

## 2022-23 Risk Assessment: Available Data

Last updated: November 16, 2022

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### TRIGGERS REQUIRING MANAGEMENT ACTION

#### **Confirmed Entanglements: §132.8(c)(1)**

*Data provided by: Lauren Saez and Dan Lawson (National Marine Fisheries Service)*

There have been no new entanglements of Actionable Species reported to NMFS West Coast Region since the last risk assessment, and CDFW has not yet assigned impact scores for 20221008Mn and 20221010Mn. See the [October 25, 2022 Available Data document](#) for additional details.

#### **Marine Life Concentrations: §132.8(c)(1)\***

*Data provided by: US Coast Guard, California Department of Fish and Wildlife, Monterey Bay Whale Watch (processed by Karin Forney, NOAA), Scott Benson (NOAA/SWFSC, in collaboration with Upwell.org)*

**Table 11. Summary of available CDFW-approved survey data for marine life concentrations for each Fishing Zone, and whether the triggers established in Section 132.8(c)(2) have been met for any Fishing Zone.**

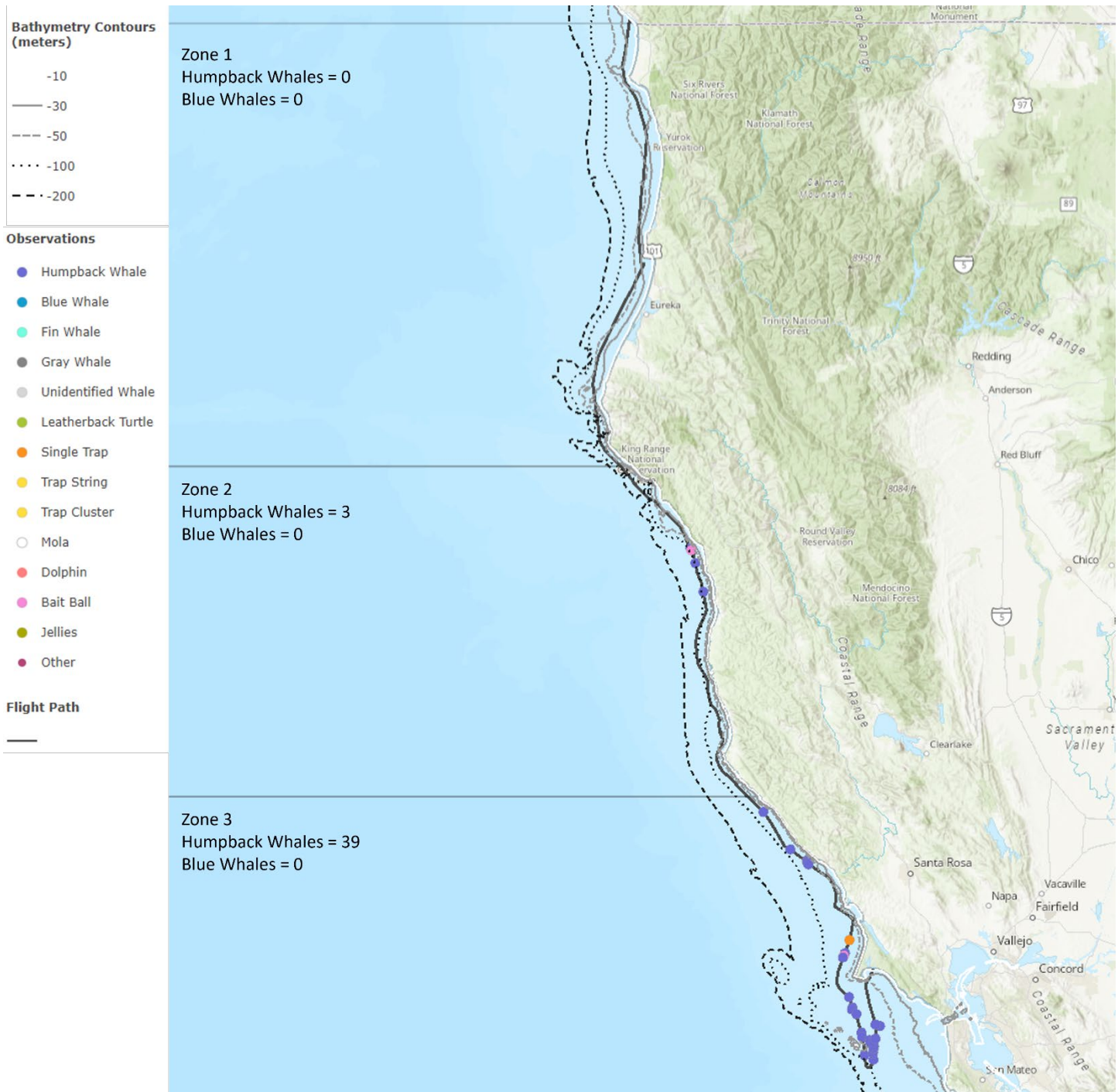
Fishing Zone	CDFW-approved survey data	Triggers attained?
Zone 1	USCG/CDFW Aerial Survey, CDFW Aerial Survey	No
Zone 2	CDFW Aerial Survey	No
Zone 3	CDFW Aerial Survey	Yes
Zone 4	MBWW	Yes
Zone 5	NA	Yes – no data
Zone 6	NA	Yes – no data

#### USCG/CDFW Aerial Survey

USCG and CDFW flew a joint aerial survey on November 7, 2022 between Eureka and the Oregon border (Fishing Zone 1). No large whales were observed.

