

Appendix 2. Public Hearing Responses to Comments – Section 132.8, Title 14 (RAMP) (Updated August 2025)

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Comments listed here are referred to as “Category C” comments in the Summary of Comments Received. Each individual comment letter is also labeled as “C-XX” where the “XX” corresponds to the numbers below.

Comments are paraphrased from the commenters for succinctness. See hearing transcript for full text of each comment. Updates to responses for this Appendix from the prior FSOR submitted in April 2025 are shown in **yellow highlight**.

Responses to unique comments received during the Public Hearing held May 21, 2024.

Glossary:

AG	Alternative Gear	ITP	Incidental Take Permit
DCTF	Dungeness Crab Task Force	MLC	Marine Life Concentration
EFP	Experimental Fishing Permit	MMPA	Marine Mammal Protection Act
EM	Electronic Monitoring	RAMP	Risk assessment and Mitigation Program
ESA	Endangered Species Act	TRT	Take Reduction Team
ISOR	Initial Statement of Reasons		

#	Commentor Name, Affiliation	Comment	Response
C032	Lisa Damrosch, Pacific Coast Federation of Fishermen’s Association (PCFFA)	a. Expresses concern regarding the removal of the Fleet Advisory as a Management Action, as it reduced flexibility	Please see General Response D1.
C032	Lisa Damrosch, PCFFA	b. Remove the proposed Surface Gear Management Action or replace it with best practices. There is concern about the use of single buoys.	Please see General Response D2.
C032	Lisa Damrosch, PCFFA	c. Remove the proposed Active Tending Management Action.	Please see General Response D3.

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C032	Lisa Damrosch, PCFFA	d. Clarify in all sections of RAMP 2.0 that AG be used solely after the season has closed and not during a delay. Require third party validation in data packages that are included in AG.	Please see General Responses B1 through B3.
C032	Lisa Damrosch, PCFFA	e. Review the EM report developed by the Nature Conservancy with support from Lisa to add more specificity to the electronic monitoring data requirement and reporting sections.	Please see General Response E1.
C033	Ben Platt, California Coast Crab Association (CCCA)	a. Supports Lisa Damrosch’s comments and the joint letter submitted by PCFFA and CCCA.	Comment noted.
C033	Ben Platt, CCCA	b. Revise the Impact Score implementation timeline. Retain the current scoring system in place until 2028 once line marking has been implemented. CDFW should not score entanglements where Dungeness crab gear can be excluded as the entangling gear.	The removal of Impact Score and the phase-out of Unknown Fishing Gear will continue as planned for the reasons described in the ISOR. This proposal also further clarifies the definition of Unknown Fishing Gear under subsection (a) for reason described in the ISOR.
C033	Ben Platt, CCCA	c. Remove the buoy marking requirement. The value of buoy marking is unclear, given the upcoming line marking requirements. Buoy marking adds an unnecessary burden to fishermen, which has been underestimated by CDFW’s economic study.	While the buoy marking requirement is the current requirement for most commercial trap fisheries in California, after consultation with fishery representatives, the Department has withdrawn the buoy marking requirement under former subsection 132.8(h)(1). See also General Response F4.
C033	Ben Platt, CCCA	d. Delay the implementation of gear marking until an agreement is reached with the Tri-State Crab Commission or the TRT. Coordinate with Oregon and Washington regarding buoy marking requirements.	Please see General Response F3.
C034	Richard Ogg	a. Expresses full support for the joint letter provided by PCFFA and CCCA and not debilitate the fleet with more restrictions.	Comment noted.

