



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

Date: June 13, 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 June 11, 2024, and finalized at the conclusion of the Working Group meeting which was held on June 12, 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 through the end of the statutory season (July 15, 2024).

Recreational Fishery:

- Fishing Zones 3, 4, and 5: Continue Crab Trap Prohibition through the end of the statutory season (June 30, 2024).
- All Fishing Zones: Continue Fleet Advisory through the end of the statutory season.

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: Two entanglements with humpback whales were reported on May 17, 2024, in the Monterey Bay area (Fishing Zone 4), near Soquel Canyon. NMFS has reviewed the entanglements and confirmed one entanglement (20240517Mn1) involved CA commercial Dungeness crab gear. The confirmed entanglement involves a blue/green line wrapped around the peduncle with two buoys, one with an orange/red CDFW buoy tag, trailing 30 to 50 feet behind the whale. The whale was documented earlier in the day without gear, so it is believed that this was a very recent entanglement. The second entanglement (20240517Mn2) had a similar blue/green line wrap around the peduncle/fluke. However, the injuries to the caudal peduncle were more severe, confirming this to be a different whale. No buoys were seen in the two photos taken of this whale and this gear type is currently considered unidentified (line only). Both

humpback whale entanglements were documented in the same area in a group of over 35 humpback whales. These entanglements bring the 2023-2024 Current Fishing Season Impact Score to 1.13, and the 3-year rolling average to 3.77. For more information, please see the [RAMP Entanglement History](#) document.

Marine Life Concentrations: CDFW conducted an aerial survey in Fishing Zones 1-2 on June 3, 2024, and observed zero Actionable Species. NOAA National Marine Fisheries Service (NMFS) Rockfish Recruitment and Ecosystem Assessment Survey (RREAS) transited through Fishing Zone 1 and observed 73 humpback whales and two unidentified large baleen whales in deeper, offshore waters (deeper than 200m) from May 30 through June 3, 2024. Industry-led vessel surveys occurred on June 4, 2024, in Fishing Zone 1 and observed 16 humpback whales and two unidentified whales along the Crescent City (South Zone 1) transect in depths from 59 to 94 fathoms.

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. These management actions would be in place until the end of the statutory season for both the commercial and recreational fisheries. A Fleet Advisory would also be maintained for all open Fishing Zones for both the commercial and recreational fisheries.

Humpback whale observations remain low in nearshore waters that are open to fishing throughout Fishing Zones 1 and 2. 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 30-fathom Depth Constraint for the commercial fishery will continue to minimize overlap with foraging humpback whales observed offshore 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 continues to decrease as the season progresses. Since the last Risk Assessment, Fishing Zones 1 and 2 reported 15,566 traps on May 16, 2024, which decreased to 6,615 traps as of the last bi-weekly reporting period on June 1, 2024. The number of reporting permits also decreased from 76 active permits on May 16, 2024, to 43 permits as of the last bi-weekly reporting period. In addition, the Depth Constraint will also help reduce entanglement risk from high habitat compression, as modeled by the Habitat Compression Index, by limiting fishing activity to nearshore, shallower depths.

Continuing the current Management Actions will allow for additional fishing opportunities in Fishing Zones 1 and 2 while minimizing entanglement risk through the end of the statutory season. The commercial Dungeness crab fishery closes on July 15, 2024, in Fishing Zones 1 and 2 and the recreational

fishery closes on July 30, 2024 in Fishing Zones 1 and 2. CDFW reminds all fisherman to continue to use best fishing practices to minimize risk of entanglement as whales move into Fishing Zones that remain open to fishing, regardless of fishery or gear type. Staff will continue to monitor whale presence and entanglement risk until the close of the commercial and recreational fisheries as noted above. 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 this [Available Data document](#).

III. Alternatives Considered but Rejected

- Fishery Closure - most protective, but in consideration of lowered risk and continued minimal Actionable Species sightings, it was not the recommended management option.
- 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).
- Alternative Gear- can be authorized after April 1st, but no gear is currently authorized for the commercial Dungeness crab fishery.