

29.80 Recreational Crab FSOR

Attachment 2 – Responses to Comments, 15-day Continuation Notice period March 5, 2021 - March 22, 2021

- *Comments are paraphrased from the commenters for succinctness. Comment numbers are numbered sequentially after those comments received and responded to in Attachment 1.*

#	Commenter Name, Format, Date	Comment	Response
59	<b>Andy Guiliano</b> Email 03/12/2021	59a. Using the 2015/16 and 2016/17 seasons as a stand-in for impact is flawed. Since the 2017 season, crab bag limit has been increased and maximum size limit reduced. The CPFV sector in the San Francisco area has come to rely on rockfish/Dungeness crab combo trips, which are now 99% of the trips when rockfish season is open. These trips cannot take place after December when rockfish season closes.	<p>59a. The comparison between the two seasons is supposed to illustrate that Commercial Passenger Fishing Vessels (CPFVs) are capable of shifting angling trips, whether they target Dungeness crab or not, later into the season and recuperate the majority of the losses caused by season delay, and that crabbers are willing to go on those trips. The 2015/16 season shows that they were willing to participate in CPFV trips later on in the season. While it is understandable that the fishers may have come to expect combo trips being available, there is no evidence showing that they will exclusively go on combo trips and nothing else.</p> <p>Furthermore, the 2015/16 season yielded 78% of total fisher trips taken place in the 2019/20 for CPFVs that targeted Dungeness crab. Even if one assumes that every additional fisher trip in the 2019/20 season occurred exclusively because of combo trips, and that every one of those participants will only participate exclusively on combo trips, CPFV operations will still retain the majority of their revenue. While the Department does not and has never claimed that the adopted regulation will have absolutely no material impact on the CPFV fleet, it believes that the fleet will still be able to retain a majority of its expected revenue.</p>

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#	Commenter Name, Format, Date	Comment	Response
59	<b>Andy Guiliano</b> (cont.)	59b. Commenter’s operation saw a 405% increase in revenue as the rockfish Dungeness crab combo trips took off. This will be lost if the season is delayed because there are few if not zero alternatives to shift to.	59b. While number of angler-trip diminished greatly during the fall and winter months of the 2015/16 season, it is unclear whether this is due to businesses not advertising rockfish trips or anglers not being interested in rockfish trips that were offered. However, the main message of the logbook analysis is not necessarily to show that CPFVs can shift their effort from Dungeness crab to other species during fall/winter months, but that these businesses subsequently held enough trips targeting both crabs and other species during the spring/summer months to make up the majority of the difference. Department’s log data showed that CPFVs added significantly more fishing trips overall between February and March of 2016, and significantly, though not exclusively, more Dungeness crab trips between February and July of 2016. This suggests that shifting did in fact occur.
59	<b>Andy Guiliano</b> (cont.)	59c. The Department is already using CPFV log data, and the validation will not generate any new source of information and selling them will be a logistical difficulty. The validation is still not available for sale yet, and when implemented it will be an enforcement nightmare.	59c. The comment is outside the scope of the 15-Day notice.
59	<b>Andy Guiliano</b> (cont.)	59d. The proposal would eliminate the 7-10 days of head start that the recreational sector traditionally has had over the commercial sector.	59d. The comment is outside the scope of the 15-Day notice.

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#	Commenter Name, Format, Date	Comment	Response
60	Jared Davis Email 03/14/2021	60a. In recent years the CPFV fleet has come to rely on combo trips and losing it will be devastating to the fleet. The number of trips used by Department’s analysis does not equate to number of passengers or the actual amount of revenue generated. Furthermore, there is little to no opportunity to shift effort, since Dungeness crabs are the main draw, not rockfish. Unlike the commercial sector, days lost to the CPFV sector are lost forever.	60a. Regarding the number of trips versus the number of passengers, the number used in the Department’s analysis is not the number of trips undertaken by the vessels, but the number of “fisher trips.” These numbers represent the sum of all passengers on all recorded trips regardless of their identity. For example, a single fishing trip by a CPFV carrying 6 passengers represents 6 fisher trips. This gives the Department the closest number to the number of “tickets” sold, and is the best estimate the Department has regarding the total revenue of the entire fleet. For the impact due to loss of combo trip see responses to Comments 59a and 59b. For the feasibility to shifting effort, see responses to Comments 59a and 59b.
60	Jared Davis (cont.)	60b. The new validation is yet to be on sale and will be logistically challenging to impose. Furthermore, a validation is redundant due to existing logbook requirements.	60b. The comment is outside the scope of the 15-Day notice.
60	Jared Davis (cont.)	60c. The recreational sector’s traditional head start over the commercial sector has been omitted.	60c. The comment is outside the scope of the 15-Day notice.
60	Jared Davis (cont.)	60d. The voice of CPFV operators should be heard, even if the commenting period is only a formality.	60d. The comment is outside the scope of the 15-Day notice.
60	Jared Davis (cont.)	60e. The Commission should delay the implementation of the proposal until it understands the fishery and develop a better alternative.	60e. The comment is outside the scope of the 15-Day notice.

