



# California Department of Fish and Wildlife Final Assessment of Marine Life Entanglement Risk and Management Recommendation for the Risk Assessment Mitigation Program

Date: March 28, 2024

An initial assessment and a preliminary recommendation were developed by California Department of Fish and Wildlife's (CDFW) Marine Region 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 Dungeness crab fishery as well as Section 29.80, Title 14, California Code of Regulations (Gear Restrictions for Recreational Take of Saltwater Crustaceans). The initial assessment was shared with the Working Group on March 25, 2024, and finalized at the conclusion of the Working Group meeting which was held on March 27, 2024. For a map of the RAMP Fishing Zones, see the [Whale Safe Fisheries webpage](#).

## I. Recommended Management Actions

### Commercial Fishery:

- Fishing Zones 1 and 2: Depth Constraint (30-Fathom) and Fleet Advisory, effective on April 8, 2024, at 6:00 pm.
- Fishing Zones 3, 4, 5 and 6: Season Closure, effective on April 8, 2024, at 6:00 pm.

### Recreational Fishery:

- Fishing Zones 3, 4, and 5: Crab Trap Prohibition, effective on April 8, 2024, at 6:00 pm.
- All Fishing Zones: Fleet Advisory

Table 1. Fishing Zones and current management status for the California commercial and recreational Dungeness crab fisheries.

<b>Fishing Zone</b>	<b>Commercial Fishery: Current Management Status</b>	<b>Commercial Fishery: Proposed Management Status</b>	<b>Recreational Fishery: Current Management Status</b>	<b>Recreational Fishery: Proposed Management Status</b>
1	Fleet Advisory	30-Fathom Depth Constraint; Fleet Advisory	Fleet Advisory	Fleet Advisory
2	Fleet Advisory	30-Fathom Depth Constraint; Fleet Advisory	Fleet Advisory	Fleet Advisory
3	50% Gear Reduction; Fleet Advisory	Season Closure	Fleet Advisory	Crab Trap Prohibition; Fleet Advisory
4	50% Gear Reduction; Fleet Advisory	Season Closure	Fleet Advisory	Crab Trap Prohibition; Fleet Advisory
5	50% Gear Reduction; Fleet Advisory	Season Closure	Fleet Advisory	Crab Trap Prohibition; Fleet Advisory
6	50% Gear Reduction; Fleet Advisory	Season Closure	Fleet Advisory	Fleet Advisory

## II. Management Recommendation Summary Rationale

Marine Region's final recommendation is for the Director to implement a Season Closure for the commercial fishery in Fishing Zones 3-6 and a 30-fathom Depth Constraint in Fishing Zones 1-2, effective on April 8, 2024, at 6:00 pm. Marine Region also recommends a crab trap prohibition for the recreational fishery in Fishing Zones 3, 4 and 5, effective April 8, 2024, at 6:00 pm. The take and possession of Dungeness crab would be prohibited after 6:00 pm on April 8, 2024, in Fishing Zones that have been closed for the remainder of the statutory season. A Fleet Advisory would be maintained for all open Fishing Zones for both the commercial and recreational fisheries.

These management actions are expected to allow for continued fishing

opportunities in Fishing Zones 1 and 2 while mitigating entanglement risk until the next risk assessment. This recommendation is based on the current Entanglement Impact Score and increasing Marine Life Concentrations.

*Entanglements:* No new entanglements of Actionable Species have been reported since the last Risk Assessment on February 15, 2024. Confirmed humpback whale entanglements in California commercial Dungeness crab fishing gear and Unknown Fishing Gear bring the three-year rolling average Impact Score to 3.39. Additionally, the three-year rolling average Impact Score for leatherback sea turtles is 0.33. Since both Impact Scores exceed triggers under RAMP, Management Action is required. For more information, please see the [RAMP Entanglement History](#) document.

*Marine Life Concentrations:* CDFW conducted aerial surveys in Fishing Zones 1-5 on March 18-19 and observed 13 humpback whale sightings in Fishing Zone 4. Cascadia Research and the Marine Mammal Center conducted vessel surveys in Fishing Zones 3-4 on March 16-20. The Marine Mammal Center observed 14 humpback whales on March 16, in Fishing Zone 4. Cascadia research observed 47 humpback whales on March 17 and 12 humpback whales on March 21 in Fishing Zone 4. Monterey Bay Whale Watch data also show increasing humpback whale observations, with a weekly average of 9 whales per half-day trip, and a peak of 34 whales observed during half-day trips on March 16.

Observed and historical whale migration patterns show an increase in humpback whale abundance along California's coastline as individuals move northward from their winter breeding grounds. Migrating humpback whales typically return to key foraging areas in Monterey Bay (Fishing Zone 4) and the Gulf of the Farallones (Fishing Zone 3) in early to mid-April. Historical data indicate that once humpback whales begin returning to the Fishing Grounds their numbers can increase rapidly over a short time. A Season Closure/Trap Prohibition for Zone 5 is recommended because it is within the migration corridor and key foraging areas. A Depth Restriction in Fishing Zones 1 and 2 will minimize overlap with trap gear as whales move up the coast. Cascadia Research Collective and the Marine Mammal Centers vessel surveys observed high concentrations of humpback whales in Fishing Zone 4 on multiple survey days. Monterey Bay Whale Watch also recorded humpback whale sightings exceeding Marine Life Concentration triggers and noted current concentrations are greater than the historical averages observed in both 2022 and 2023. In addition, CDFW's aerial surveys and vessels surveys observed humpback whale concentrations in Fishing Zone 4 that trigger a Management Action per RAMP regulations. Allowing the commercial and recreational fisheries to continue setting traps in the Central Management Area (CMA; Fishing Zones 3-6), creates elevated entanglement risk for whales as they transit through California's waters.

For additional details, see the Entanglement and Marine Life Concentration sections of the [Available Data & Preliminary Assessment document](#).

### **III. Alternatives Considered but Rejected**

- Alternative Gear- can be authorized after April 1<sup>st</sup>, but no gear is currently authorized for the commercial Dungeness crab fishery.
- Gear Reduction – considered for Fishing Zones 1 and 2 but not recommended at this time due to declining fishing effort (based on bi-weekly reporting); will be evaluated again at the next assessment.