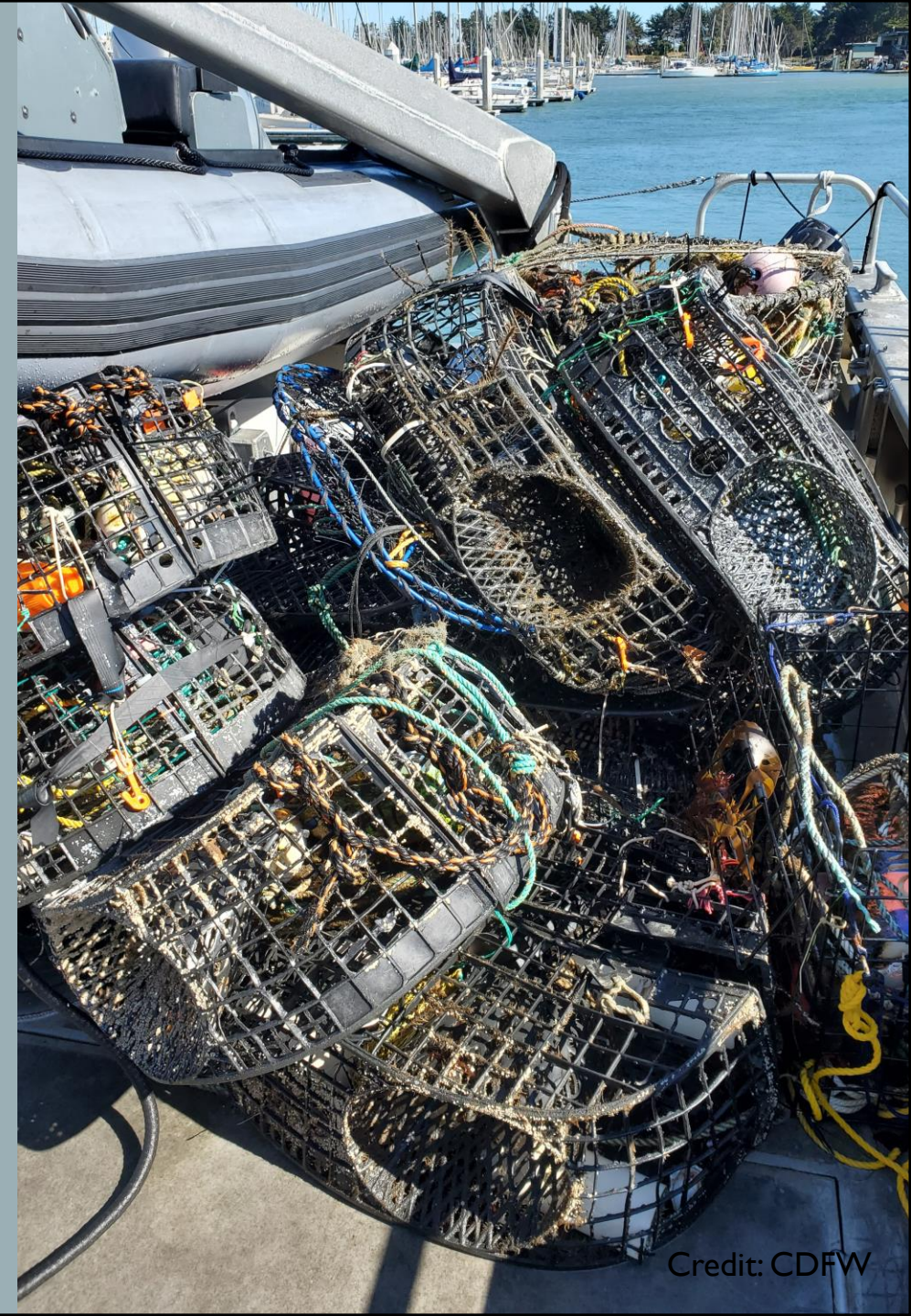




# EFFORTS TO MANAGE MARINE LIFE ENTANGLEMENT RISK

## CDFW is working to manage the risk:

- ✓ Developing a Conservation Plan for Humpback whales, Blue whales and Leatherback sea turtles
- ✓ Applying for Incidental Take Permit (ITP) under the Endangered Species Act (ESA)
- ✓ Developing a Risk Assessment and Mitigation Program in regulation for commercial Dungeness crab
- ✓ Recently implemented a Gear Retrieval Program for the commercial Dungeness crab fishery
- ✓ Completing a rulemaking to enhance marking for all commercial trap gear fisheries
- ✓ Conducting regular Risk Assessments for the commercial Dungeness crab fishery



Credit: CDFW





# UPDATING RECREATIONAL FISHERY REGULATIONS

## Rational to support change :

- ✓ Protect marine life and listed species under the ESA
- ✓ Possible inclusion in Conservation Plan will allow for adaptive management
- ✓ Prevent economic harm to the commercial sector
- ✓ Recreational fishery is operated in similar locations with similar gear configurations
- ✓ Simple low-cost common-sense management strategies are available



Credit: CDFW





# RECREATIONAL FISHERY PROPOSALS

## Common-sense management strategies:

- ✓ Enhanced Gear Marking
- ✓ Trap Limit
- ✓ Report Card
- ✓ Service Interval Requirement
- ✓ Gear Specification/Configuration Requirement
