



California Department of Fish and Wildlife Initial Assessment and Preliminary Management Recommendation for the Risk Assessment Mitigation Program

Date: October 25, 2022

This preliminary assessment and management recommendation has been developed by California Department of Fish and Wildlife (CDFW) Marine Region staff for consideration by the California Dungeness Crab Fishing Gear Working Group for the Risk Assessment Mitigation Program (RAMP; Section 132.8, Title 14, California Code of Regulations) regarding Management Actions to address marine life entanglement risk in the commercial and recreational Dungeness crab fishery. CDFW will prepare a Final Assessment and Management Recommendation after review of the Working Group Recommendation and other relevant data.

A. Confirmed Entanglements and Marine Life Concentrations Triggers for Management Action, RAMP subsection (c)

- In-season Confirmed Entanglement accounting is not available because the fishery is not currently open. The current Impact Score for calendar year 2022 is 4.15 for humpback whales. The Impact Score for calendar year 2021 was 1.89 for humpback whales, as a result CDFW anticipates a running 3-year average Impact Score of at least 2.01 for humpback whales at the start of 2023.
 - o Confirmed Entanglements in California Commercial Dungeness Crab Gear during the current calendar year equal **three humpback whales**.
 - o Confirmed Entanglements in Unknown Fishing Gear reported from California during the current calendar year equal **eight humpback whales** (two additional entanglements are under review).
- Marine Life Concentrations Surveys across Fishing Zones 1, 2, 3, 4 and 5 documented numerous aggregations of humpback whales and some blue whales. Marine Life Concentration triggers for each Fishing Zone based on aerial and vessel-based surveys are as follows:
 - o Zone 1 = **3 blue whales**
 - o Zone 2 = **23 humpback whales**
 - o Zone 3 = **27, 43, 73, 128 humpback whales**
 - o Zone 4 = **50, 112 humpbacks whales**
 - o Zone 5 = **30 humpback whales**

See the Available Data document prepared for this Risk Assessment on the [Whale Safe Fisheries Webpage](#) under the Risk Assessment tab for additional detail.

B. Recommended Management Action, RAMP subsection (e)

Recreational Fishery:

- **Crab Trap Prohibition: Fishing Zone 1, 2, 3, 4, 5 and 6**

Commercial Fishery:

- **Season Delay: Fishing Zones 3, 4, 5 and 6**

CDFW Marine Region staff's preliminary recommendation is for the Director to delay the commercial fisheries in Fishing Zones 3 through 6 and prohibit the use of recreational crab traps in all Fishing Zones until the next risk assessment. This recommendation is based on exceedance of Marine Life Concentration data triggers for humpback and blue whales in Fishing Zones 1, 2, 3, 4 and 5, and insufficient data in Fishing Zone 6. Aerial and vessel surveys indicated a broad distribution of whales across depths and large aggregations of humpback whales in Fishing Zones 3 and 4 which was further supported by observation data from Point Blue around the Farallon Islands and Monterey Bay Whale Watch data. Foraging activity by both humpback whales and blue whales poses a risk of entanglement with vertical lines and surface gear in all Fishing Zones if the recreational season opens using crab traps on November 5, 2022, and the commercial season opens on November 15, 2022. In addition, given the current calendar year entanglement Impact Score, a precautionary management approach is warranted to minimize entanglement risk until a majority of the whales have migrated out of the area.

A season delay for the commercial fishery and trap prohibition for the recreational fishery is the recommended Management Action based on the wide distribution of whales across Zones and depths. A Fleet Advisory, Depth Constraint or Vertical Line/Gear Reduction would not minimize entanglement risk due to whale distribution and expected high gear concentrations during the season opener. As a result, CDFW Marine Staff's preliminary recommendation is a delay of the Fishing Season for the commercial fishery and prohibition on the use of crab traps for the recreational fishery until the next risk assessment (expected to occur on or before November 23, 2022) to inform a potential commercial fishery opener on December 1, 2022 and/or a lifting of the trap restriction for the recreational fishery.

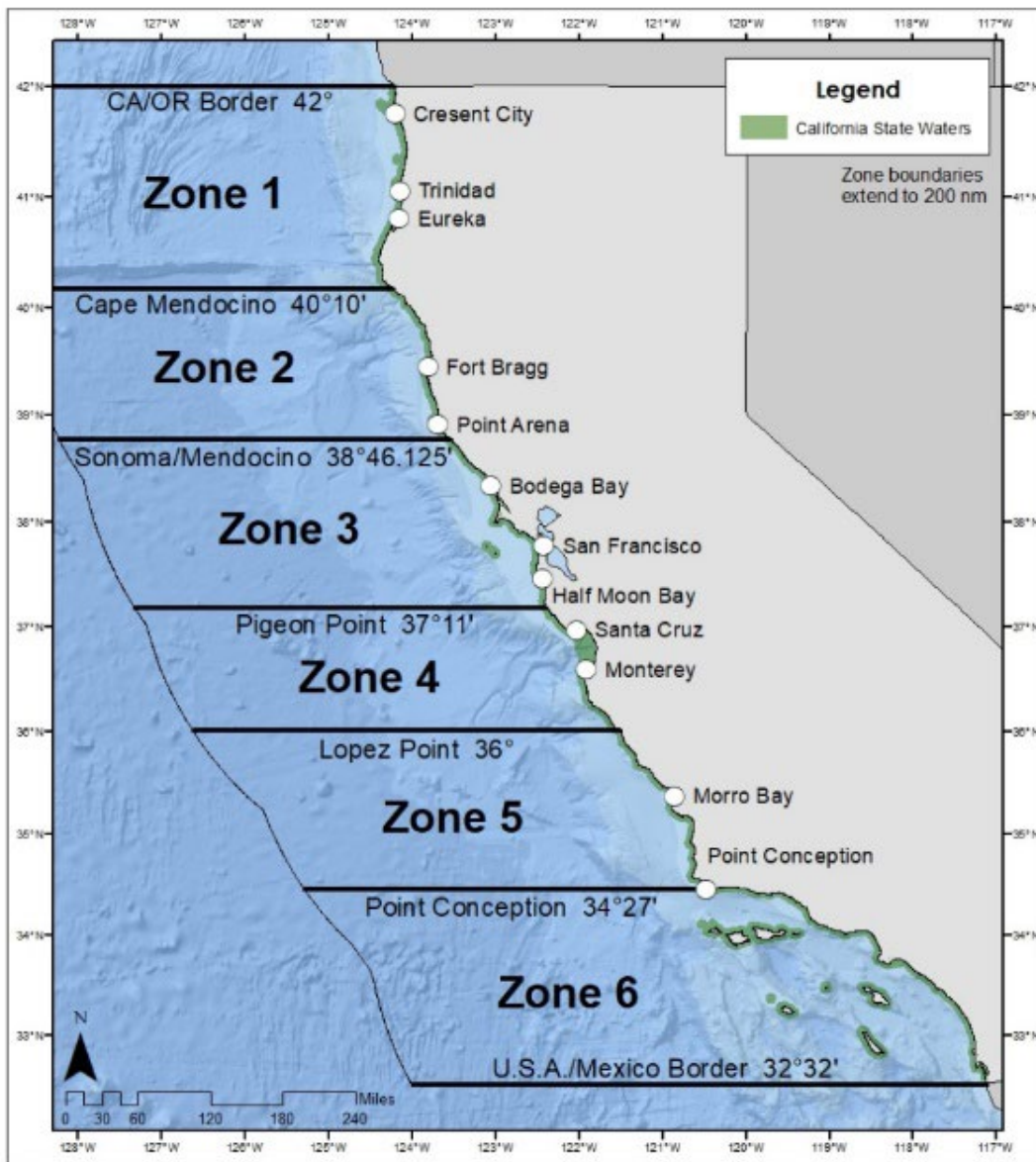


Figure 1. Map showing latitudinal boundaries of RAMP Fishing Zones 1-6. Fishing Zone 7 not pictured.