#### CDFW Aerial Survey (*Fishing Zones 1-3*)

On November 9, 2022 CDFW flew an aerial survey between the Farallon Islands (Fishing Zone 3) and the Oregon border (Fishing Zone 1; Figure 1). No whales were observed in Fishing Zone 1, three humpback whales were observed in Fishing Zone 2, and 39 humpback whales were observed in Fishing Zone 3. In Fishing Zone 2, the whales were located in the northern portion of the Fishing Zone and in waters between 30-50 meters (16-27 fathoms). In Fishing Zone 3, whales were sighted throughout the surveyed area within the same depth range 30-50 meters (16-27 fathoms) and were particularly abundant between Point Reyes and the Farallon Islands.

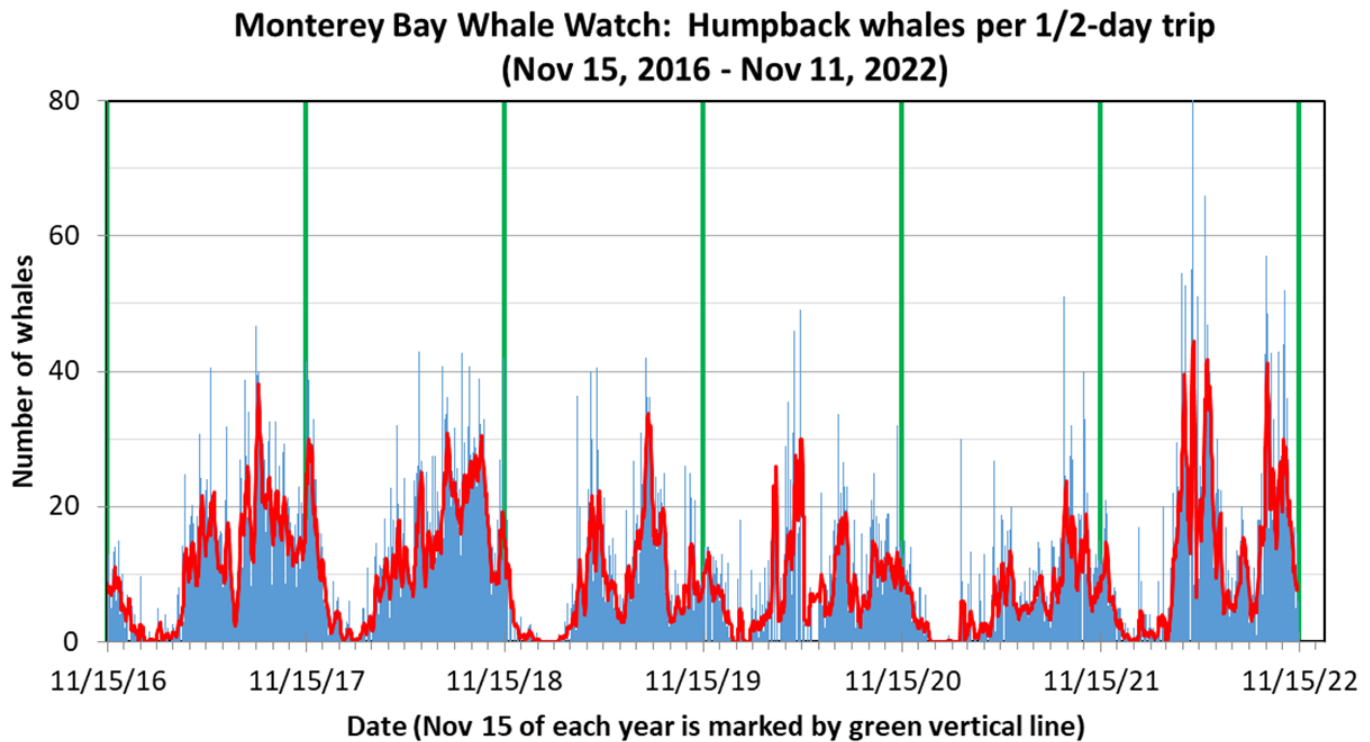


**Figure 1. Map showing track lines and observations from CDFW aerial survey of Fishing Zones 1-3 on November 9, 2022. Survey information is overlaid onto contours showing the 10m, 30m, 50m, 100m, and 200m bathymetry lines.**

#### Monterey Bay Whale Watch (Fishing Zone 4)

- Monterey Bay Whale Watch conducted whale-watching trips in southern Monterey Bay on five of seven days during the week of November 5-11, 2022.
- The average number of humpback whales-per-trip during the last seven days (November 5-11, 2022) was 11.9, with a peak of 22 whales observed on a single half-day trip on November 6, 2022 (Figure 2).
- Two blue whales were observed by Monterey Bay Whale Watch on November 3, 2022, but otherwise no blue whales have been observed since September 20, 2022.

The average number of blue whales-per-trip during the last seven days (November 5-11, 2022) was 0.1.



**Figure 2. Standardized number of humpback whale sightings for Monterey Bay Whale Watch from November 15, 2016 to November 11, 2022. The y-axis is the number of whales per half-day trip; the thin blue bars are the average daily whale numbers, and the red line is a 7-day running average to make the patterns a bit easier to see. A vertical green line has been added at November 15 of each year for reference. Each tick mark is one month.**

### Leatherback Sea Turtle Telemetry

Two adult male leatherback turtles that were captured 7-10 miles west of the San Francisco Peninsula and tagged with satellite-linked transmitters on September 15 and 16, 2022 are approximately 275 miles WSW of Point Arguello, CA and 440 miles ESE of Hawaii, respectively. Both turtles are migrating in a southwest direction toward western Pacific nesting beaches in offshore water. No new leatherback sightings have been reported off California since the last risk assessment.

## MANAGEMENT CONSIDERATIONS

### Information from NOAA: §132.8(d)(2)

No additional information was provided for this risk assessment.

