



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

Date: October 25, 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 October 18, 2024, and finalized at the conclusion of the Working Group meeting which was held on October 22, 2024. The Working Group did not provide an alternative recommendation. For a map of the RAMP Fishing Zones, see the [Whale Safe Fisheries webpage](#).

I. Recommended Management Actions

Commercial Fishery:

- Season Delay: Fishing Zones 3, 4, 5, and 6
- Fishing Zones 1 and 2 will be evaluated during the next Risk Assessment, pursuant to Fish and Game Code section 8276.

Recreational Fishery:

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

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	Closed	Not Assessed	Closed	Fleet Advisory
2	Closed	Not Assessed	Closed	Fleet Advisory
3	Closed	Season Delay	Closed	Crab Trap Prohibition; Fleet Advisory
4	Closed	Season Delay	Closed	Crab Trap Prohibition; Fleet Advisory
5	Closed	Season Delay	Closed	Fleet Advisory
6	Closed	Season Delay	Closed	Fleet Advisory

II. Management Recommendation Summary Rationale

Entanglements: Numerous humpback whale entanglements have been reported since the close of the 2023-24 fishing season. Table 3 in the [Preliminary Assessment](#) describes confirmed Actionable Species entanglements in 2024 that have been reported by the National Marine Fisheries Service (NMFS) as of Oct. 24, 2024. Humpback whale entanglements in California commercial Dungeness crab fishing gear and Unknown Fishing Gear bring the three-year rolling average Impact Score to 5.70 (subject to revision), which exceeds the trigger as defined in RAMP for the commercial Dungeness crab fishery.

Marine Life Concentrations: Based on recent Marine Life Concentration surveys in Fishing Zones 1, 2, 3, 4 and 5, humpback whale sightings remain high in Zones 3 and 4. The Cascadia vessel survey conducted on Oct. 11, 2024, observed 99 humpbacks whales and two blue whales in Fishing Zone 3. The survey conducted on Oct. 16, 2024, observed 73 humpbacks whales in Fishing Zone 4. NMFS aerial survey data collected on Oct. 19, 2024, observed 108 humpback whales in Fishing Zone 3. Monterey Bay Whale Watch data indicated an average number of humpback whales-per-half-daytrip during the last seven days of 22.1, with a peak of 42 whales observed during a half-day trip on Oct. 14, 2024. CDFW aerial surveys conducted on Oct. 10, 2024, observed 15 humpback whales and two blue whales in Fishing Zone 1. An additional CDFW aerial survey on Oct. 16, 2024, observed 14 humpbacks and one unidentified whale in Fishing Zone 4.

Marine Region's final recommendation is for the Director to delay the commercial fishery in Fishing Zones 3-6. The Marine Region also recommends the temporary prohibition of recreational crab traps in Fishing Zones 3 and 4 and the issuance of a Fleet Advisory for Fishing Zones 1-6 until the next Risk Assessment. These recommendations are based on the high 3-year rolling average Impact Score, exceedance of Marine Life Concentration data triggers and known migration patterns for humpback whales in Fishing Zones 3 and 4. Vessel surveys in Fishing Zone 3 in September showed concentrations of humpback whales both feeding on krill at the shelf edge (associated with blue whales) and also in shallower waters feeding on fish. By October humpback whale concentrations were seen primarily inshore in all areas. Furthermore, Regions 2 and 3, which include the north and central coast of California, showed high habitat compression in September 2024.

A Fleet Advisory for the recreational fishery in Fishing Zones 1- 6 is recommended based on aerial survey data and known migration patterns of humpback whales. Under a temporary trap prohibition, hoop nets will still be allowed, but increased precaution should be used when setting gear to avoid entanglements in vertical lines.

It is anticipated that the delay and temporary trap prohibition for commercial and recreational fishery would be in place until at least the next Risk Assessment, which is expected to occur on or around November 15, 2024. That assessment will inform a potential commercial fishery opener on December 1, 2024, and/or a lifting of the trap restriction for the recreational fishery.

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

III. Alternatives Considered but Rejected (Commerical Fishery Only)

- Gear Reduction - given the current exceedance of the Impact Score and elevated risk due to concentrations of humpback whales across Fishing Zones 3 and 4, this was not the recommended Management Action.
- Depth Restriction - will not sufficiently provide protection due to distribution of humpback whales across depths (particularly inshore depth ranges) and may concentrate trap gear thereby increasing entanglement risk.
- Alternative Gear - can only be authorized after April 1st.