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#	Commenter Name, Format, Date	Comment	Response
61	Patrick Shima Email 03/16/2021	61a. The notion that the recreational crab fishery is responsible for marine life entanglement is unsubstantiated, since the gear in 44% of all confirmed entanglements between 1982 and 2017 could not be identified.	61a. The comment is outside the scope of the 15-Day notice.
61	Patrick Shima (cont.)	61b. The proposal may just be a method of generating more revenue.	61b. The comment is outside the scope of the 15-Day notice.
61	Patrick Shima (cont.)	61c. Requiring periodic re-servicing of trap is an oxymoron since it is something crabbers already do.	61c. The comment is outside the scope of the 15-Day notice.
61	Patrick Shima (cont.)	61d. Removing the 7-10 days worth of head start that the recreational fishery has traditionally had may be due to political pressure from the commercial fishery.	61d. The comment is outside the scope of the 15-Day notice.
61	Patrick Shima (cont.)	61e. General opposition against the proposed regulations due to negative impact on charter fishing industry and recreational opportunities.	61e. See responses to Comments 59a and 59b.
62	Dave Burma Email 03/16/2021	62. General opposition towards proposed regulation due to impact on the fishery.	62. See responses to Comments 59a and 59b..
63	Larry Cadd Email 03/16/2021	63a. The Director’s authority over in-season management is vulnerable to misuse and undue influence, or at least creates such a perception.	63a. The comment is outside the scope of the 15-Day notice.

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#	Commenter Name, Format, Date	Comment	Response
63	Larry Cadd (cont.)	63b. There is no evidence of recreational crabbing group causing entanglement, it is simply the weakest group that may impact marine life. Ship strikes are the most serious impact on whales, yet nothing is done about them.	63b. The comment is outside the scope of the 15-Day notice.
63	Larry Cadd (cont.)	63c. The proposal is similar to the establishment of MPAs for the purpose of conserving rockfish, where requests from a vocal, well-funded, and organized group led to substantial business cost for little environmental benefit.	63c. The comment is outside the scope of the 15-Day notice.
64	Nancy Abruzzo Email 03/16/2021	64. General opposition towards the proposal as well as economic impacts caused by environmental interests	64. The economic assessment is discussed in the Initial Statement of Reasons (ISOR), with an update in the 15-day continuation notice and revised economic and fiscal impact statement (std 399). See also responses to Comments 59a and 59b.
65	Unspecified Email 03/16/2021	65a. The recreational crab fishery in California holds special generational and cultural meaning.	65a. The comment is outside the scope of the 15-Day notice.
65	Unspecified (cont.)	65b. Based on the commenter's own experience working on federal research vessels, the vast majority of marine mammal entanglements occurred due to net entanglements as opposed to crab gear entanglements.	65b. The comment is outside the scope of the 15-Day notice.
65	Unspecified (cont.)	65c. Recreational crabbers only go on the water 1-2 days a month.	65c. The comment is outside the scope of the 15-Day notice.

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65	Unspecified (cont.)	65d. Each recreational trip offers recreation, education, as well as meals for a few days.	65d. The comment is outside the scope of the 15-Day notice.
65	Unspecified (cont.)	65e. Individuals who don't own their own boats have to rely on the CPFV fleet to have good access to grabbing.	65e. The comment is outside the scope of the 15-Day notice.
65	Unspecified (cont.)	65f. Crab gear do not pose a risk to whales.	65f. The comment is outside the scope of the 15-Day notice.
65	Unspecified (cont.)	65g. The sport fishing industry should be allowed to start prior to the commercial fishery as is currently the case.	65g. The comment is outside the scope of the 15-Day notice.
65	Unspecified (cont.)	65h. Economic impact assessments must consider the recreational value of the sector.	65h. The economic assessment is discussed in the ISOR, with an update in the 15-day continuation notice and revised economic and fiscal impact statement (std 399). See also responses to Comments 59a and 59b.
66	Valerie Kelsay Email 03/16/2021	66a. General opposition against the proposal due to impact on small businesses in the fishery.	66a. See responses to Comments 59a and 59b.
66	Valerie Kelsay (cont.)	66b. The businesses in the recreational sector need to be heard.	66b. The comment is outside the scope of the 15-Day notice.
66	Valerie Kelsay (cont.)	66c. It is not the sector that is hurting other people or the wildlife.	66c. The comment is outside the scope of the 15-Day notice.