- ✓ Director Authority for In-season Changes to Minimize Risk



Credit: CDFW



# RECOMMENDED NEXT STEPS

- ☐ MRC Recommendation
- ☐ Commission Direction
- ☐ Stakeholder Engagement/Discussion
- ☐ Possible Regulatory Timeline



Credit: CDFW



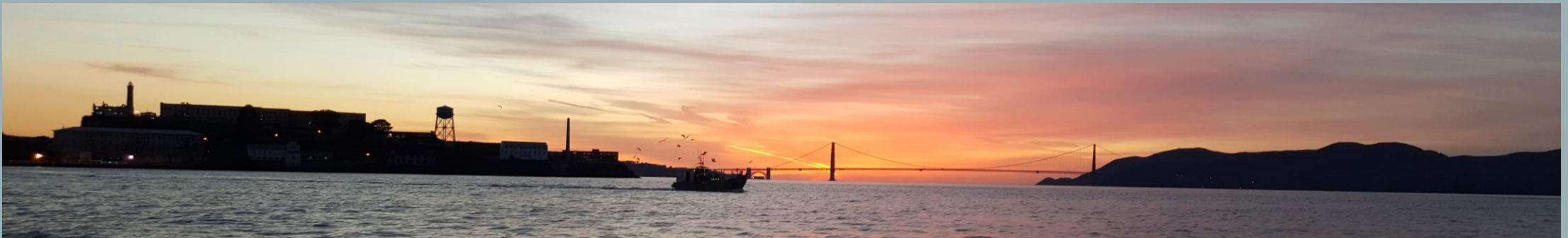


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More information:  
[www.wildlife.ca.gov/Conservation/Marine/Whale-Safe-Fisheries](http://www.wildlife.ca.gov/Conservation/Marine/Whale-Safe-Fisheries)

[www.opc.ca.gov/whale-entanglement-working-group](http://www.opc.ca.gov/whale-entanglement-working-group)



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**From:** Kelly Sayce <kelly@strategicearth.com>  
**Sent:** Tuesday, November 12, 2019 4:37 PM  
**To:** FGC  
**Cc:** Miller-Henson, Melissa@FGC; Ashcraft, Susan@FGC; Pope, Elizabeth@FGC; Rachelle Fisher  
**Subject:** Dungeness Crab Fishing Gear Working Group: 2019-20 Updates & Recommendations  
**Attachments:** CAWhaleWorkingGroup\_Highlights&RecommendationsMemo\_Sept&Oct2019\_FINAL.pdf

Dear President Sklar,

The California Dungeness Crab Fishing Gear Working Group (Working Group) is pleased to submit the following updates and recommendations to support the state's efforts to reduce the risk of whale entanglements in California Dungeness crab fishing gear (see memo attached).

