

Proposed Risk Assessment and Mitigation Plan (RAMP) Regulations



17 June 2020

Presented to:

CA Dungeness Crab Task Force

Presented by:

CDFW

Marine Region





Objectives

- Provide overview of the proposed RAMP regulations
- Review RAMP operation scenarios
- Answer clarifying questions
- Encourage feedback
- Provide rulemaking timeline



RAMP: Background

- SB 1309 (2018, McGuire) added Section 8276.1 to the Fish and Game Code
- Requires the Department, in consultation with the California Dungeness Crab Fishing Gear Working Group (Working Group), to adopt RAMP regulations
- Statute requires adoption by November 1, 2020



RAMP: Background (cont.)

- RAMP regulations are the foundation of the Conservation Plan (CP)
- Take levels (entanglements) guided by the CP
- RAMP will continue to be adaptive and revised



RAMP: Regulation Outline

- Definitions
- Risk Assessment Schedule
- Triggers for Management Action
- Management Considerations
- Management Actions
- Notification Process
- Mandatory Reporting
- Alternative Gear Authorization

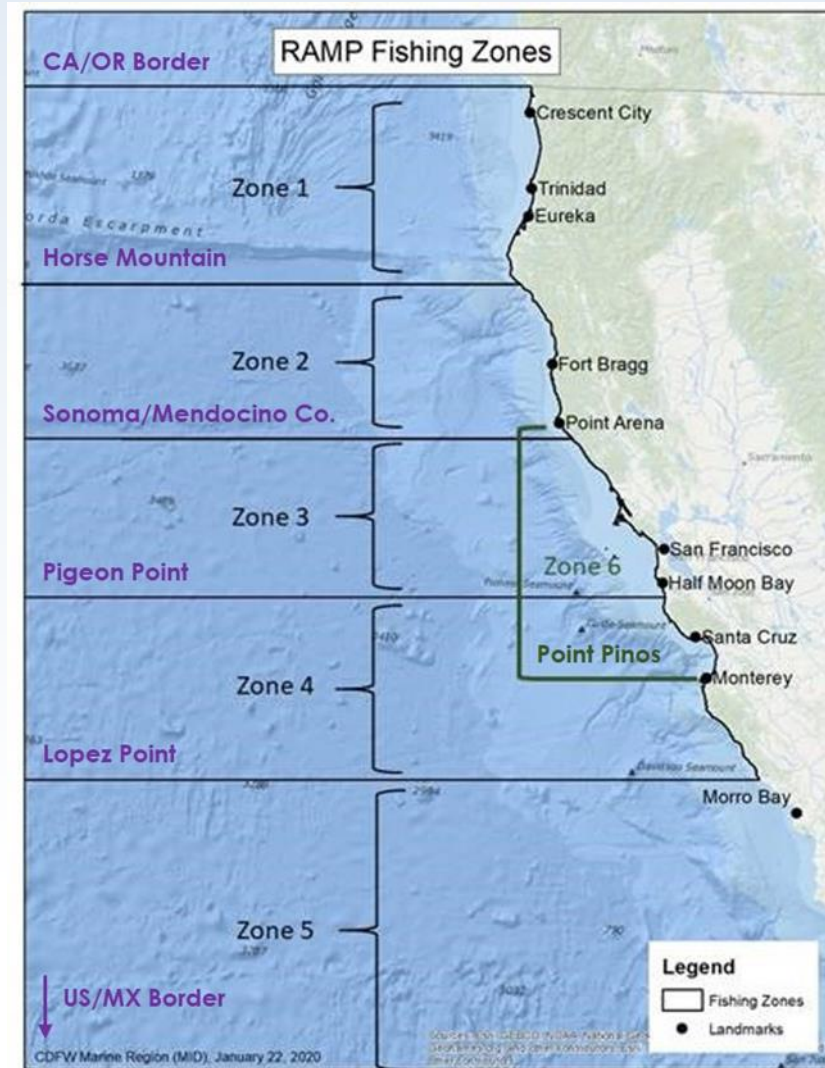


RAMP: Key Definitions

- Actionable Species
- Alternative Gear
- Confirmed Entanglement
 - Commercial Dcrab gear
 - Unknown Fishing Gear
- Impact Score
- Marine Life Concentrations
- Working Group



RAMP: Fishing Zones





RAMP: Risk Assessment Schedule

- Director shall evaluate entanglement risk at least monthly between November 1 and July 15
- 48-hour notice to convene Working Group
- Consider most recently available data
- Director will continue to evaluate risk



RAMP: Management Triggers

- Confirmed entanglements shall be evaluated during a single fishing season and averaged over a three-year period beginning with the 2021 calendar year
- Marine life concentrations based on data from surveys and telemetry monitoring of actionable species designed, conducted, or approved by NOAA or CDFW