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67	<b>Jeff Stackhouse</b> Email 03/16/2021	67a. Commenter wishes to see the proposed restrictions reduced or eliminated.	67a. The comment is outside the scope of the 15-Day notice.
67	<b>Jeff Stackhouse</b> (cont.)	67b. Commenter wishes for the Commission to submit a letter to the state legislature in opposition of AB-534 due to the impracticality of ropeless gear. Namely that the gear itself and the required technological infrastructure are cost-prohibitive, and the benefit to entanglement mitigation is small. At the same time the amount of fishing conducted by recreational crabbers does not justify the cost.	67b. The comment is outside the scope of the 15-Day notice.
68	<b>Tim Crush</b> Email 03/16/2021	68a. General opposition towards proposal, with specific preference of keeping the fishery open concurrently with rockfish fishing.	68a. The comment is outside the scope of the 15-Day notice.
68	<b>Tim Crush</b> (cont.)	68b. Crab, rockfish, and salmon fishing are vital to CA sportsmen, and with the sector heavily impacted by the COVID-19 pandemic, the Commission should be doing everything it can to support businesses.	68b. The comment is outside the scope of the 15-Day notice.
69	<b>Brian Tucker</b> Email 03/16/2021	69a. General opposition against the proposal, and specific opposition against additional fees.	69a. The comment is outside the scope of the 15-Day notice.

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69	Brian Tucker (cont.)	69b. Crab combo trips have become popular over the years, and now crab fishing is being subjected to the same scrutiny that the commercial sector has been subject to.	69b. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given. For matters pertaining to combo trips, see responses to Comments 59a and 59b.
69	Brian Tucker (cont.)	69c. The Director’s authority to regulate the fishery in-season is not supported by any evidence showing any significant risk towards marine life. Instead, it is a product from the work of an environmental organization. This proposal will have devastating economic consequences.	69c. Director’s authority is outside the scope of the 15-Day notice. See responses to Comments 59a, 59b regarding economic consequences.
69	Brian Tucker (cont.)	69d. Effort shift cannot occur since rockfish trips alone do not draw the same interest as combo trip. Additionally, only vessels that already target a range of species can shift effort away from Dungeness crab.	69d. See Responses to Comments 59a and 59b.
69	Brian Tucker (cont.)	69e. Due to the pandemic, the loss of crab combo trips could crush the recreational sector.	69e. The comment is outside the scope of the 15-Day notice.
69	Brian Tucker (cont.)	69f. Crab stamp is unnecessary since charter boats already submit daily logs.	69f. The comment is outside the scope of the 15-Day notice.
69	Brian Tucker (cont.)	69g. Additional buoy requirements will lead to more buoys and increase the risk of entanglements.	69g. The comment is outside the scope of the 15-Day notice.
69	Brian Tucker (cont.)	69h. Mandatory service interval requirement would not reduce entanglement risk.	69h. The comment is outside the scope of the 15-Day notice.



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69	<b>Brian Tucker</b> (cont.)	69i. The longstanding 7-10 days head start for the recreational sector was dropped with no explanation.	69i. The comment is outside the scope of the 15-Day notice.
69	<b>Brian Tucker</b> (cont.)	69j. Not being able to set traps earlier than midnight creates safety hazard.	69j. The comment is outside the scope of the 15-Day notice.
70	<b>Christian Valenti</b> Email 03/16/2021	70. General opposition against proposed regulations.	70. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
71	<b>Randolfo Rafael Pozos-Brewer</b> Email 03/16/2021	71. General opposition against the proposal, which will only hurt the recreational fisherman without helping the protected animals or the fishery.	71. The comment is outside the scope of the 15-Day notice.
72	<b>Jim Kehriotis</b> Email 03/16/2021	72a. Commenter has been crabbing for 25 years at depth of 125 feet and has only ever observed 2 whales. Commenter believes that entanglement is only a problem during spring and is in part caused by lost trap gear.	72a. The comment is outside the scope of the 15-Day notice.
72	<b>Jim Kehriotis</b> (cont.)	72b. Overlapping commercial with recreational season starts will lead to the commercial participants stealing, raiding, or otherwise damaging recreational gear.	72b. The comment is outside the scope of the 15-Day notice.
72	<b>Jim Kehriotis</b> (cont.)	72c. The commenter uses 10 traps at a time, and any less would prevent him from obtaining his limit, leading him to conduct more trips and thus burning more fuel.	72c. The comment is outside the scope of the 15-Day notice.

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72	<b>Jim Kehriotis</b> (cont.)	72d. Commenter is only interested in the 6 trips he takes at the beginning of each season and taking that early start away will substantially impact him.	72d. The comment is outside the scope of the 15-Day notice.
73	<b>Paul Linney</b> Email 03/17/2021	73. General opposition against the proposal, and specifically against additional validation charge. The cost of fishing in California is already high enough.	73. The comment is outside the scope of the 15-Day notice.
74	<b>Frank Griskus</b> Email 03/17/2021	74. General opposition against the proposal due to the resulting economic impact.	74. The economic assessment is discussed in the ISOR, with an update in the 15-day continuation notice and revised economic and fiscal impact statement (std 399). See also responses to Comments 59a and 59b.
75	<b>Anthony Desimoni</b> Email 03/17/2021	75a. General opposition against the proposal.	75a. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
75	<b>Anthony Desimoni</b> (cont.)	75b. The new validation charge is just another tax for the state coffer.	75b. The comment is outside the scope of the 15-Day notice.
75	<b>Anthony Desimoni</b> (cont.)	75c. Commenter is against the potential loss of recreational season head start, especially since the recreational sector has such low impact compared to the commercial sector.	75c. The comment is outside the scope of the 15-Day notice.
75	<b>Anthony Desimoni</b> (cont.)	75d. Commenter believes that it is physically impossible for a whale to be entangled in recreational crab gear.	75d. The comment is outside the scope of the 15-Day notice.