The Working Group looks forward to continuing to engage with the California Fish and Game Commission, California Department of Fish and Wildlife, Ocean Protection Council, Joint Committee on Fisheries and Aquaculture (the Legislature), Dungeness Crab Task Force, Pacific States Marine Fisheries Commission, and others to inform Working Group discussions and share Working Group outputs. The Working Group welcomes the opportunity to maintain an open line of communication with your office and continues to be committed to providing the state with recommendations to support thriving whale populations along the West Coast and a thriving and profitable Dungeness crab fishery.

Information about the Working Group and its activities, including summaries, memos, members list, background materials, and other resources are available at <http://www.opc.ca.gov/whale-entanglement-working-group>. Please do not hesitate to contact Kelly Sayce at 310-738-2665 or [kelly@strategicearth.com](mailto:kelly@strategicearth.com) with any questions about the Working Group and its efforts.

All our best,  
Kelly Sayce and Rachelle Fisher  
Working Group Administrative Team

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# CALIFORNIA DUNGENESS CRAB FISHING GEAR WORKING GROUP

## RECOMMENDATIONS MEMO

TO: California Department of Fish and Wildlife, Charlton Bonham, Director  
California Ocean Protection Council, Deborah Halberstadt, Executive Director  
Joint Committee on Fisheries and Aquaculture, Mike McGuire, Chair  
California Fish and Game Commission, Eric Sklar, President  
Pacific States Marine Fisheries Commission, Randy Fisher, Executive Director

CC: California Ocean Protection Council, Jenn Eckerle, Deputy Director  
California Department of Fish and Wildlife, Craig Shuman, Marine Region Manager  
California Fish and Game Commission, Melissa Miller-Henson, Deputy Director  
California Fish and Game Commission, Susan Ashcraft, Marine Advisor  
National Marine Fisheries, Protected Resources Division, Penny Ruvelas, Long Beach Branch Chief  
National Marine Sanctuaries, West Coast Regional Office, Lisa Wooninck, Policy Coordinator  
Pacific States Marine Fisheries Commission, Dave Colpo, Senior Program Manager  
California Dungeness Crab Task Force (DCTF), DCTF Administrative Team  
Marine Mammal Commission, Dennis Heinemann, Senior Advisor, Fisheries and Ecosystems  
Oregon Whale Entanglement Working Group, Amanda Gladics, Facilitator  
Washington Whale Entanglement Working Group, Fran Recht, Facilitator

FROM: California Dungeness Crab Fishing Gear Working Group

DATE: November 12, 2019

RE: Updates and 2010-20 recommendations to advance the Risk Assessment and Mitigation Program (RAMP) and reduce whale entanglements

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Since September 2015, the California Dungeness Crab Fishing Gear Working Group (Working Group) has been taking steps to actively identify and be responsive to elevated risk of entanglements. The Working Group met on September 4-5, 2019 ([meeting summary](#)) to provide input to the California Department of Fish and Wildlife (CDFW) regarding the Risk Assessment and Mitigation Program (RAMP) rulemaking and Incidental Take Permitting (ITP) process, and to discuss the 2019-20 RAMP in consideration of the recent settlement agreement. This was followed by October 15, 2019 and October 31, 2019 Preseason Risk Assessment meetings to develop recommendations for the CDFW Director in advance of the 2019-20 season. Key highlights of the Working Group's discussions, as well as next steps and recommendations from the meetings are provided below.

### **Preseason Risk Assessment**

Based on the information available during the October 15, 2019 discussion and with consideration of each of the four RAMP factors, the Working Group developed and agreed upon the following levels of risk to be shared with the CDFW Director prior to the November 1, 2019 risk determination date as outlined in the settlement.