### Effectiveness of management measures: §132.8(d)(3)\*

*Data provided by: California Department of Fish and Wildlife*

Given the high number of confirmed entanglements which have occurred during 2022, avoidance of any additional entanglements is a priority for CDFW. The selected management measure must limit the potential for interactions between humpback whales and commercial Dungeness crab gear, therefore issuance of a Fleet Advisory would not provide adequate protection from risk of entanglement. Foraging humpback whales often move between shallow and deep-water areas in pursuit of prey, and aerial

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surveys documented humpback whales in depths of 30-50 meters (16-27 fathoms) so a depth constraint will not offer adequate protection as humpbacks whales leave the foraging grounds for winter breeding grounds. Opening the commercial fishery under a gear reduction would still allow vertical lines to be deployed in areas where humpback whales are present, posing a risk of entanglement. Alternative Gear can only be authorized after April 1<sup>st</sup>. Therefore, a continued commercial fishery delay in Fishing Zones 3-6 is the most effective management action.

Actions taken in the recreational fishery are limited to a recreational trap restriction. For the reasons described above, allowing harvest with recreational crab traps poses risk of entanglement. The only effective management action is to continue the recreational trap restriction in Fishing Zones 3-6.

#### **Total economic impact to the fleet: §132.8(d)(4)\***

*Data provided by: California Department of Fish and Wildlife*

When deciding amongst multiple management measures which would equivalently reduce entanglement risk, CDFW shall consider total economic impact to the fleet and fishing communities. CDFW has not identified any other management measure that would equivalently reduce entanglement risk.

However, CDFW notes that holiday markets are traditionally an important component of the Dungeness crab fishery. CDFW anticipates that a delay until December 15 would allow product to be landed, processed, and sold for the Christmas and New Year holidays.

#### **Historic patterns and current Actionable Species migration: §132.8(d)(6) and (11)\***

*Data provided by: Monterey Bay Whale Watch (processed by Karin Forney, NOAA)*

##### **Monterey Bay Whale Watch (Fishing Zone 4)**

- The semi-monthly average number of humpback whales-per-half-day-trip is high compared to historical patterns for this time of the year (Figure 3), but the seven-day running average has been decreasing steadily since about mid-October (Figure 1), which is consistent with expected seasonal migration patterns.
- The low presence of blue whales is largely consistent with their historical seasonal southward migration patterns.

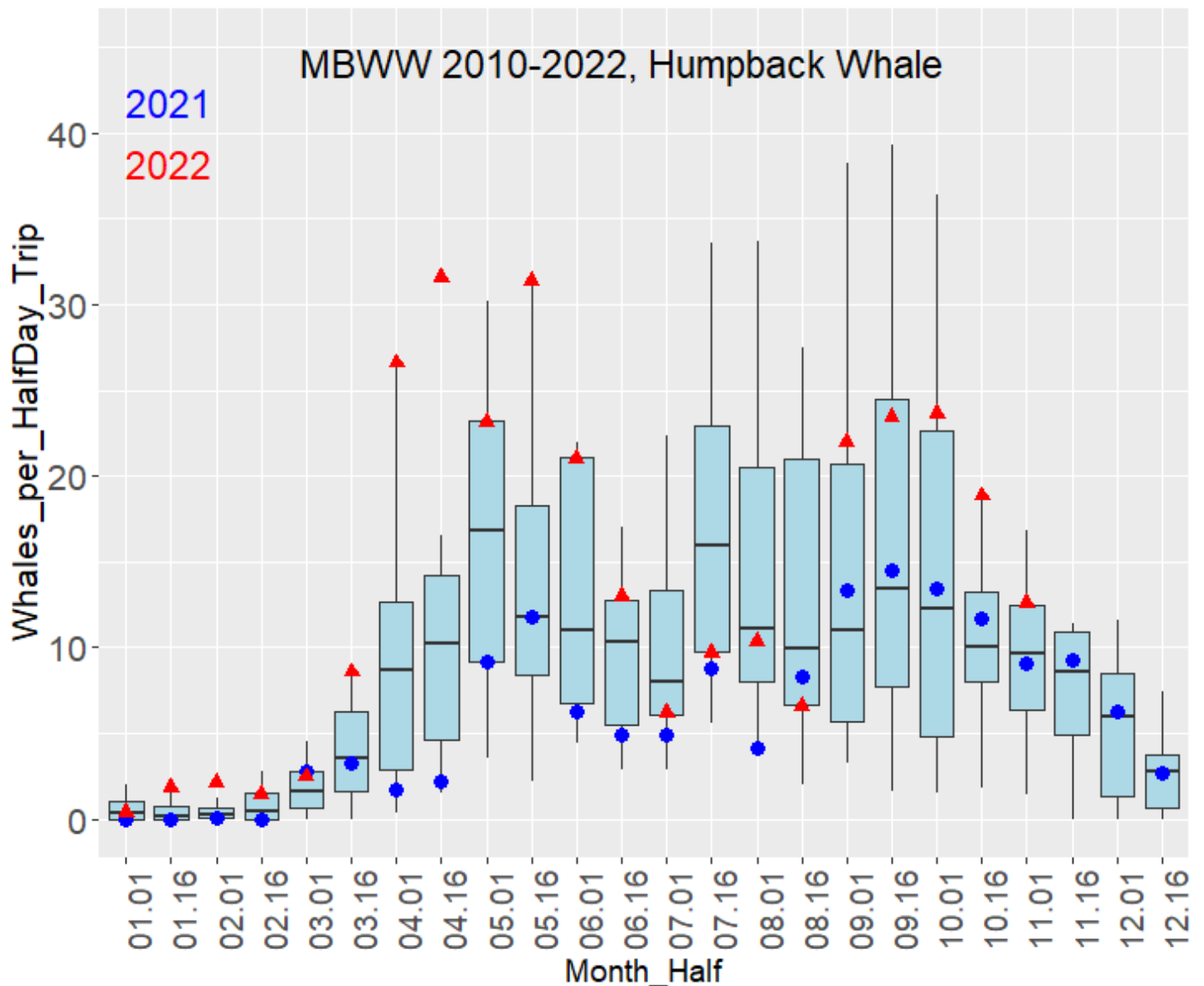
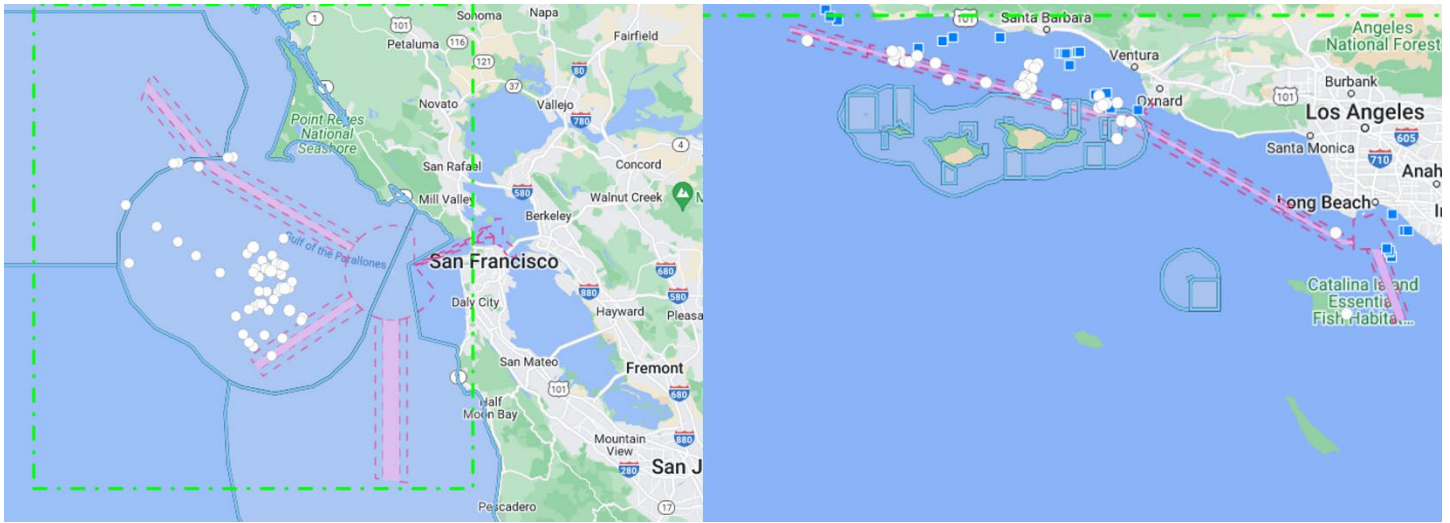


