

Appendix 5. August 3, 2020 Hearing Response to Comments – Section 132.8, Title 14 (RAMP)

Responses to unique Comments received during the Public Hearing held August 3, 2020.

- *Comments listed here are referred to as “Category C” comments in the Summary of Comments Received in Appendix 1. Each individual comment letter is also labeled as “C-XX” where the “XX” corresponds to the numbers below.*
- *Comments are paraphrased from the commenters for succinctness. See hearing transcript for full text of each comment.*

#	Commenter Name, Format, Date	Comment	Response
93	Marco Flagg, Desert Star	93-a. Has concerns over back-up retrieval mechanisms for Alternative Gear and if referring to galvanic time release this would mean other types of Alternative Gear would suffer from this limitation that includes lack of predictability when they release to surface.	93-a. See Specific Response 81-b.
93	Marco Flagg, cont.	93-b. Expressed concern over minimum ranging capabilities since performance varies due to ocean conditions.	93-b. CDFW recognizes ocean conditions can impact performance of gear; however, in order to ensure gear can be detected by CDFW enforcement and other vessels there must be a minimum criteria. See also Specific Response 81-a.
94	Ben Platt, California Coast Crab Association	94-a. Expressed concern that commercial Dungeness crab Fleet is not impacting ESA-listed whales given that Humpback Whale population is growing 8-10% per year.	94-a. This comment is outside the scope of the regulatory changes included with the 15-day Continuation Notice, and therefore no response is required under the APA.
94	Ben Platt, cont.	94-b. Impact scoring of RAMP unclear how it would be revised by NOAA and should be amended so that a disentangled whale would have an impact score of zero consistent with Marine Mammal Protection Act.	94-b. See General Response M.

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94	Ben Platt, cont.	94-c. Clarity needed to address Working Group’s role and proposed regulations should require Director to explain rationale for taking a management action that differs from Working Group recommendation.	94-c. The role of the Working Group is discussed on pages 15 and 29 of the Amended ISOR for further discussion. Regarding taking a management action that differs from Working Group Recommendation, see General Response G.
94	Ben Platt, cont.	94-d. Supports electronic monitoring but should only be required for representative portion of the Fleet.	94-d. See Specific Response 89-d.
95	Tara Brock, Oceana	95-a. Supports revision to Working Group role, which clarifies between assessing entanglement risk and selecting an appropriate management response.	95-a. Comment noted.
95	Tara Brock, cont.	95-b. Supports revision to require 100% electronic monitoring.	95-b. Comment noted.

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95	Tara Brock, cont.	<p>95-c. Supports changes to detectability of Alternative Gear, which should reduce or eliminate gear conflict, and no longer justification for not allowing concurrent use of Alternative Gear and traditional gear. Proposed regulations should be amended to allow Alternative Gear during the entire Fishing Season.</p>	<p>95-c. See General Response A7.</p>