- Entanglement risk: low
- Marine life concentrations risk: moderate and decreasing
- Ocean conditions and forage risk: moderate/low and decreasing
- Fishing dynamics risk: low

**The Working Group made the following preseason risk assessment recommendations on October 15, 2019:**

- **Open 2019-20 Season:** The Working Group recommended that the Central and Northern Management Area open as scheduled without management measures (November 15 and December 1, respectively), presuming that delays are not warranted due to human health risks or low quality.
- **Voluntary Actions:** The Working Group recommended that the fleet implement voluntary actions to prevent entanglements, including implementation of the Best Fishing Practices Guide, which includes best practices for surface-gear set-up, as well as slackline reduction, and using neutral buoyancy line. The 2019-20 Best Practices Guide is available on the [Working Group's website](#).

During the follow up October 31, 2019 discussion, the Working Group evaluated new data that was available through recent aerial surveys and on the water observations. Taking into consideration this new information, a majority of Working Group participants continued to support the October 15, 2019 recommendation.

A minority (7 of 22 members) of the Working Group concurred with the risk levels specified in the October 15, 2019 recommendation. However, based on the new whale concentration data available showing that Humpback whales have not yet begun their traditional migration out of the Central Management area, they recommended a more precautionary approach of delaying the Central Management Area season opening until December 1, 2019. The concern is that opening the season on November 15 when a significant number of whales are still present, could result in an entanglement and jeopardize the rest of the 2019-20 commercial fishing season in the early months of the fishery causing broader economic impacts to the fishery than a 2-week delay.

Details of the preseason risk assessment and supporting rationale are available in the [Risk Assessment and Mitigation Program \(RAMP\) 2019-20 Management Recommendations Form](#), which was collaboratively prepared by Working Group participants and can be reviewed, along with the CDFW staff recommendation memo.

### **Connections: RAMP, Incidental Take Permit (ITP) Process, and Settlement Requirements**

The Working Group learned about and discussed the connections across the three 'phases' of RAMP development including **Interim Management** (2019-2020), **RAMP 1** (RAMP regulation starting 2020-21 through to when RAMP 2 is available), and **RAMP 2** (starting date TBC - reflective of the National Oceanic and Atmospheric Administration (NOAA) approved Conservation Plan (CP) and ITP) ([see CDFW presentation](#)). Settlement definitions and terms were reviewed, management options were discussed, and the Working Group provided guidance where additional clarity was needed. The focus of the meeting was on the draft RAMP rulemaking and planning for the 2019-20 fishing season (interim management), which are summarized in the sections below.

## Refining the RAMP

In March 2019, a settlement agreement was reached between CDFW, the Center for Biological Diversity (CBD), and the Pacific Coast Federation of Fishermen's Associations (PCFFA) as a result of a lawsuit filed by CBD in 2017. Since then, CDFW has been working to implement the terms of the agreement, by outlining the process for the 2019-20 season and continuing to refine the RAMP and integrated into regulation as mandated by Senate Bill 1309.

## Interim Management (2019-20 RAMP)

Interim management of the fishery during the 2019-2020 season will be dictated by the settlement. CDFW will lead the risk assessment process per the timeline outlined in the settlement, and will work with experts to gather available data in advance of each assessment for the Working Group's review. The Working Group would be expected to develop a recommendation on options of management measures to reduce the risk of whale entanglements for the CDFW Director for consideration as he evaluates actions to reduce entanglement risk. The CDFW Director will consult with the Working Group and settlement parties and has sole authority to make decisions and implement management measures.