Figure 3. Historical Monterey Bay Whale Watch data for 2010-2022, summarizing the average and variation in the number of humpback whales per half-day trip on a semi-monthly basis (1<sup>st</sup>- 15<sup>th</sup>, 16<sup>th</sup>- end of month). This boxplot follows standard statistical practice in that the black horizontal line is the average number of whales; the blue box shows the 25<sup>th</sup>-75<sup>th</sup> percentiles (i.e., half of all past whale numbers are within the blue box); the vertical lines show the range of whale numbers excluding outliers, and outliers are shown as small black dots. Values for 2021 (large blue dots) and 2022 (red triangles) and are provided for reference, placing recent whale numbers in a historical context. [NOTE: To account for population growth of these recovering whale populations, the historical reference period has been modified to include only the more recent period of 2010-2022, rather than 2003-2022 as in previous plots. This provides a more relevant comparison to the current conditions].

#### Point Blue Conservation Science Data Portal (*Fishing Zones 3 and 6*)

During the seven-day period ending November 15, 2022 trained observers at the Farallon Islands reported 122 humpback whale sightings within Fishing Zone 3, and trained naturalists from the Channel Islands National Marine Sanctuary and National Park Service reported 40 humpback whale sightings and one blue whale sighting within Fishing Zone 6 (Figure 4).





**Figure 4. Locations of humpback whale sightings within Fishing Zones 3 and 6. Reporting locations are represented by white circles. A given report may or may not represent multiple individuals. Fishing Zone boundaries are represented by the dashed green line.**

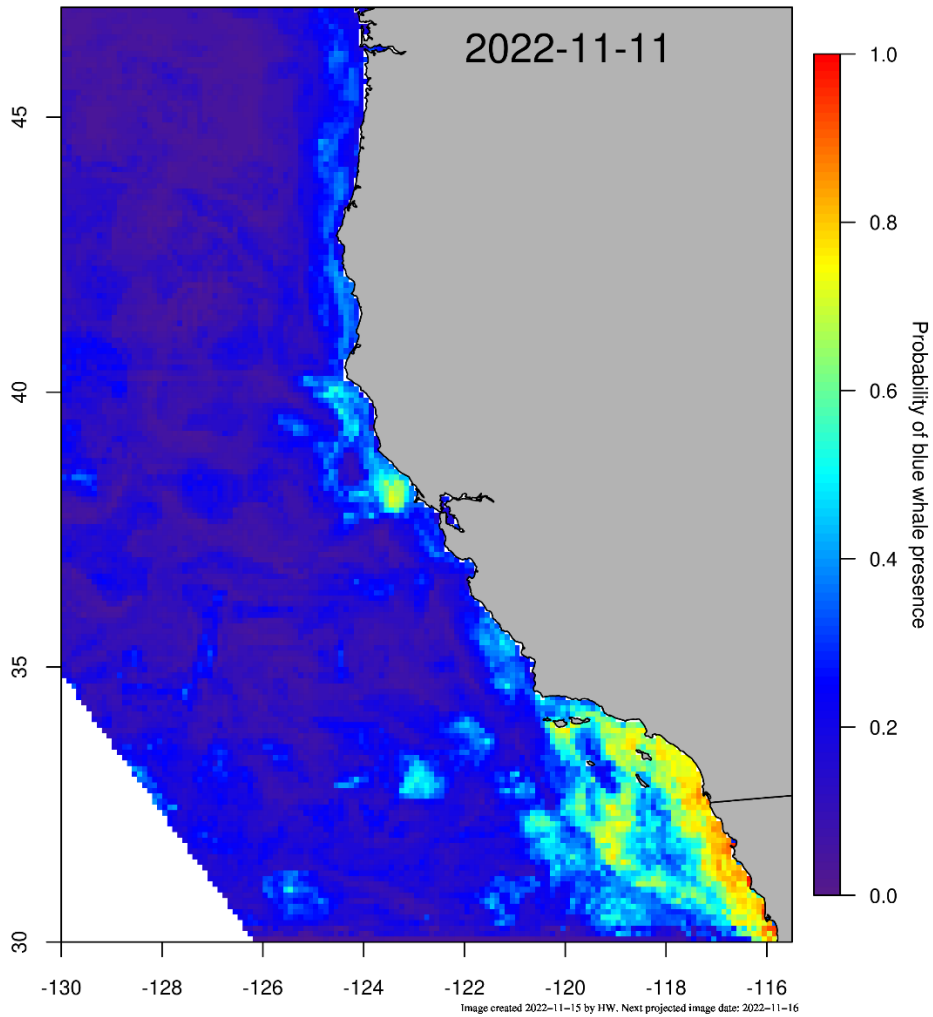
#### *WhaleWatch 2.0 (All Fishing Zones)*

