



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

Date: November 16, 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 (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. See the Available Data document prepared on the Whale Safe Fisheries Webpage under the Risk Assessment tab for more information.

## 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.

- Confirmed Entanglements in California Commercial Dungeness Crab Gear during the current calendar year equal three humpback whales.
- 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 for Fishing Zones 3 and 4 documented aggregations of humpback whales. Marine Life Concentration triggers for each Fishing Zone based on an aerial survey and whale watch data are as follows:

- Fishing Zone 3 = 39 humpback whales
- Fishing Zone 4 = 22 humpback whales and weekly average was 11.9 humpback whales

No triggers were reached for Fishing Zones 1 and 2. Fishing Zones 5 and 6 had no new data available to inform this risk assessment.

## B. Recommended Management Action from options identified in subsection (e)

### **Recreational Fishery:**

- **Crab Trap Prohibition (continued): Fishing Zones 3, 4, 5 and 6 (lift for Zones 1 and 2)**

### **Commercial Fishery:**

- **Season Delay (continued): Fishing Zones 3, 4, 5 and 6 (no delay Fishing Zones 1-2)**

CDFW Marine Region staff's preliminary recommendation for Fishing Zones 1 and 2 is to lift the recreational trap prohibition and to not delay the commercial fishery due to reduced entanglement risk. Note, the commercial fishery in Fishing Zones 1 and 2 may be delayed however due to quality testing results.

CDFW Marine Region staff's preliminary recommendation for Fishing Zones 3 through 6 is continuation of the delay for the commercial fisheries and recreational crab trap prohibition until the next risk assessment (expected to occur on or before Dec. 7). This recommendation is based on exceedance of Marine Life Concentration data triggers for humpback whales in Fishing Zones 3 and 4, and lack of available data in Fishing Zones 5 and 6. Aerial surveys indicated large aggregations of humpback whales in Fishing Zone 3 which is further supported by sightings data from Point Blue around the Farallon Islands. Monterey Bay Whale Watch data indicate above average sightings in Fishing Zone 4. Foraging activity by humpback whales poses a risk of entanglement with vertical lines and surface gear from recreational and commercial crab traps. In addition, given the current calendar year entanglement Impact Score, a precautionary management approach is warranted to further minimize entanglement risk until a majority of the whales have migrated out of these remaining Fishing Zones.

A Fleet Advisory, Depth Constraint or Vertical Line/Gear Reduction (Management Actions under RAMP) would not minimize entanglement risk due to whale distribution and high historical fishing effort during the season opener for the commercial fishery. Management action in the recreational fishery is limited to a trap prohibition when numerical triggers (Marine Life Concentrations) are reached in RAMP. Combined fishing effort across both fisheries and the significant number of recent entanglements during and after the 2021-22 fishing season suggest that the most protective management actions are warranted.