## The Working Group developed a number of recommendations specific to the design and implementation of the 2019-20 RAMP, including:

- **Available Data:** To inform the RAMP risk assessments, timely data will be extremely important. The Working Group highlighted the importance of being able to review information in advance of making decisions and expressed concern about making recommendations with limited data. To ensure the availability of data for scheduled risk assessments, the Working Group recommends that a systematic aerial survey be conducted in mid to late-October to inform the pre-season assessment and in March to inform the mid-season assessment. Additionally, timely aerial survey and tagging information about leatherback turtle concentrations is requested. To ensure continual, proactive tracking throughout the season while being mindful of available resources and weather opportunities, the Working Group recommends the use of reconnaissance flights in addition to systematic surveys. Additionally, the Working Group recommends continuing to test electronic monitoring tools (e.g., solar loggers, etc.) to develop more robust data streams to inform risk assessments.
- **Gear Innovations:** To support the state's efforts to reduce the risk of whale entanglements in the Dungeness crab fishery, the Working Group recommends continued dialogue on exploring new gear innovations for the 2019-20 season and beyond to allow for continued fishing while whales are present. The Working Group's Gear Innovations Project Team is working to develop a comprehensive, systematic gear innovations testing project to begin in Spring 2020. The project is anticipated to include testing of Yale grip sleeves, Blue Ocean Gear technologies, Longsoaker Fishing systems, Desert Star systems, Fiomarine Buoys, SMELTs line-less rafts, and long-lining fishing gear. Additional gear innovations and set-ups may be added to the project testing design. The Project Team, in close coordination with the Working Group, will work collaboratively with others to seek funding to purchase gear innovations for testing, to pay fishermen for their participation in the project, and to fund a project coordinator to oversee and consistently implement the testing.
- **Communications:** To better prepare the fleet for the 2019-20 fishing season, the Working Group recommends the development of a newsletter to all permit holders with information about

triggers, potential management measures, and gear innovations ready for testing (e.g., the Novabraid). The Working Group also recommends the development of external communications to tell the broader public that the issue is being addressed through a collaborative process that includes fishermen, conservation organizations, researchers, and managers. The Working Group also recommends the development of a 2019-20 Best Fishing Practices Guide.

#### **RAMP 1 (starting 2020-21): CDFW Straw Proposals, Draft RAMP Straw Proposals**

As mandated by Fish and Game Code section 8276.1, CDFW, in consultation with the Working Group, is required to adopt regulations on or before November 1, 2020 to establish criteria and protocols to evaluate and respond to elevated entanglement risk (i.e., the RAMP). These regulations are expected to be in place for the 2020-21 fishing season and until NOAA issues an ITP to the state for the Dungeness crab fishery (timing TBC). During the September 4-5, 2019 meeting, CDFW presented [draft straw proposals](#) for humpback whales, blue whales, and leatherback turtles for the Working Group's review and consideration.

Some Working Group participants are concerned about the low number of marine entanglements and concentrations that would trigger management measures that could severely impact the California commercial Dungeness crab fleet. The Working Group would like managers to consider a finer-scale approach to management rather than the broad scale temporal and spatial management measures outlined in CDFW's draft straw proposals.

- **Considerations to Improve CDFW's Rulemaking Straw Proposal:** The Working Group emphasized the need to include the forage/ocean factor in the rulemaking and highlighted the importance of expeditiously identifying data and expertise to inform the factor. Improved data collection and availability as well as investigation of new data gathering tools (e.g., loggers, etc.) across all factors was also identified as a top priority to ensuring the RAMP is effective and useful. The Working Group had concerns about the quality and reliability of data being used to track whale concentrations and suggested managers look to more thorough, robust, and impartial data sources. Working Group participants requested that CDFW consider more refined spatial and temporal closures and other management measures under consideration. In parallel, the Working Group will continue engaging in exploring new gear innovations to allow for continued fishing while whales are present.