Compared to predictions for October 18, 2022 (see the [October 25, 2022 Available Data document](#)), blue whale habitat predictions for November 11, 2022 indicate lower habitat suitability along most of the central and northern California coast (Figure 5). Moderate to high habitat suitability remains between Point Reyes and Point Arena, and within the Southern California Bight.

# WhaleWatch 2.0



Experimental Product



WhaleWatch 2.0 [or future product name] is a dynamic ocean management tool that aims to provide information on suitable whale habitat in real-time to minimize ship strike risk. Map shows predicted daily blue whale habitat suitability at 10km resolution which represents where whales are most likely to be based on environmental conditions. ([link to website](#))

Contacts: [briana.abrahms@noaa.gov](mailto:briana.abrahms@noaa.gov) and [elliott.hazen@noaa.gov](mailto:elliott.hazen@noaa.gov)  
Environmental Research Division, SWFSC, NMFS, NOAA  
99 Pacific Street, Monterey CA 93940, USA



Figure 5. WhaleWatch 2.0 map for November 11, 2022. [View a current map.](#)

## Fishing Season dynamics: §132.8(d)(7)\*

Data provided by: California Department of Fish and Wildlife, California Department of Public Health



**CDFW data presented in this section is preliminary and subject to revision.**

### Domoic Acid and Quality Testing

- Quality test results for crab collected on November 10, 2022 from the three northern ports (Crescent City, Trinidad, and Eureka) were below the Tri-State meat quality criteria of 24% (no rounding). Meat quality was 18.7% in Crescent City, 19.5% in Eureka, and 20.4% in Trinidad. Under the Tri-State agreement, Fishing Zones 1 and 2 are therefore subject to a quality delay and will open no sooner than December 16, 2022. Additional quality testing will be conducted in early December.
- As of November 9, 2022 domoic acid results are available for all port areas and all crabs are below the federal action level (Figure 6). On October 31, 2022 CDPH collected mussels from Humboldt Bay that exceeded domoic acid concentration levels for bivalves (Figure 7). CDFW is working in partnership with the California Department of Public Health to conduct additional testing of crab collected from sites in the Eureka port area during quality testing to confirm there have been no changes in domoic acid levels following the first pre-season sampling conducted in early October. Results are expected within a week of when samples were submitted to CDPH on November 14, 2022.

#### CDPH SUMMARY OF DOMOIC ACID LEVELS IN CRABS

**JULY 01, 2022 - NOVEMBER 09, 2022**

PORT	COLLECTION SITE	SAMPLE COLLECTION DATE	CRAB TYPE MSCERA	INDIVIDUAL SAMPLE RESULTS (FDA ACTION LEVEL >30 PPM)						AVERAGE LEVEL (Information Only)	PERCENT OF SAMPLES EXCEEDING ACTION LEVEL
Crescent City	George Reef	10/9/2022	Dungeness Crab	<2.5	4.1	9.5	<2.5	<2.5	<2.5	2.3 ppm	0%
Crescent City	Klamath River	10/9/2022	Dungeness Crab	<2.5	<2.5	4.2	3.0	<2.5	<2.5	1.2 ppm	0%
Trinidad	Lagoons	9/11/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Trinidad	Trinidad Head	9/11/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Eureka	LP Eureka	10/9/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Eureka	Eel River	10/9/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Fort Bragg	Usal	10/16/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Fort Bragg	Manchester Beach	11/4/2022	Dungeness Crab	4.4	<2.5	<2.5	<2.5	11	<2.5	2.6 ppm	0%
Bodega Bay	Salt Point	10/3/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Bodega Bay	Russian River	10/3/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	3.3	<2.5	0.6 ppm	0%
Bodega Bay	Bodega Head	10/3/2022	Dungeness Crab	<2.5	12	<2.5	<2.5	<2.5	<2.5	2 ppm	0%
Bodega Bay	Point Reyes	10/3/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Half Moon Bay/ San Francisco	Duxbury Reef	9/22/2022	Dungeness Crab	4.4	<2.5	<2.5	<2.5	<2.5	<2.5	0.7 ppm	0%
Half Moon Bay/ San Francisco	Pillar Point	9/24/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Half Moon Bay/ San Francisco	Pigeon Point	9/25/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
Monterey	Monterey Bay	9/24/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	16	<2.5	2.7 ppm	0%
Monterey	Monterey Bay	9/24/2022	Rock Crab	<2.5	3.0	12	<2.5	<2.5	<2.5	2.5 ppm	0%
Morro Bay	Avila Beach	10/7/2022	Dungeness Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
NA	CDFW Block 745	9/29/2022	Box Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%
NA	CDFW Block 745	9/29/2022	King Crab	<2.5	<2.5	<2.5	<2.5	<2.5	NA	Non-Detect	0%
NA	CDFW Block 652	9/28/2022	Rock Crab	<2.5	<2.5	<2.5	<2.5	<2.5	<2.5	Non-Detect	0%