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#	Commentor Name, Affiliation	Comment	Response
C035	Michael Beck, Endangered Habitats League (EHL)	a. Enhance RAMP regulations by reducing the entanglement limits for blue whales, humpback whales, and leatherback sea turtles. Marine entanglements remain at unacceptable levels.	Please see General Responses A & C1.
C035	Michael Beck, EHL	b. Relevant Fishing Zones should be closed to roped gear and set gillnets when leatherback sea turtles are observed.	Please see General Response C2.
C035	Michael Beck, EHL	c. Supports gear marking proposed regulations and lost gear recovery efforts. These should be initiated as quickly as possible.	Comment noted.
C035	Michael Beck, EHL	d. Encourages the Commission to advance the transition to pop-up gear.	Please see General Response B1.
C035	Michael Beck, EHL	e. Prohibit the sale of out-of-season crab and lobster from Baja, California.	Prohibiting sales of seafood from outside California is beyond the scope of this rulemaking and the Department’s rulemaking authority.
C036	Ben Grundy, Center for Biological Diversity (CBD)	a. Supports the proposed changes to the AG section which anticipate certain limitations on the gear. Also supports the amendments to the fishery closure and delay sections, and the removal of the April 1 st or later restriction from the AG management action.	Comment noted. However with the final adopted regulatory text, the Department has reverted the adopted regulatory language in subsection 132.8(e)(4) to maintain the current date restriction on AG (on April 1 or later), See also General Response B1.
C036	Ben Grundy, CBD	b. Remove stipulations that limit the use of AG to only during a fishery closure. Authorize the use of pop-up gear as soon as possible and throughout the entire fishing season.	Please see General Response B1.
C037	Geoff Shester, Oceana	a. Whale entanglements are unacceptably high and proposed RAMP entanglement triggers are insufficient to comply with federal law. If RAMP protections are not strong enough, additional federal	Please see General Response C1.

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		regulations will be necessary through the TRT to be established in 2025.	
C037	Geoff Shester, Oceana	b. Proposed gear marking is not sufficient since the requirements do not take effect until 2028. Requests that entire lines and service gear for all traps be uniquely marked starting in 2025, and with manufactured line by 2028.	The first phase of line marking will be required starting in 2025. See also General Response F2 and F4 regarding buoy marking.
C037	Geoff Shester, Oceana	c. Require fishermen to return all trap tags to CDFW at the end of the fishing season to help resolve lost gear issues.	Please see General Response G1.
C037	Geoff Shester, Oceana	d. Supports the authorization of pop-up gear beginning in spring 2025 for use by all permit holders, initially limiting the use to spring months after traditional gear has been closed for the season.	Please see General Response B1.
C038	Larry Collins & Barbara Emley, PCFFA	a. Supports the joint PCFFA and CCCA letter	Comment noted.
C038	Larry Collins & Barbara Emley, PCFFA	b. Does not think there is a good balance between mitigating risk and maximizing fishing opportunities currently. Both state and federal agencies have failed at this aspect of management.	The Department is cognizant of the challenge surrounding marine life entanglement. RAMP is an example of the state's efforts to develop a management framework that fulfills its obligations to state and federal laws and policies while also providing maximum fishing opportunity.
C038	Larry Collins & Barbara Emley, PCFFA	c. Does not support AG monitoring as it only favors the gear manufacturers and optics for the environmental community.	AG, if properly tested and deployed, promises to reduce marine life entanglement while also maintaining access for the fishing community.
C038	Larry Collins & Barbara Emley, PCFFA	d. Does not support changes to RAMP before the TRT completes its process.	Please see General Response J.
C039	Francine Kershaw, National	a. Enhance RAMP regulations to meaningfully address ongoing entanglements and provide a	Please see General Response A1.

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	Resources Defense Council (NRDC)	bedrock for effective federal risk reduction measures through the TRT process.	
C039	Francine Kershaw, NRDC	b. Supports many of the proposed RAMP regulations, including the new EM requirements.	Comment noted.
C039	Francine Kershaw, NRDC	c. Require more conservative limits on whale and turtle entanglements, including adherence to the rolling 3-year entanglement average while accounting for out-of-season entanglements.	Please see General Response C1.
C039	Francine Kershaw, NRDC	d. Close Fishing Zones in response to a Pacific leatherback seas turtle entanglement or observations of turtles in a Zone.	Please see General Response C2.
C039	Francine Kershaw, NRDC	e. Require full transition to manufactured line in the commercial crab fishery by 2028.	Please see General Response F2.
C039	Francine Kershaw, NRDC	f. Consider requiring additional measures and accountability with independent verification to reduce lost gear.	Please see General Response G1.
C039	Francine Kershaw, NRDC	g. Allow pop-up gear as AG as the start of the next fishing season to be used throughout the entire fishing season.	Please see General Response B1.
C039	Francine Kershaw, NRDC	h. Extend the maximum service interval for authorized pop-up gear to 7 days to improve the economic viability of the gear without increasing entanglement risk or gear loss.	Please see General Response B4.
C040	Melissa Mahoney, Monterey Bay	a. Supports comments made by Lisa Damrosch (PCFFA) and others.	Comment noted.

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	Fisheries Trust (MBFT)		
C040	Melissa Mahoney, MBFT	b. Maintain partnerships with the fleet to ensure long-term success of the fishery and in developing the proposed regulations.	Comment noted. The Department will continue to work with all stakeholders to continue to improve its decision-making process.
C040	Melissa Mahoney, MBFT	c. Review proposed regulations and ensure they are viable solutions for the fishery (e.g. removal of Fleet Advisory)	The Department has reviewed stakeholder input and made adjustments to the proposed regulation changes. See, e.g., General Responses D1-3.
C041	David & Vivian Helliwell	The public hearing should have occurred at the beginning of the public comment period, not at the end.	The timing of the public hearing is informed by the Administrative Procedure Act.
C042	Elizabeth Purcell, Turtle Island Restoration Network	Authorize ropeless gear during the entire fishing season, not only during fishery closures, to better protect vulnerable species.	Please see general Response B1.
C043	Scott Webb, Resource Renewal Institute	Supports comments made by NRDC, Oceana and the Center for Biological Diversity to allow ropeless gear throughout the entire fishing season.	Please see general Response B1.
C044	George Bradshaw, PCFFA	a. Supports the joint letter by PCCFA and CCCA. Requests CDFW review the recommendations outlined in the letter.	Comment noted.
C044	George Bradshaw, PCFFA	b. The growing population of humpback whales needs to be discussed more broadly regarding regulations. The fleet has been proactive in working with state and federal fishery managers.	Please see General Response I.
C045	David & Vivian Helliwell	Whale populations are increasing with current regulations, so there is no need to change them.	Please see General Response I.

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C046	Lisa Damrosch, PCFFA	Consider the TTRT process as currently proposed regulations are being developed. There will likely be more revisions to the RAMP program moving forward informed by the TRT process. Restrictions in the RAMP are higher than thresholds in the MMPA.	Please see General Response J.
C047	Richard Ogg	Whale populations are increasing but entanglements are not increasing at a similar rate. The fleet is doing a good job preventing entanglements, but accidents happen.	Please see General Response I.
C048	Ben Platt, CCCA	a. Listen to the fishermen, echoing Melissa Mahoney’s comment.	Comment noted.
C048	Ben Platt, CCCA	b. Slow down the approval process for pop-up gear for the entire fishery, throughout the entire season.	Please see General Responses B2 & B5.
C049	Larry Collins & Barbara Emley	Concern over the lack of use of ‘best available science’ in management and proposed RAMP regulations.	The Department does utilize the best available science in its decision making and also considers relevant policies informed by stakeholder engagement.
C050	David & Vivian Helliwell	Confirms need for multiple trailer buoys to avoid lost/derelict gear. The additional buoys are needed in strong currents that pull the main buoy subsurface.	Please see General Response D3.
C051	Richard Ogg	Shares concern over the entanglement risk posed by pop-up gear that fails to deploy, as most pop-up configurations are fished as longline.	Please see General Response B5.
C052	David & Vivian Helliwell	Focus on the derelict gear issue, if most whale entanglements are with derelict gear.	Please see General Response G2.
C053	Mike Cunningham, Humboldt Fishermen’s Marketing Association (HFMA)	a. Supports the joint letter from PCFFA and CCCA.	Comment noted.