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75	<b>Anthony Desimoni</b> (cont.)	75e. Recreational crabbing is a generational tradition for the commenter, which may come to a stop due to new regulations.	75e. The comment is outside the scope of the 15-Day notice.
76	<b>Andrew Treweek</b> Email 03/16/2021	76. General opposition against the proposal due to its economic impact and impact on a family generational activity.	76. The economic assessment is discussed in the ISOR, with an update in the 15-day continuation notice and revised economic and fiscal impact statement (std 399). See also responses to Comments 59a and 59b.
77	<b>Kevin Kraft</b> Email 03/16/2021	77. General opposition against regulation; the commenter has never seen any whales or turtles at the 150 feet depth, where the commenter has fished for 50 years. Specific opposition against the validation which commenter believes is just a money grab.	77. The comment is outside the scope of the 15-Day notice.
78	<b>Travis Vail</b> Email 03/17/2021	78. Opposes the proposed crab validation, buoy identification, service requirement, lack of pre-season trap deployment, and general support for the traditional head start of the recreational season.	78. The comment is outside the scope of the 15-Day notice.
79	<b>Curt Cotner</b> Email 03/22/2021	79a. Very few whale entanglements result from recreational traps, since most recreational crabbers do not leave traps out overnight and generally finish the season by December 31.	79a. The comment is outside the scope of the 15-Day notice.
79	<b>Curt Cotner</b> (cont.)	79b. Changes being considered by the legislature is an overkill and financially unfeasible.	79b. The comment is outside the scope of the 15-Day notice.

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79	<b>Curt Cotner</b> (cont.)	79c. Commission should allow two buoys attached to each trap gear in addition to the new marker buoy.	79c. The comment is outside the scope of the 15-Day notice.
80	<b>Teera Suveerachai montian</b> Email 03/18/2021	80a. General opposition against the proposal	80a. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
80	<b>Teera Suveerachai montian</b> (cont.)	80b. How the proposal will be enforced is unclear.	80b. The comment is outside the scope of the 15-Day notice.
80	<b>Teera Suveerachai montian</b> (cont.)	80c. Additional buoy requirements do not serve any purpose beyond the current requirements.	80c. The comment is outside the scope of the 15-Day notice.
80	<b>Teera Suveerachai montian</b> (cont.)	80d. Service requirement is useless because while traps should not be abandoned, fishermen already have an interest in keeping their gear in good working order. Furthermore, enforcement will be next to impossible.	80d. The comment is outside the scope of the 15-Day notice.
80	<b>Teera Suveerachai montian</b> (cont.)	80e. Trap limit is not needed since commercial vessels already have them in place, and fishermen who place lot of traps have the means to maintain them.	80e. The comment is outside the scope of the 15-Day notice.

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80	<b>Teera Suveerachai montian</b> (cont.)	80f. Crab validation seems like just another way of collecting fees.	80f. The comment is outside the scope of the 15-Day notice.
80	<b>Teera Suveerachai montian</b> (cont.)	80g. Director's in-season authority is not balanced, since the true cause of more than 50% of all entanglements can't be determined. Current data are bad and incomplete, and solutions should be approached more holistically and based on more data.	80g. The comment is outside the scope of the 15-Day notice.
81	<b>Merlin R. Kolb</b> Email 03/18/2021	81a. General opposition against the proposal	81a. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
81	<b>Merlin R. Kolb</b> (cont.)	81b. Only the Commission should have the authority to close since commissions are more accountable to the taxpayers.	81b. The comment is outside the scope of the 15-Day notice.
81	<b>Merlin R. Kolb</b> (cont.)	81c. Proposed crab validation will not provide additional information, and adds to the cost of fishing license which is already too high.	81c. The comment is outside the scope of the 15-Day notice.
81	<b>Merlin R. Kolb</b> (cont.)	81d. Additional buoys will only lead to more entanglements. Instead, tags, or rope marker should be used.	81d. The comment is outside the scope of the 15-Day notice.
81	<b>Merlin R. Kolb</b> (cont.)	81e. Good crabbers already service their gear regularly, and regular servicing in any event would not reduce entanglement risk.	81e. The comment is outside the scope of the 15-Day notice.