1 SET = 6 SAMPLES

**Figure 6. California Department of Public Health domoic acid test results for crab, updated November 9, 2022.**



**California Department of Public Health  
Bivalve Shellfish Marine Biotoxin Monitoring Results  
Paralytic Shellfish Poisoning Toxins (PSP) & Domoic Acid (DA)**

11/10/2022

Paralytic Chemical Poisoning Toxins (P-CT) & Domoic Acid (DA)						
Date Collected	Sample Site	Sample Type	PSP* (ug/100g)	DA** (ppm)	Approximate Latitude Longitude	
<b>County: Del Norte</b>						
10/24/2022	Hunter Rock, north	Sea Mussel, wild	n	3.0	41.96	-124.21
11/04/2022	Wilson Creek	Sea Mussel, wild	n	< 2.5	41.60	-124.10
<b>County: Humboldt</b>						
10/17/2022	Humboldt Bay, Indian Is. Ch.	Sea Mussel, Sentinel	n	< 2.5	40.81	-124.16
10/17/2022	Humboldt Bay, East Bay 1-2	Pacific Oyster, cultured	X	< 2.5	40.82	-124.14
10/17/2022	Humboldt Bay, Ch Marker #13	Sea Mussel, Sentinel	68	< 2.5	40.77	-124.22
10/24/2022	Trinidad Head	Sea Mussel, wild	n	< 2.5	41.05	-124.15
10/24/2022	Humboldt Bay, Indian Is. Ch.	Sea Mussel, Sentinel	39		40.81	-124.16
10/24/2022	Humboldt Bay, Ch Marker #13	Sea Mussel, Sentinel	<b>91</b>	4.6	40.77	-124.22
10/31/2022	Humboldt Bay, Indian Is. Ch.	Sea Mussel, Sentinel	n	<b>20.0</b>	40.81	-124.16
10/31/2022	Humboldt Bay, Ch Marker #13	Sea Mussel, Sentinel	56	<b>45.0</b>	40.77	-124.22
11/01/2022	Humboldt Bay, WQ #27	Pacific Oyster, cultured	X	< 2.5	40.87	-124.15
11/02/2022	Humboldt Bay, Mad River 7-2	Kumamoto Oyster, cultured	X	< 2.5	40.85	-124.14
11/02/2022	Humboldt Bay, East Bay 1-2	Kumamoto Oyster, cultured	< 34	< 2.5	40.82	-124.14
11/02/2022	Humboldt Bay, WQ #26	Kumamoto Oyster, cultured	X	< 2.5	40.85	-124.15
11/07/2022	Humboldt Bay, Indian Is. Ch.	Sea Mussel, Sentinel	41	< 2.5	40.81	-124.16
11/07/2022	Humboldt Bay, East Bay 1-2	Kumamoto Oyster, cultured	< 35	< 2.5	40.82	-124.14
11/07/2022	Humboldt Bay, WQ #33	Pacific Oyster, cultured	< 34	< 2.5	40.84	-124.12
11/07/2022	Humboldt Bay, Ch Marker #13	Sea Mussel, Sentinel	70	5.1	40.77	-124.22
<b>County: Mendocino</b>						
10/24/2022	Westport, Bruhel Pt.	Sea Mussel, wild	n	< 2.5	39.60	-123.79
10/24/2022	MacKerricher SP, Ward Ave	Sea Mussel, wild	n		39.50	-123.79

\* PSP alert level:  $\geq 80$  micrograms per 100 grams. Tested via qualitative test and/or PSP Assay. "n" = non-detect on qualitative test. Not all samples tested with qualitative test.

\*\* DA alert level:  $\geq 20$  parts per million. Tested via HPLC.

"X" or blank = Not tested.

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**Figure 7. Resulting concentrations of both domoic acid (DA) and paralytic shellfish poisoning (PSP) neurotoxins for bivalves tested by CDPH for biotoxin monitoring in the state by county. Table only shows complete results of Del Norte and Humboldt counties for the last 30 days from November 10, 2022. Table was accessed on November 15, 2022 from the [CPDH website](#).**

## Recreational Crab Fishery

The recreational crab fishery opened statewide under a trap restriction on November 5, 2022. Use of crab traps is prohibited; however recreational anglers can harvest crabs with snares and hoop nets.

## Distribution and abundance of key forage: §132.8(d)(8)

Updated information was not available for this risk assessment.

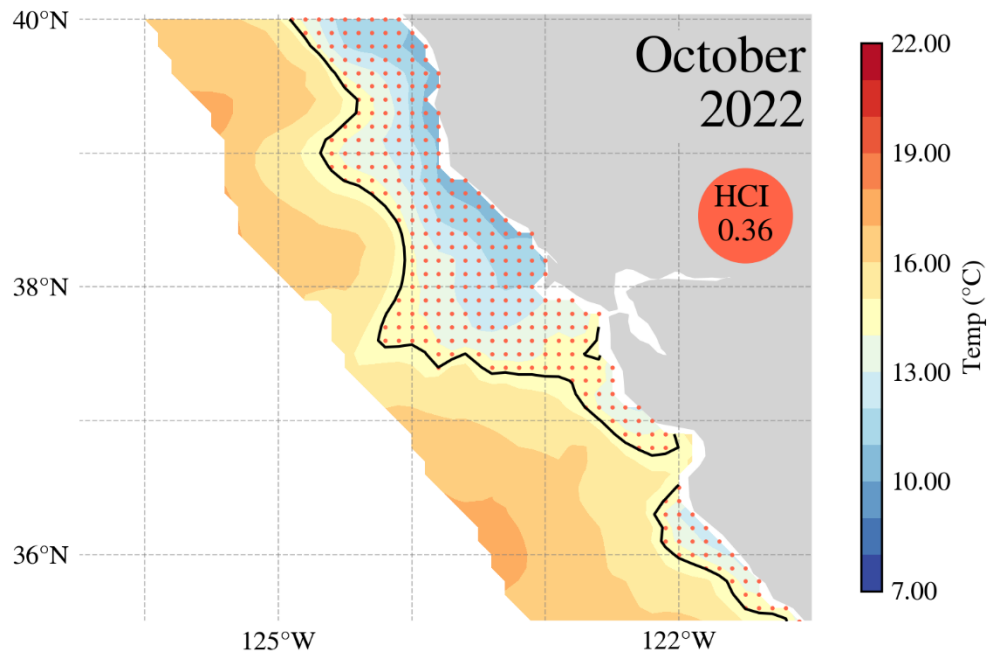
## Ocean conditions: §132.8(d)(9)\*

Data provided by: California Current Integrated Ecosystem Assessment Program, NOAA National Weather Service Climate Prediction Center

## Habitat Compression Index

The most recent Habitat Compression Index values are for October 2022, during which there was high compression between 35.5 and 40°N (Figure 8). Habitat compression has

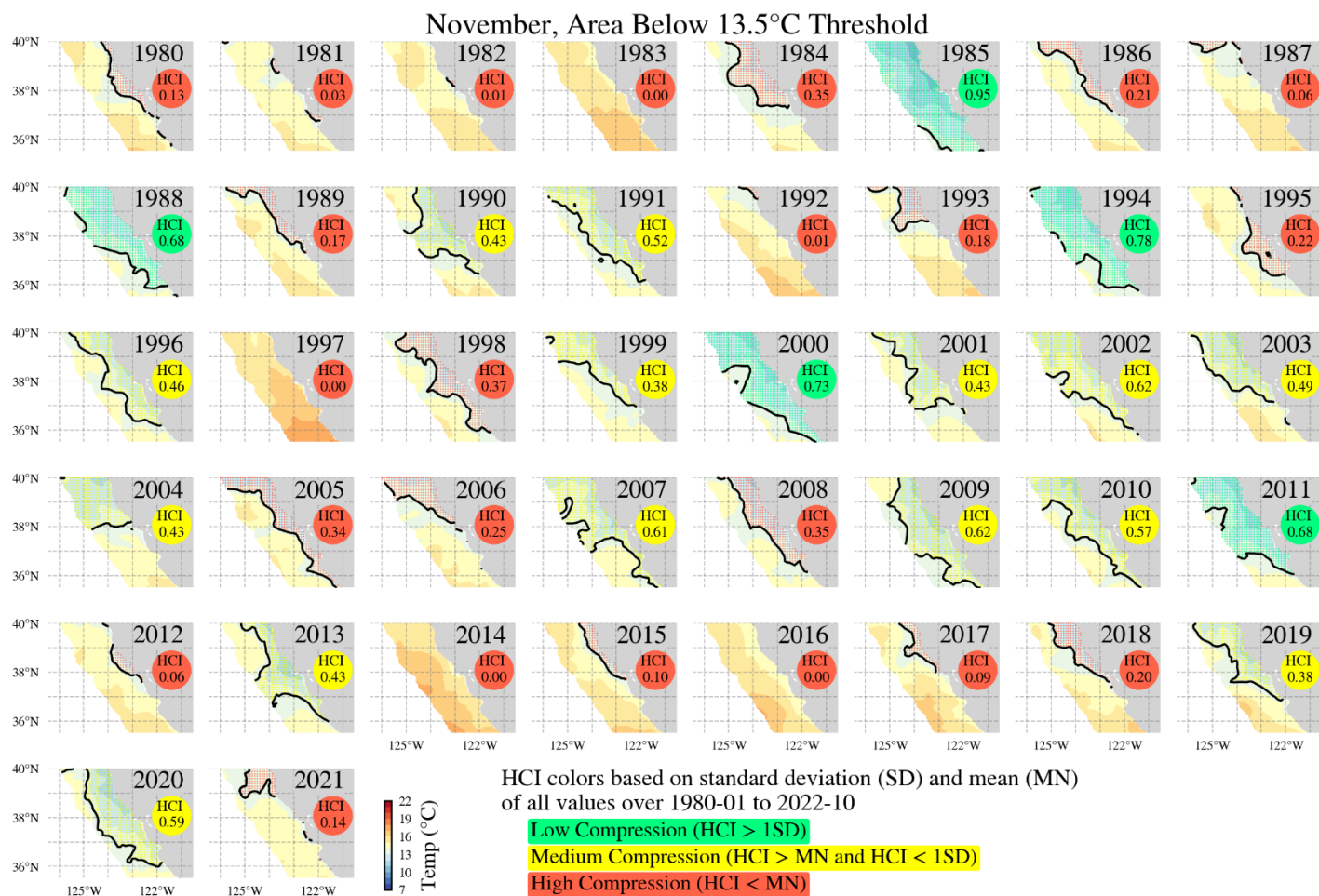
been high during November in seven of the last ten years, and moderate during the other three (Figure 9).



