



California Department of Fish and Wildlife Final Assessment of Marine Life Entanglement Risk and Management Recommendation

Date: February 15, 2023

An initial assessment and a preliminary recommendation were developed by California Department of Fish and Wildlife (CDFW) Marine Region staff for consideration by the California Dungeness Crab Fishing Gear 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 February 13, 2023 and finalized at the conclusion of the Working Group meeting which was held on February 15, 2023.

A. Confirmed Entanglements and Marine Life Concentrations Triggers for Management Action, RAMP subsection (c)

Entanglements:

As of February 13, 2023, no entanglements have been reported to CDFW by NOAA. The in-season Confirmed Entanglement Impact Score is currently zero. The Impact Score for the calendar year 2022 was 4.53 for humpback whales (subject to revision based on review and verification with NOAA). The Impact Score for calendar year 2021 was 1.89 for humpback whales. As a result, the current running 3-year average Impact Score is 2.14 for humpback whales for the start of 2023.

Marine Life Concentrations:

USCG and CDFW aerial surveys for Zones 1, 3 and 4 did not observe any humpback whales, blue whales or leatherback sea turtles. Monterey Bay Whale Watch data documented no humpback whales during the most recent seven-day trip period.

For additional details, see the Available Data document prepared for this Risk Assessment.

B. Recommended Management Action from options identified in subsection (e)

Recreational Fishery:

- **Continue Fleet Advisory for Fishing Zones 1-6**

Commercial Fishery:

- **Continue Fleet Advisory for Fishing Zones 1-6**

Management Recommendation Summary Rationale:

No Marine Life Concentrations triggers were met for Actionable Species under RAMP. Humpback whale sightings are near seasonal lows, which is a strong indication that most humpback whales have migrated to their southern breeding grounds from California waters. Based on previously available data, known historic migration patterns and supported by the totality of Management Considerations, entanglement risk is therefore low for Fishing Zones 1-6. However, given the current Entanglement Impact Score CDFW's staff recommendation is to continue the Fleet Advisory for both the recreational and commercial fishery in all Fishing Zones. Statewide, both the commercial and recreational fishing fleet should remain vigilant and move or avoid setting gear in areas where whales are transiting or foraging to further minimize risk of entanglement. This is especially important given the current entanglement Impact Score for the commercial fishery.

Alternatives Considered but Rejected

- Fishery Closure – based on available data and historic migration patterns this management action is not required.
- Gear Reduction – based on available data and historic migration patterns this management action is not required.
- Depth restriction – based on available data and historic migration patterns this management action is not required.
- Alternative Gear - can only be authorized after April 1st.

