



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

Date: April 17, 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 preliminary assessment was shared with the Working Group on April 12, 2024, and finalized at the conclusion of the Working Group meeting which was held on April 16, 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: Continue Depth Constraint (30-Fathom) and Fleet Advisory

Recreational Fishery:

- Fishing Zones 3, 4, and 5: Continue Crab Trap Prohibition
- All Fishing Zones: Continue Fleet Advisory

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

Fishing Zone	Commercial Fishery: Current Management Status	Commercial Fishery: Proposed Management Status	Recreational Fishery: Current Management Status	Recreational Fishery: Proposed Management Status
1	30-Fathom Depth Constraint; Fleet Advisory	30-Fathom Depth Constraint; Fleet Advisory	Fleet Advisory	Fleet Advisory
2	30-Fathom Depth Constraint; Fleet Advisory	30-Fathom Depth Constraint; Fleet Advisory	Fleet Advisory	Fleet Advisory
3	Season Closure	Season Closure	Crab Trap Prohibition; Fleet Advisory	Crab Trap Prohibition; Fleet Advisory
4	Season Closure	Season Closure	Crab Trap Prohibition; Fleet Advisory	Crab Trap Prohibition; Fleet Advisory
5	Season Closure	Season Closure	Crab Trap Prohibition; Fleet Advisory	Crab Trap Prohibition; Fleet Advisory
6	Season Closure	Season Closure	Fleet Advisory	Fleet Advisory

II. Management Recommendation Summary Rationale

Entanglements: No new entanglements of Actionable Species have been reported since the last Risk Assessment on March 28, 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, 2, 3 and 4 to inform Marine Life Concentrations (MLC) in open and closed Fishing Zones. MLC surveys in closed Fishing Zones inform ongoing recreational fishing activities and serve as an indicator for future risk evaluation as humpback whales continue their northward migration. CDFW surveyed Fishing Zones 1 and 2 on April 10, 2024, and observed zero humpback whales and one unidentified whale. CDFW conducted a survey in Fishing Zones 3 and

portions of Fishing Zones 2 and 4 on April 2, 2024, and observed one humpback whale and two unidentified whales in Fishing Zone 3, and four humpback whales and two unidentified in Fishing Zone 4. Cascadia Research and the Marine Mammal Center conducted vessel surveys in Fishing Zones 3-4 between April 1 and 2, 2024. The Marine Mammal Center observed 15 humpback whales on April 1, 2024, in Fishing Zone 4. Monterey Bay Whale Watch data observed a weekly average of 2.7 whales per half-day trip, and a peak of 12 whales observed during half-day trips on April 7, 2024.

Marine Region's final recommendation is for the Director to continue the Management Actions currently in place for both the commercial and recreational fisheries, including the 30-fathom Depth Constraint in Fishing Zones 1-2 for the commercial fishery and the Crab Trap Prohibition in Fishing Zones 3, 4 and 5 for the recreational fishery. The Depth Constraint and Crab Trap Prohibition went into effect on April 8, 2024, at 6:00pm. A Fleet Advisory would be maintained for all open Fishing Zones for both the commercial and recreational fisheries.

Based on historical migration patterns, humpback whale sightings are expected to increase into all Fishing Zones over the coming weeks. At this time, Marine Region staff do not recommend additional Management Actions for Fishing Zones 1 and 2 for the commercial or recreational fisheries. The commercial fishery is closed in Fishing Zones 3-6 and recreational traps have been prohibited in Fishing Zones 3-5 until the season closure on June 30, 2024. The 30-fathom Depth Constraint currently in place for the commercial fishery will minimize overlap with foraging humpback whales and limited recreational trap fishing in Fishing Zones 1 and 2 does not present an elevated risk at this time. The total number of commercial traps in Fishing Zones 1 and 2 has decreased from a peak of 44,252 traps on March 1, 2024, to 26,706 as of the last bi-weekly reporting period. In addition, the Depth Constraint will also help mitigate entanglement risk due to high habitat compression, as modeled by the Habitat Compression Index, by limiting fishing activity to nearshore, shallower depths.

Extending the current Management Actions will allow for continued fishing opportunities in Fishing Zones 1 and 2 while mitigating entanglement risk until the next Risk Assessment in early May. This recommendation is based on the historical migration patterns, current Entanglement Impact Score and observed Marine Life Concentrations.

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 1st, 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) but will be evaluated again at the next assessment.