RAMP: Entanglement Impact Scoring

Humpback whales:

- Confirmed Entanglement in California Commercial Dungeness Crab Gear shall be scored as 0.7, unless the animal is deceased, then scored as 1
- Confirmed Entanglement in Unknown Fishing Gear scored as 0.35, unless the animal is deceased, then scored as 0.5



RAMP: Entanglement Impact Scoring (Cont'd)

Blue whales and Leatherback sea turtles:

- Confirmed Entanglement in Commercial Dungeness Crab Gear shall be scored as 1
- Confirmed Entanglement in Unknown Fishing Gear shall be scored as 0.5



RAMP: Entanglement – Humpback whale

- In-season, 1 confirmed entanglement = zone closure or other management action
- If impact score of 3 or more is reached in-season, season will close state-wide
- Calendar year, average over previous 2-years and current year exceeds 2, Director will consult NOAA and Working Group, then apply management action



RAMP: Entanglement – Blue whale

- In-season 1 confirmed entanglement = zone closure or other management action
- Average annual impact score over previous 2-years and current year exceeds 1, Director will consult NOAA and Working Group, then apply management action



RAMP: Entanglement – Leatherback turtle

- In-season 1 confirmed entanglement = zone closure or other management action
- Average annual impact score over previous 2-years and current year is greater than or equal to 1, Director will consult NOAA and Working Group, then apply management action



RAMP: Marine Life Concentration Trigger

Marine life concentrations are assessed during two time periods:

- November 1 through December 31
- March 1 through July 15

Within those time periods there are two scenarios:

- No data available
- Data available



RAMP: Concentration Trigger – No Data

- November 1-December 31 (Fall)
 - Season delayed in 15-day increments until data available:
 - December 1
 - December 15
 - December 31
- March 1 until fishing season closes statewide (Spring/Summer)
 - Fishing Season shall close April 1 statewide and remain closed for the remainder of the normally scheduled season



RAMP: Concentration Trigger – Data Available

- November 1-December 31 (Fall)
 - Humpbacks = or > 20 or running weekly average of 5, then zone delay or other management action
 - Blues = or > 3 or running weekly average of 3, then zone delay or other management action
 - Leatherbacks = 1, zone delay or other management action



RAMP: Concentration Trigger – Data Available (Cont'd)

- March 1 until season closes (Spring/Summer)
 - Humpbacks = or > 10 or running weekly average of 5, then zone closure or other management action
 - Blues = or > 3 running weekly average of 3, then zone closure or other management action
 - Leatherbacks = or > 1 , zone closure or other management action



RAMP: Management Considerations

Department shall consider the following information to assess appropriate management action once risk is determined:

- Working Group recommendation
- NOAA information
- Effectiveness of management measures
- Data availability



RAMP: Management Considerations (cont.)

- Historic marine life migration
- Fishing season dynamics
- Forage – distribution and abundance
- Ocean conditions
- Current impact score
- Marine life concentrations



RAMP: Management Actions

The Director may implement the following:

- Fleet Advisory
- Depth Constraint
- Vertical Line/Gear Reduction
- Fishery Closure
 - Zone
 - Statewide
- Alternative Gear



RAMP: Notification Process

- Transmitted via Director's declaration
- Minimum 72-hour notice to fleet
 - Ensure fair and orderly operations
- Communicated
 - Email list-serve
 - Webpage
 - VHF Channel 16



RAMP: Mandatory Reporting

- Fishing Activity Reporting Requirement (Bimonthly)
 - Permit, Fishing Zone, Depth, # Traps
- Electronic Monitoring
 - Required when operating under specific mgmt. action:
 - Depth constraint
 - Alternative gear



RAMP: Alternative Gear Authorization

Department shall authorize alternative gear types for use to take Dungeness crab for commercial purposes using the following criteria:

- Detectability
- Retrievability
- Identification
- Risk reduction benefit
- Enforceability



RAMP: Alternative Gear Authorization (cont.)