HCI color based on standard deviation (SD) and mean (MN)  
of all values over 1980-01 to 2022-10

High Compression (HCI < MN)

**Figure 8. Map of October 2022 sea surface temperature and location of the Habitat Compression Index boundary (thin black line).**



**Figure 9. Maps of historical November sea surface temperature and location of the Habitat Compression Index boundary (thin black line) between 1980 and 2021.**

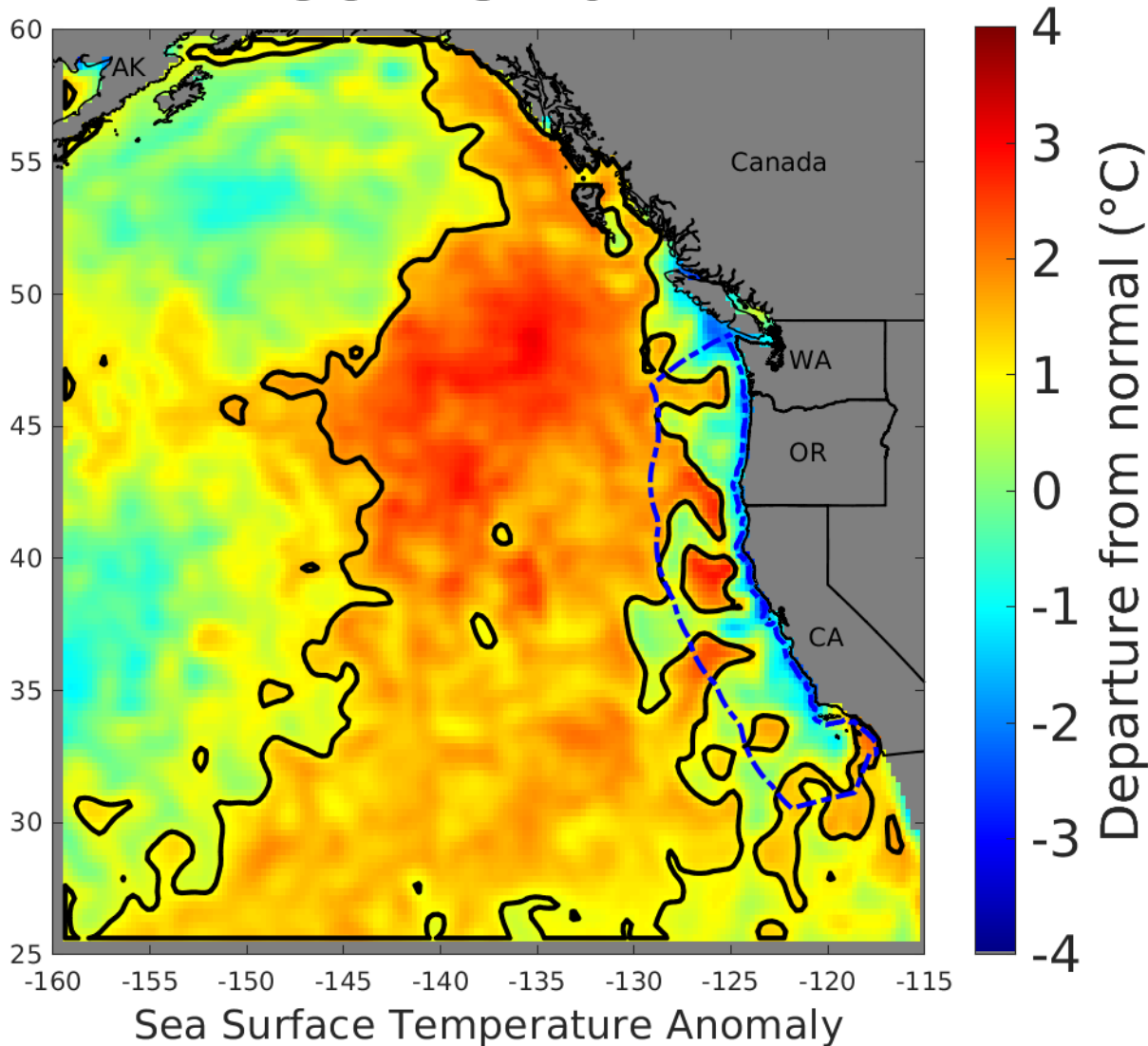
## ENSO Diagnostic

As of November 10, 2022 there is a 76% chance of La Niña during December 2022 – February 2023, with a 57% chance of transition to ENSO-neutral for February – April 2023.

## Large Marine Heatwave Tracker

As of October 17, the CCIEA program was continuing to track the NEP22A large marine heatwave, which has resided fairly close to shore for most of August-October 2022 and encompassed much of the coastline, although small patches of cool water remain in various locations and times due to local upwelling. For the past several weeks, more than 50% of the US west coast EEZ has been in heatwave status (Figure 10). Also notable is the increase in heatwave intensity (how much warmer the water is compared to normal) over the past several weeks in the far offshore region of the northern Northeast Pacific. This indicates that NEP22A may still be gathering strength, rather than dissipating, as most heatwaves do in the fall.

**Oct-28-2022**



**Figure 10. Science-quality (delayed 3-weeks), daily interpolated standardized sea surface temperature anomalies (SSTa) in the California Current ecosystem available for analysis of MHW presence. Dark outline shows the current extent of MHW conditions, as delineated by values of the normalized SST + 1.29 SD from normal. Blue dashed line represents the US West Coast EEZ. SST data from [NOAA's Optimum interpolation Sea Surface Temperature](#) analysis with the SST anomaly calculated using climatology from NOAA's AVHRR-only OISST dataset.**

**Current Impact Score Calculation: §132.8(d)(10)**

*Data provided by: California Department of Fish and Wildlife*

Pursuant to the Risk Assessment and Mitigation Program (Section 132.8, Title 14, CCR), Impact Scores will be assigned beginning with the 2021 calendar year based on confirmed entanglements of Actionable Species (humpback whales, blue whales, or leatherback sea turtles) reported to CDFW by NOAA. Impact Score totals for the current fishing season (2022-23) and calendar year (2022) are provided in Table 2 above. Impact Score totals for calendar year 2021 are provided in Table 3 above.