#### **The Working Group developed a number of recommendations specific to the development of RAMP regulations, including:**

- **Models:** The Southwest Fisheries Science Center and other agencies and organizations are in the processes of developing whale and forage distribution models that could have utility in the RAMP. The Working Group would like these models to be made available for consideration and testing. Once fully vetted, models should be built into the RAMP regulations to support access to real-world data availability.
- **Single-Year Buoy Tags:** Forensic analysis of marine life entanglements show that it is often difficult to know when an entanglement is the result of derelict or actively fished gear or how long the animal has been carrying the gear. Switching to single-year buoy tags for Dungeness crab gear may help inform this information gap. The Working Group recommends the state and Dungeness Crab Task Force (DCTF) explore the viability of a single-year buoy tag.

- **Funding:** To help further develop the RAMP, and specifically improved whale and sea turtle concentration data streams, the Working Group supports CDFW, in collaboration with the Ocean Protection Council (OPC) and NMFS, exploring a Section 6 funding opportunity. Although not a solution for reducing the risk of whale entanglements, the Working Group also recommends the OPC allocate \$110,000 per year for five years to provide support to the Large Whale Entanglement Response Network in support for entanglement responses, documentation, and analysis.
- **RAMP 1 Considerations:** During the course of the September 4-5, 2019 Working Group meeting, a number of details relative to the next phase of the RAMP were brainstormed (see meeting summary, link available below). The Working Group recommends memorializing and tracking these details so they may be considered for future iterations of the RAMP (i.e., RAMP 2).
- **Adaptive approach to RAMP regulations:** Members of the Working Group have expressed concern that an overly prescriptive RAMP rulemaking may bind the fishery into suboptimal decision making that is detrimental to marine life and the fishery, and would result in higher agency cost burdens to revise regulations as available information evolves and fishery and environmental dynamics continue to shift. The Working Group recommends that CDFW consider opportunities for the RAMP rulemaking to incorporate an adaptive management approach, and will provide additional guidance to support this effort.
- **Slackline Best Practices:** To help inform fishing best practices and reduce whale entanglements, the Working Group recommends the California Dungeness Crab Task Force (DCTF) help inform slackline/scope best practices when considering such variables as fishing depths, fishing at different times throughout the fishing season and along different parts of the coast, etc. Ideas generated by the DCTF will help to inform a slackline best practices guide that would be developed by the Working Group and shared with the fleet.

*A more detailed summary of key themes discussed during the September meeting is also publicly available on the Working Group webpage: <http://www.opc.ca.gov/whale-entanglement-working-group/>. For more information about the Dungeness Crab Fishing Gear Working Group, please contact [info@cawhalegroup.com](mailto:info@cawhalegroup.com) or visit <http://www.opc.ca.gov/whale-entanglement-working-group/>.*





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November 27, 2019

Melissa Miller-Henson, Executive Director  
California Fish and Game Commission  
P.O. Box 944209  
Sacramento, CA 94244-2090

**RE: Public comment, Agenda Item #30, Whale and turtle protections in the recreational Dungeness crab fishery**

Dear Executive Director Henson and Commission Members,

The California Coast Crab Association (CCCA) is a non-profit 501(c)(6) trade organization made up of commercial crab fishermen and crab buyers. We represent Dungeness crab fishermen, processors, live buyers, and receivers along the entire California coast.

As the president of the CCCA, the board of directors and I would like to take this opportunity to support the commission in its endeavor to pursue whale and turtle protections in the recreational Dungeness crab fishery. Particular concerns of our members are the disparities between the commercial and sport regulations as they pertain to season delays. We believe that it is in the best interest of the Dungeness crab fishery as a whole that the sport fishery regulations be amended to include the sport sector in regards to season delays for both domoic acid and delays recommended by the Director of CDFW via the Whale Working Group. The need for individual trap identification, such as trap tags, is necessary at this time to help better understand and mitigate potential whale entanglement issues. The CCCA stands in support of the commission addressing other issues on the agenda including catch report cards and a service interval requirement.

The CCCA appreciates the commission considering amending these laws which affect the future of the Dungeness Crab fishery.

Respectfully,

Ben Platt, President  
California Coast Crab Association