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81	<b>Merlin R. Kolb</b> (cont.)	81f. The traditional recreational season head start should be preserved.	81f. The comment is outside the scope of the 15-Day notice.
81	<b>Merlin R. Kolb</b> (cont.)	81g. Recreational season should have a preseason deployment time for safety reasons.	81g. The comment is outside the scope of the 15-Day notice.
81	<b>Merlin R. Kolb</b> (cont.)	81h. The public is only interested in crab fishing and will not participate in rockfish and groundfish only trips. This will lead to significant revenue shortfall and cause many small businesses to close.	81h. See Responses to Comments 59a and 59b.
81	<b>Merlin R. Kolb</b> (cont.)	81i. CPFV operations, including the commenter's own business, will suffer revenue shortfall and may not survive, negatively impacting the public's access to the sea.	81i. See Responses to Comments 59a and 59b.
81	<b>Merlin R. Kolb</b> (cont.)	81j. Whale population is increasing, which likely explains the increase in entanglement. In any event ship strikes are a much bigger source of mortality.	81j. The comment is outside the scope of the 15-Day notice.
81	<b>Merlin R. Kolb</b> (cont.)	81k. The sport and commercial crab sectors are greatly threatened by ongoing regulatory actions.	81k. The comment is outside the scope of the 15-Day notice.
81	<b>Merlin R. Kolb</b> (cont.)	81l. The whole proposal should be thrown out. State should seek out the real stakeholders and conduct traditional commission process.	81l. The comment is outside the scope of the 15-Day notice.

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82	<b>Rolf Harader</b> Email 03/19/2021	82a. The proposed validation will not help information-gathering, and the fee will be used for non-conservation purposes like the striped bass stamp.	82a. The comment is outside the scope of the 15-Day notice.
82	<b>Rolf Harader</b> (cont.)	82b. Colors other than red should be used for marker buoy since they are often easier to observe.	82b. The comment is outside the scope of the 15-Day notice.
83	<b>Dan Doxan</b> Email 03/18/2021	83. General opposition against the proposal	83. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
84	<b>Steve Ameral</b> Email 03/16/2021	84a. General opposition against the proposal	84a. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
84	<b>Steve Ameral</b> (cont.)	84b. There is no evidence supporting the notion that crab gear cause entanglement, and in any event, ship strike is a much bigger source of mortality, about which little is being done.	84b. The comment is outside the scope of the 15-Day notice.
84	<b>Steve Ameral</b> (cont.)	84c. Requiring more buoys will only exacerbate the risk of entanglement.	84c. The comment is outside the scope of the 15-Day notice.
84	<b>Steve Ameral</b> (cont.)	84d. The validation has no purpose other than to increase revenue.	84d. The comment is outside the scope of the 15-Day notice.
84	<b>Steve Ameral</b> (cont.)	84e. A midnight season opener places people in dangerous situations and raises significant safety concerns. Opening should be at 8:00 a.m. instead.	84e. The comment is outside the scope of the 15-Day notice.

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84	Steve Ameral (cont.)	84f. The proposed service interval is likely unenforceable.	84f. The comment is outside the scope of the 15-Day notice.
85	Jessica Ryan Email 03/18/2021	85a. General opposition against the proposal	85a. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
85	Jessica Ryan (cont.)	85b. Adding additional buoys will only exacerbate entanglement problems and will not work better than other available alternatives such as elongating ropes and buoy systems.	85b. The comment is outside the scope of the 15-Day notice.
85	Jessica Ryan (cont.)	85c. The proposal poses a threat to an important fishery without actually helping the problem of marine life entanglement.	85c. The comment is outside the scope of the 15-Day notice.
86	Tom Roberts Email 03/20/2021	86a. General opposition against the proposal	86a. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
86	Tom Roberts (cont.)	86b. Commenter does not completely agree though takes no specific issue with validation, marker buoy, service interval, and trap limit.	86b. The comment is outside the scope of the 15-Day notice.
86	Tom Roberts (cont.)	86c. The 10-day head start that the recreational sector enjoys is important since the commercial sector, with its traps and vessels, can out-compete the recreational sector once their season starts.	86c. The comment is outside the scope of the 15-Day notice.
86	Tom Roberts (cont.)	86d. The recreational sector should not be restricted because of its small impact relative to the commercial sector and ship strikes.	86d. The comment is outside the scope of the 15-Day notice.



29.80 Recreational Crab FSOR

Attachment 2 – Responses to Comments, 15-day Continuation Notice period March 5, 2021 - March 22, 2021

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#	Commenter Name, Format, Date	Comment	Response
86	Tom Roberts (cont.)	86e. The crab fisheries are being unfairly targeted due to the difficulties of restricting shipping.	86e. The comment is outside the scope of the 15-Day notice.
86	Tom Roberts (cont.)	86f. Commenter would not go on charter trips to only target rockfishes.	86f. See Responses to Comments 59a and 59b.
86	Tom Roberts (cont.)	86g. The authority to close a fishery during fishing season should only be exercised by the Commission, not by the Director.	86g. The comment is outside the scope of the 15-Day notice.
87	Mark Dorman Email 03/20/2021	87a. General opposition against the proposal	87a. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
87	Mark Dorman (cont.)	87b. The recreational sector should continue to enjoy its head start over the commercial sector.	87b. The comment is outside the scope of the 15-Day notice.
87	Mark Dorman (cont.)	87c. Commenter has never observed a whale entangled in crab gear and believes that ship strike is a much bigger problem.	87c. The comment is outside the scope of the 15-Day notice.
87	Mark Dorman (cont.)	87d. Commenter does not appreciate the need for a validation fee. Commenter is also under the impression that gear theft is a problem that should be tackled, and that a fee charged for that reason would be more appropriate.	87d. The comment is outside the scope of the 15-Day notice.
87	Mark Dorman (cont.)	87e. Only take of male crabs should be allowed.	87e. The comment is outside the scope of the 15-Day notice.
87	Mark Dorman (cont.)	87f. Service intervals is unnecessary since all crabbers already regularly check their gear.	87f. The comment is outside the scope of the 15-Day notice.