Authorization Process:

- Applicant information
- Description of gear
- Research trials
- Recovery plan
- Electronic monitoring
- Annual reporting



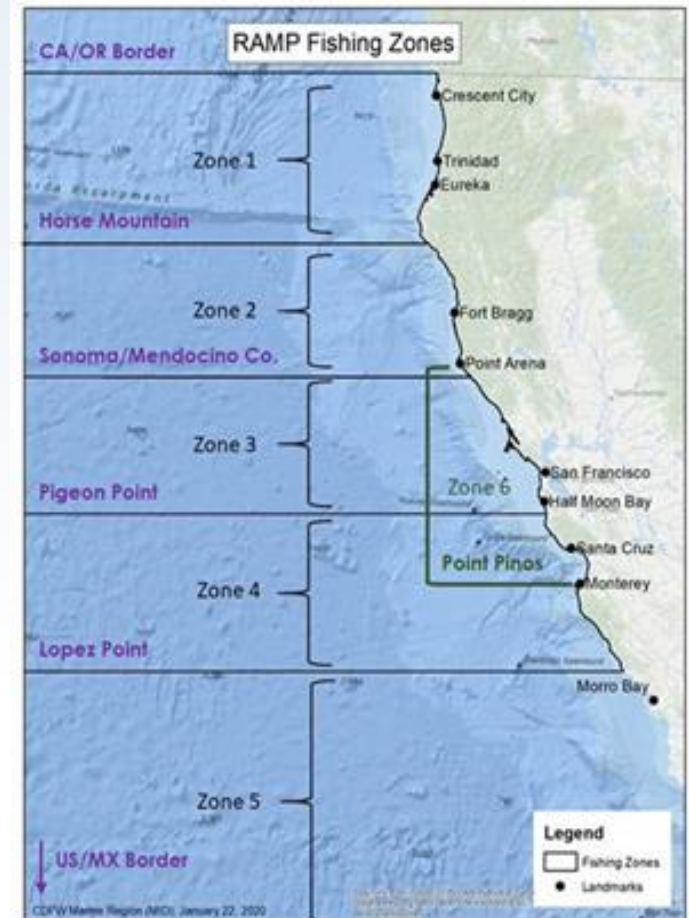
RAMP: Alternative Gear Deauthorization

- CDFW may decline authorization
 - Incomplete application, does not meet criteria, cost prohibitive, does not comply with other regulations, proprietary
- CDFW may also deauthorize
 - No longer meets criteria



RAMP: Scenario One

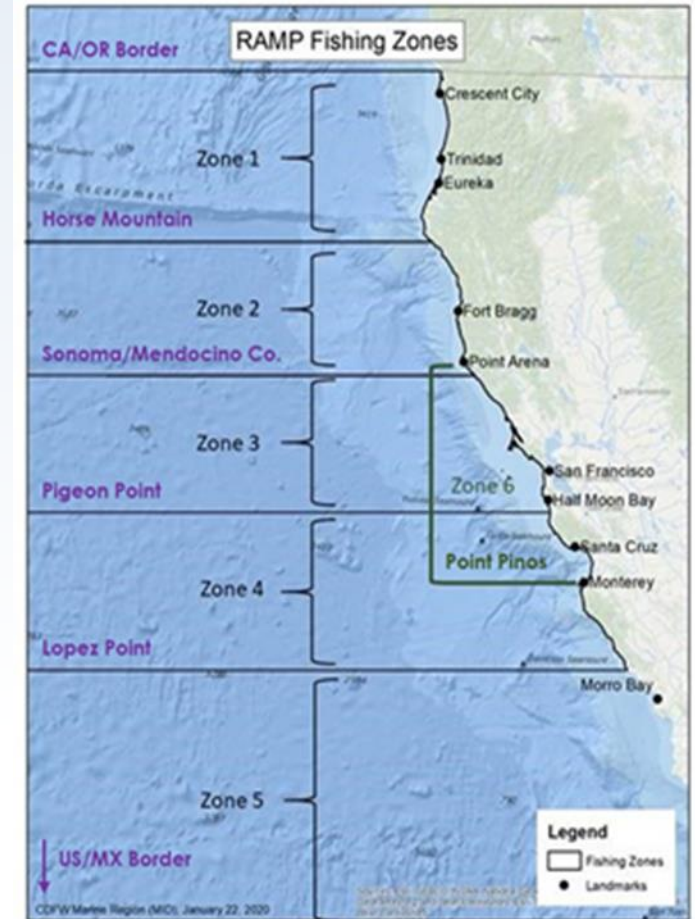
- One in-season Humpback whale entanglement – Zone 4 near Santa Cruz (commercial Dcrab gear)
 - If December 5th
 - receive NOAA confirmation
 - RAMP determined trigger (risk is elevated)
 - convene WG within 48hr for mgmt. response
 - fishing zone closure or **reduce vertical lines** or **fleet advisory**
 - action protects whales based on best available science
 - Notify fleet of mgmt. response (72 hours)





RAMP: Scenario Two

- One in-season Humpback whale entanglement – Zone 1 near Eureka (commercial Dcrab gear)
 - If March 30th
 - receive NOAA confirmation
 - RAMP determined trigger (risk is elevated)
 - convene WG within 48hr for mgmt. response
 - **alternative gear** or fishing zone closure or reduce vertical lines or fleet advisory
 - action protects whales based on best available science
 - