



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

Date: December 4, 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 December 3, 2024, and finalized at the conclusion of the Working Group meeting which was held on December 4, 2024. For a map of the RAMP Fishing Zones, see the [Whale Safe Fisheries webpage](#).

I. Recommended Management Actions

Commercial Fishery:

- Continue Season Delay: All Fishing Zones (1, 2, 3, 4, 5, and 6)
 - Note: Fishing Zones 1 and 2 are expected to be delayed due to quality testing results (Fish and Game Code Section 8276.2) until at least December 31, 2024.

Recreational Fishery:

- Continue Crab Trap Prohibition: Fishing Zones 3 and 4
- Fleet Advisory: All Fishing Zones
 - Note: A portion of Fishing Zone 1 (CA/OR border to Reading Rock) is currently closed due to [elevated domoic acid levels](#).

II. Management Recommendation Summary Rationale

Marine Region's final recommendation is for the Director to continue the delay of the commercial fishery in Fishing Zones 1-6. In addition, the commercial fishery opener in Fishing Zones 1 and 2 is expected to be further delayed pursuant to Fish and Game Code Section 8672.2 (due to quality testing results) until at least December 31, 2024. **The Marine Region also recommends the continued prohibition of recreational crab traps in Fishing Zones 3 and 4 and to continue the Fleet Advisory for all Fishing Zones (1-6) until the next Risk Assessment.** These recommendations are a result of the exceedance of Marine Life Concentration data triggers and known

migration patterns for humpback whales in all Fishing Zones. The recommendation is also supported by the high number of entanglements that occurred during the current 2024 calendar year and 3-year average Impact Score for the commercial fishery.

It is anticipated that the delay and 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 December 20, 2024. That assessment will inform a potential commercial fishery opener on or around January 1, 2025, and/or a lifting of the trap restriction for the recreational fishery.

Entanglements: Numerous humpback whale entanglements have been reported since the close of the 2023-24 fishing season. [Table 2](#) in the Preliminary Assessment describes confirmed Actionable Species entanglements in 2024 that have been reported by the National Marine Fisheries Service (NMFS) as of Dec. 2, 2024. Humpback whale entanglements in California commercial Dungeness crab fishing gear and Unknown Fishing Gear bring the three-year rolling average Impact Score to 5.40 (subject to revision), which exceeds the trigger as defined in RAMP for the commercial Dungeness crab fishery. Note: the entanglement reported on November 22, 2024, has yet to be evaluated.

Marine Life Concentrations: Marine Life Concentration (MLC) surveys in Fishing Zones 1, 3, 4, 5, and 6, humpback whale and blue whale sightings remain high as of the last [risk assessment, dated November 21, 2024](#). Supplementary surveys were conducted to evaluate entanglement risk as follows. A joint Coast Guard/CDFW enforcement flight observed 14 humpback whales in Fishing Zone 1 on Nov. 26, 2024. A NOAA aerial survey observed 14 humpbacks whales on a single transect line in Fishing Zone 4 and 28 humpbacks whales in Fishing Zone 5 on Dec. 1, 2024. Monterey Bay Whale Watch data indicated an average number of humpback whales-per-half-daytrip during the last seven days of 35.5, with a peak of 67 whales observed during a half-day trip on Nov. 28, 2024.

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

III. Alternative Management Actions for the Commercial Fishery

Alternatives Considered but Rejected

- Gear Reduction - given the exceedance of the statewide entanglement Impact Score and elevated risk due to concentrations of humpback whales, this was not the recommended Management Action.

- Depth Restriction - given the current exceedance of the statewide entanglement Impact Score and distribution of humpback whales across depths, a depth restriction may inadvertently concentrate trap gear, thereby increasing entanglement risk.
- Alternative Gear - can only be authorized after April 1st.