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C053	Mike Cunningham, HFMA	b. Adjust entanglement triggers by Fishing Zone, rather than by the fishery as a whole. Zones 1 and 2 have so few entanglements compared to other Zones.	The Department strives to preserve as much fishing opportunity as possible while protecting ESA listed species under RAMP. RAMP management actions can be applied to specific Fishing Zones. However, certain events such as entanglement of multiple humpback whales or entanglement of a blue whale necessitate state-wide actions to maintain compliance with the ESA.
C053	Mike Cunningham, HFMA	c. While whale populations are increasing, entanglements are not increasing at the same rate.	Please see General Response I.
C053	Mike Cunningham, HFMA	d. More accountability is needed regarding pop-up gear (e.g. pot tags to understand recovery rates, loss rate, etc.). More work needs to be completed before adopting the gear to any degree.	Please see General Response B5.
C054	David & Vivian Helliwell	Focus on derelict gear removal as a solution to the entanglement issue.	Please see general Response G2.
C055	Leslie Reynolds, Groundwork San Diego-Chollas Creek	Supports regulations that can protect these amazing animals.	Comment noted.
C056	Randy Pincombe, Crescent City Commercial Fisherman’s Association	Supports the joint letter from PCFFA and CCCA.	Comment noted.
C057	John Barnett, San Francisco Crab Boat	Supports the joint letter from PCFFA and CCCA.	Comment noted.

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	Owners Association		
C058	Jon Gonzalez, Pacific Seafood	Supports the joint letter from PCFFA and CCCA.	Comment noted.
C059	Travis Hunter	Supports the joint letter from PCFFA and CCCA.	Comment noted.
C060	Harrison Ibach, Humboldt Fishermen’s Marketing Association	Supports the joint letter from PCFFA and CCCA.	Comment noted.

Responses to unique comments received during the Public Hearing held January 21, 2025.

#	Commentor Name, Affiliation	Comment	Response
C076	Geoff Shester, Oceana	a. Department should prioritize the advancement and expansion of pop-up AG for use by all permit holders. Sub Sea Sonics pop-gear was responsible for \$1.5 million worth of crab landings by 19 participants in Spring of 2024.	Please see General Response B1.
C076	Geoff Shester, Oceana	b. Supports the implementation of EM requirements.	Comment noted.
C077	Ben Grundy, Center for Biological Diversity (CBD)	a. Pop-up gear is ready for department authorization. The Department should adopt the proposed languages for AG.	Please see General Response B1.
C077	Ben Grundy, CBD	b. The Department should adopt the proposed languages for EM.	Comment noted.
C077	Ben Grundy, CBD	c. The Department should require full length of every trap line by marked using purpose-manufactured lines.	Please see General Response F1.
C077	Ben Grundy, CBD	d. Against removal of 3-year rolling entanglement trigger and the modifications to new in-season trigger.	The comment is outside the scope of re-notice. See also General Response C1.
C078	Francine Kershaw, National Resources Defense Council (NRDC)	a. Department should immediately adopt sections pertaining to AG.	Comment noted.
C078	Francine Kershaw, NRDC	b. Department should finalize the EM tracking requirements.	Comment noted.