## 29.80 Recreational Crab FSOR

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#	Commenter Name, Format, Date	Comment	Response
88	<b>Gonzalo Santarmaria</b> Email 03/18/2021	88. General opposition against proposal	88. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
89	<b>Steve Wisniewski</b> Email 03/19/2021	89. General opposition against this proposal and specifically against new tags, fees, additional buoy marking, and ropeless gear requirements	89. The comment is outside the scope of the 15-Day notice.
90	<b>Doug Hill</b> Email 03/18/2021	90a. General opposition against the proposal	90a. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
90	<b>Doug Hill</b> (cont.)	90b. The proposal is just another reason to add fees to an already costly fishing license.	90b. The comment is outside the scope of the 15-Day notice.
90	<b>Doug Hill</b> (cont.)	90c. If the true intent is to stop entanglement, all crabbing should just be stopped.	90c. The comment is outside the scope of the 15-Day notice.
90	<b>Doug Hill</b> (cont.)	90d. The proposal is rushed through without proper vetting.	90d. The comment is outside the scope of the 15-Day notice.
91	<b>Mike Garske</b> Email 03/18/2021	91a. Ropeless gear are designed by people with no real-world experience. It is more easily lost, which ultimately can contribute to litter problems. It is also significantly more expensive than conventional gear.	91a. The comment is outside the scope of the 15-Day notice.
91	<b>Mike Garske</b> (cont.)	91b. The validation is just another unnecessary tax.	91b. The comment is outside the scope of the 15-Day notice.

29.80 Recreational Crab FSOR

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#	Commenter Name, Format, Date	Comment	Response
92	<b>Richard Powers</b> Email 03/21/2021	92. Supports letter provided by George Castagnola, and requests that the letter be shared with all impacted stakeholders.	92. See responses to Comments 93a-f.
93	<b>George Castagnola</b> Email 03/20/2021	93a. The opportunity to be heard on the proposal has not been meaningful, regardless of the impact of the pandemic. Meaningful opportunity to be heard requires exchange of ideas by individuals with open mind looking for solutions. The meeting on December 9, 2020 did not visit this issue until the very end, and the discussion was rushed.	93a. The comment is outside the scope of the 15-Day notice.
93	<b>George Castagnola</b> (cont.)	93b. The service interval requirement will be very difficult to enforce. There are questions as to how notice will be published based on weather conditions, how different vessels may be treated differently, and how 9 days are interpreted. The rule also does not specify how stolen traps will be treated, whether the weekend-centric operations of recreational crabbing is considered, and how incapacitation will be considered.	93b. The comment is outside the scope of the 15-Day notice.
93	<b>George Castagnola</b> (cont.)	93c. The validation is unnecessary because CPFVs are already required to submit logs. Commenter wishes to see the description of specific information sought using the validation, such as number of crab caught and their locations.	93c. The comment is outside the scope of the 15-Day notice.

29.80 Recreational Crab FSOR

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#	Commenter Name, Format, Date	Comment	Response
93	<b>George Castagnola</b> (cont.)	93d. The recreational sector has been given informal approval for a presoak period before the season starts. The presoak period is necessary for safety reasons.	93d. The comment is outside the scope of the 15-Day notice.
93	<b>George Castagnola</b> (cont.)	93e. The Commission should have analyzed the economic impact on businesses other than vessels, as well as the types of trips, and the conditions of other available fisheries.	93e. The comment is outside the scope of the 15-Day notice.
93	<b>George Castagnola</b> (cont.)	93f. Commenter wishes to have a meaningful opportunity to be heard before rules are adopted.	93f. The comment is outside the scope of the 15-Day notice.
94	<b>Chris Smith</b> Email 03/21/2021	94a. The proposal, along with shortened salmon season, will have a devastating impact on the commenter's vessel operation, as well as other associated businesses such as bait shops, hotels, restaurants, and fuel stations.	94a. See responses to Comments 59a and 59b.
94	<b>Chris Smith</b> (cont.)	94b. CPFVs such as one operated by the commenter are the public's only access to the resource.	94b. The comment is outside the scope of the 15-Day notice.
94	<b>Chris Smith</b> (cont.)	94c. At a time of COVID-19 pandemic and its associated lockdown, further restrictions will be economically devastating.	94c. See responses to Comments 59a and 59b..
94	<b>Chris Smith</b> (cont.)	94d. There has not been any documented entanglement attributed to CPFVs.	94d. The comment is outside the scope of the 15-Day notice.

