

**Appendix to the Final Statement of Reasons, January 27, 2025**

**Responses to Comments – Section 132.2, Title 14**

#	Commentor Name, Affiliation, Date, comment format	Comment	Response
1.	Dungeness Crab Task Force (DCTF) November 12, 2024, written	States that requiring both biweekly reporting and gear retrieval reporting to different emails at different frequencies could negatively impact compliance and requests that the reporting process be streamlined.	The Department supports streamlining reporting requirements and is exploring both short-term and long-term solutions to reduce confusion. For example, the Department is developing a form for reporting lost gear which can be linked on the bi-weekly reporting form or in reminder emails.
2	DCTF November 12, 2024, written	Suggests adding a link to the gear retrieval reports in RAMP reports and requests longer-term solutions to reduce burden and confusion.	See Response to comment 1.
3	Sarah Bates, San Francisco Crab Boat Owners Association, November 12, 2024, verbal	Expresses concern that there will be confusion over whether traps are retrieved under section 132.2 unpermitted trap retrieval or permitted trap retrieval as part of the Trap Gear Retrieval Program.	The Department will continue to conduct outreach to educate the fleet about the differences between unpermitted and permitted gear retrieval to ensure understanding and compliance.
4	Sarah Bates, San Francisco Crab Boat Owners Association, November 12, 2024, verbal	Expresses concern that the proposed reporting requirement will disincentivize gear retrieval.	The Department recognizes the possibility that increased reporting may disincentivize some gear retrieval. However, lost gear reporting will allow the Department to compare the number of traps retrieved to the number of traps lost, which is already a required reporting metric and is also a commitment in the state's Incidental Take Permit application. The Department believes the benefits of measuring the success of gear retrieval outweigh the potential costs and understands there is also support from the fleet to increase accountability.
5	Sarah Bates, San Francisco	Without the enforcement mechanism to receive payment for traps from the rightful owners, any	The proposed updates to section 132.2 do not impact the Trap Gear Retrieval Program, which

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	Crab Boat Owners Association, November 12, 2024, written	formalized gear retrieval program is unable to recoup retrieval costs from trap owners.	provides financial incentive for permitted trap retrieval. That program and incentives will remain unchanged.
6	Sarah Bates, San Francisco Crab Boat Owners Association, November 12, 2024, written	The current proposal increases reporting requirements with no benefit to the retriever. A reporting system that imposes any burden on a retriever will disincentivize retrieval. As written, this proposal would add a layer of bureaucracy that we believe would discourage spontaneous retrieval.	See response to comment 4.
7	Sarah Bates, San Francisco Crab Boat Owners Association, November 12, 2024, written	Required reporting in the current proposal is subjective and vague. "Why a trap is derelict" is subject to wide interpretation. There are no guidelines for what constitutes "derelict," or if there will be CDFW oversight and judgment of such a determination from the retrieval captain.	The regulations specify that traps may be retrieved if they are "lost, damaged, abandoned, or otherwise derelict", and require that the retriever provide reasons why they believe the trap is derelict. The Department is also requesting information about derelict traps from trap retrievers in order to learn more about the state of derelict traps and to help inform Department oversight.
8	Sarah Bates, San Francisco Crab Boat Owners Association, November 12, 2024, written	The current proposed changes abandon the responsibility of CDFW with respect to management and enforcement of a gear retrieval program. We would like to see a robust gear retrieval policy developed with input from port associations and other retrieval permit holders.	See response to comment 5.

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9	Ryan Lind, Blue Ocean Gear, November 12, 2024, verbal	Suggests the application of Smart Buoys to reduce lost Commercial Dungeness crab gear.	Thank you for your comment.
10	Lisa Damrosch, Pacific Coast Federation of Fishermen's Associations (PCFFA), November 12, 2024, written	Expresses appreciation to CDFW for working on emergency regulations that allow for gear recovery earlier in the year when there is a closure under the Risk Assessment and Mitigation Program (RAMP). This flexibility is invaluable for minimizing lost gear.	Thank you for your comment.
11	Lisa Damrosch, PCFFA, November 12, 2024, written	Expresses concern that the Department's lack of support for the Trap Gear Retrieval Program will reduce the effectiveness of trap retrieval efforts.	See response to comment 5.
12	Lisa Damrosch, PCFFA, November 12, 2024, written	Expresses concern that the proposed reporting requirement will disincentives gear retrieval.	See response to comment 4.
13	Lisa Damrosch, PCFFA, November 12, 2024, written	Recommends that CDFW considers reinstating compliance incentives for gear owners to purchase back gear retrieved by recovery programs.	See response to comment 5.
14	Lisa Damrosch, PCFFA, November 12, 2024, written	Recommends that CDFW considers integrating reporting requirements into a single platform or align timelines with existing programs, such as RAMP.	See response to comment 1.

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15	Kortney Opshaug, Blue Ocean Gear, November 14, 2024, written	Suggests smart buoys could reduce the burden on gear retrievers by providing accurate data on gear location.	Thank you for your comment.
16	Rick Shepherd, Owner of FV Sunset, November 10, 2024, Written	Suggests that anyone should be able to retrieve a lost or abandoned crab traps.	Thank you for your comment, the Department will continue to explore opportunities for retrieval within the confines of existing authority.
17	Rick Shepherd, Owner of FV Sunset, November 10, 2024, Written	Suggests that individuals who leave traps in the ocean unattended should face more severe consequences.	This comment is outside the scope of this rulemaking.