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C078	Francine Kershaw, NRDC	c. The Department should require full length of every trap line by marked.	Please see General Response F1.
C078	Francine Kershaw, NRDC	d. Against removal of 3-year rolling entanglement trigger and the modifications to new in-season trigger.	The comment is outside the scope of re-notice. Also see General Response C1.
C079	Dick Ogg, Commercial Fisherman	a. Supports letter submitted by PCFFA.	Comment noted.
C079	Dick Ogg, Commercial Fisherman	b. It is unwise to rush RAMP 2.0 changes that might then be altered by the TRT process.	Please see General Response J.
C079	Dick Ogg, Commercial Fisherman	c. Current thresholds are not based on science.	Please see response to comment C049.
C080	Dan Silver, Endangered Habitat League	Supports positions by other conservation groups.	Comment noted.
C081	Lisa Damrosch, Pacific Coast Federation of Fishermen’s Association (PCFFA)	a. The current MLC and take triggers are arbitrary. RAMP 2.0 should be delayed and align with the upcoming TRT process.	Please see general response J.
C081	Lisa Damrosch, PCFFA	b. AG use can be part of RAMP 2.0, but not its authorization.	Since the purpose of authorizing AG is to allow its use during RAMP closure, incorporating that authorization’s criteria into RAMP regulation is determined to be the most reasonable option.

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C081	Lisa Damrosch, PCFFA	c. Supportive of maintaining 2028 line marking implementation.	Comment noted.
C082	Shawn Flading, Commercial Fisherman	a. States that the fleet is supportive of the letter submitted by PCFFA.	Comment noted.
C082	Shawn Flading	b. CDFW should delay RAMP 2.0 to accommodate changes made by the TRT.	Please see general response J.
C082	Shawn Flading	c. Decisions should be made using the best available science which shows that whale populations are increasing.	Please see response to comment C049.
C083	Susan Rotwein, Trinidad port and Trinidad Rancheria business interests	a. The economic impacts of this rulemaking are grossly underestimated. Almost 40% of permit holders chose not to fish which indicates that it is not economically viable.	Please see response to comment C061.
C083	Susan Rotwein	b. Proposed regulations are unreasonably restrictive and not based in science.	Please see response to comment C049.
C083	Susan Rotwein	c. Agrees with PCFFA on triggers.	Comment noted.
C084	Dave Kasheta, Recreational Fisherman	a. RAMP 2.0 should be delayed so we can align with the decisions made by the TRT.	Please see general response J.
C084	Dave Kasheta	b. Whale populations are growing exponentially; the decisions made should be science based.	Please see General Response I.
C084	Dave Kasheta	c. Recreational fishery wants to stay far away from the commercial fishery.	Comment noted.
C085	Michael Beck, Endangered Habitat League (EHL)	a. Department should adopt the relevant subsections for AG, since SubSea Sonics testing has been successful.	Comment noted.

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C085	Michael Beck, EHL	b. Vessel tracking is important and will provide relevant data.	Comment noted.
C085	Michael Beck, EHL	c. Gear should be marked for the entire length.	Please see general response F1.
C085	Michael Beck, EHL	d. Opposes 3 year rolling trigger.	Please see general response C1.
C086	Richard Axelson, Commercial Fisherman	Gear marking should be decided by the DCTF.	Comment noted and DCTF input has been included during the development of the proposed gear marking regulations.
C087	Dick Ogg, Commercial Fisherman	PCFFA letter proposes to split the rulemaking and separate portions that can be included currently and those that should be delayed due to the TRT process.	Given the ITP application timeline and requirements for implementing regulations, the Department must proceed with the proposed changes but is committed to updating the RAMP regulations if needed once the work of the TRT has concluded. See also General Response J.
C088	Shawn Flading, Commercial Fisherman	a. The regulations should be on a sliding scale based on the whale population	Please see General Response I.
C088	Shawn Flading	b. EFPs and AG are good tools to have in the toolbox, but should only be used if the whale population is declining.	Comment noted.
C089	Lisa Damrosch, Pacific Coast Federation of Fishermen’s Association (PCFFA)	Any push to expedite AG authorization is at the expense of the core of the fishery who makes their profit from the beginning of the season with traditional gear. The fleet supports splitting the rulemaking package but does not want AG to be used in the fall opener.	Please see General Response B2 and Specific Response C087.
C090	Ashley Vellis	Fishery restrictions also impact food security and access	The Department understands that fisheries are an integral part of our community’s food system, and strives to minimize the impact on fishing communities.