29.80 Recreational Crab FSOR

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#	Commenter Name, Format, Date	Comment	Response
95	<b>Steve Burke</b> Email 03/22/2021	95. The validation will create bureaucratic hurdles for common fishermen.	95. The comment is outside the scope of the 15-Day notice.
96	<b>Dave Hurley</b> Email 03/21/2021	96a. The data used in the economic analysis from four years ago is outdated. The interest in rockfish and Dungeness crab combo trips has supplanted interest in salmon fishing, which has uncertainty prospect from year to year, and has generally been in decline in recent years. A look at the 2020 fishing season will show that rockfish-only trips begin to decline in October as anglers anticipate the November crab opener. Once the crab season opens, every trip was sold out (potentially contributed by the vessel load limitation due to the COVID-19 pandemic).	96a. See Responses to Comments 59a and 59b.
96	<b>Dave Hurley</b> (cont.)	96b. The commercial sector deploys exponentially more traps than the recreational sector, and the sector has been constrained by the late start. Consequently, no entanglements occurred during the 2020 recreational crab season.	96b. The comment is outside the scope of the 15-Day notice.
96	<b>Dave Hurley</b> (cont.)	96c. The recreational season has traditionally started earlier than the commercial season, and the sector has come to rely on that early start. The ability of the Director to delay or close the season, even if evidence shows that entanglements are possible but unlikely, can impact our ability to take our 10-crab daily limit.	96c. The comment is outside the scope of the 15-Day notice.

## 29.80 Recreational Crab FSOR

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96	Dave Hurley (cont.)	96d. The proposals did not go through enough stakeholder input. The 15-day continuation notice satisfies the legal requirement but does not build trust. The fishing community no longer trusts the state and sees the public commenting process as futile.	96d. The comment is outside the scope of the 15-Day notice.
96	Dave Hurley (cont.)	96e. A midnight start time creates an extremely unsafe condition for recreational crabbers.	96e. The comment is outside the scope of the 15-Day notice.
96	Dave Hurley (cont.)	96f. The 9-day soak time rule is likely not enforceable, considering the rampant gear theft that already occurs.	96f. The comment is outside the scope of the 15-Day notice.
96	Dave Hurley (cont.)	96g. The data obtained through validation is already available through recreational vessel logbooks.	96g. The comment is outside the scope of the 15-Day notice.
96	Dave Hurley (cont.)	96h. Commission should delay the implementation of the proposal in order for stakeholders to provide meaningful input and an accurate economic impact assessment made.	96h. The comment is outside the scope of the 15-Day notice.

29.80 Recreational Crab FSOR

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97	Chris Lauritzen Email 03/22/2021	97a. Recreational Dungeness crab season should start at 8:00 am instead of midnight. The opening nights tend to be busy; opener at Bodega Bay can easily involve over one hundred boats. Recreational boats tend to be smaller, and kayaks in particular are very vulnerable to traffic from other vessels. The commercial fleet already enjoys a pre-season deployment period.	97a. The comment is outside the scope of the 15-Day notice.
97	Chris Lauritzen (cont.)	97b. Commission needs to account for the recreational crabbers' safety. Conditions in November tend to be much safer than the conditions in December, especially considering that not all recreational crabbers have large boats.	97b. The comment is outside the scope of the 15-Day notice.
97	Chris Lauritzen (cont.)	97c. Lumping the recreational sector together with the commercial sector will lead to less opportunities for the recreational sector.	97c. The comment is outside the scope of the 15-Day notice.
97	Chris Lauritzen (cont.)	97d. Limiting number of recreational gear also limits the exposure to whales.	97d. The comment is outside the scope of the 15-Day notice.
97	Chris Lauritzen (cont.)	97e. There has been no reported whale entanglements due to recreational crab gear.	97e. The comment is outside the scope of the 15-Day notice.

29.80 Recreational Crab FSOR

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97	<b>Chris Lauritzen</b> (cont.)	97f. The marker buoys and validation stamps do not make sense. Every pot is already required to be marked with identification numbers. Instituting this requirement just so Department staff can observe the gear from shore does not make sense to the commenter.	97f. The comment is outside the scope of the 15-Day notice.
98	<b>Vladimir Kolyak</b> Email 03/22/2021	98. General opposition against the proposal	98. The commenter did not provide specifics on which elements of the proposal they are opposed to; therefore, a specific response cannot be given.
99	<b>James Wood</b> Email 03/22/2021	99a. Commenter already pays the highest amount of fee out of all states for fishing license on top of property, sales, and gas tax. The validation is not necessary to generate more revenue and will not prevent entanglements.	99a. The comment is outside the scope of the 15-Day notice.
99	<b>James Wood</b> (cont.)	99b. There has not been any whale entanglement caused by the recreational sector. However, adding additional buoys will just increase entanglement risk. Instead, there should only be color requirements for main buoys.	99b. The comment is outside the scope of the 15-Day notice.



29.80 Recreational Crab FSOR

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99	<b>James Wood</b> (cont.)	99c. Regular servicing is already being done by crabbers, and the new requirement will not reduce entanglement risk. Servicing every trap on the same day is not feasible where the commenter fishes, and the new requirement will force crabbers to go out every day and increase safety risk.	99c. The comment is outside the scope of the 15-Day notice.
99	<b>James Wood</b> (cont.)	99d. The recreational sector has historically enjoyed an earlier start, and once commercial season starts recreational effort falls drastically. Elimination of this early start has not been justified, and because recreational sector uses smaller boats, starting both sectors on the same day will create safety risk.	99d. The comment is outside the scope of the 15-Day notice.
99	<b>James Wood</b> (cont.)	99e. The whale entanglement issue is complex, though the goal of mitigating it is laudable. However, the recreational sector does not create any significant risk compared to ship strikes. The proposal will give one person the power to create devastating impact on the fishery. The regulations are not based on real evidence and no confirmed whale entanglements have been caused by recreational crabbers.	99e. The comment is outside the scope of the 15-Day notice.

29.80 Recreational Crab FSOR

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#	Commenter Name, Format, Date	Comment	Response
100	<b>Kathy Roberts</b> Email 03/22/2021	100a. The recreational sector is much less impactful than the commercial sector. The recreational sector is much smaller than the commercial sector, and the sector generally stops fishing once the commercial sector is underway. Furthermore, the recreational sector uses smaller boats and have a smaller weather window to crab.	100a. The comment is outside the scope of the 15-Day notice.
100	<b>Kathy Roberts</b> (cont.)	100b. Many recreational crabbers rely on CPFVs to access crabs, they too will be hurt economically by cutting the season.	100b. The economic assessment is discussed in the ISOR, with an update in the 15-day continuation notice and revised economic and fiscal impact statement (std 399). See also responses to Comments 59a and 59b.
100	<b>Kathy Roberts</b> (cont.)	100c. Does not oppose the validation or the trap limit.	100c. The comment is outside the scope of the 15-Day notice.
101	<b>Mark Chow</b> Email 03/22/2021	101a. No whale death has been attributed to recreational crab gear. And most contacts due to recreational gear can be attributed to the southern region and one is attributed to the shrimp fishery.	101a. The comment is outside the scope of the 15-Day notice.
101	<b>Mark Chow</b> (cont.)	101b. Defining any contact, including observed rope marking, as potentially contact with crab gear is very misleading.	101b. The comment is outside the scope of the 15-Day notice.
101	<b>Mark Chow</b> (cont.)	101c. The sector cannot easily shift to other fisheries since they have come to expect combo trips. Rockfish is the only other fishery that can occur during winter months.	101c. See response to Comments 59a and 59b.

## 29.80 Recreational Crab FSOR

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101	Mark Chow (cont.)	101d. Dungeness crab is a commercially important fishery and is part of the cultural and familial tradition of Northern California.	101d. The comment is outside the scope of the 15-Day notice.
101	Mark Chow (cont.)	101e. Most recreational crabbers rely on CPFVs to catch crabs, and CPFVs are already required to fill out logs. Having the validation is redundant.	101e. The comment is outside the scope of the 15-Day notice.
101	Mark Chow (cont.)	101f. Suspending recreational crabbing before Thanksgiving can greatly impact the fishery at little benefits to the whale, since there has been few whale contacts and no mortality.	101f. The comment is outside the scope of the 15-Day notice.
101	Mark Chow (cont.)	101g. Stakeholders have not had adequate input.	101g. The comment is outside the scope of the 15-Day notice.
101	Mark Chow (cont.)	101h. Most of entanglements from the commercial sector occurred during the unique conditions present during the unique 2015/16 season.	101h. The comment is outside the scope of the 15-Day notice.
102	Kelly Laidley Email 03/22/2021	102a. Crab validation would not provide any information that current CPFV logs don't already provide.	102a. The comment is outside the scope of the 15-Day notice.
102	Kelly Laidley (cont.)	102b. Additional buoys will only lead to higher entanglement risks.	102b. The comment is outside the scope of the 15-Day notice.
102	Kelly Laidley (cont.)	102c. Periodic service is unnecessary since most good crabbers already service their gear regularly.	102c. The comment is outside the scope of the 15-Day notice.

29.80 Recreational Crab FSOR

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102	Kelly Laidley (cont.)	102d. Do not take away the recreational sector's earlier season start.	102d. The comment is outside the scope of the 15-Day notice.
102	Kelly Laidley (cont.)	102e. The current season opening at midnight poses serious safety concerns.	102e. The comment is outside the scope of the 15-Day notice.
102	Kelly Laidley (cont.)	102f. Loss of combo trip will be devastating to the recreational sector due to the COVID-19 pandemic and the drastic cuts to the salmon season.	102f. See response to Comments 59a and 59b..
103	Doug Davenport Email 03/22/2021	103. Postponement of recreational season can create significant difficulties since crabbers will need to make plans beforehand. Reservations need to be made one year in advance.	103. The comment is outside the scope of the 15-Day notice.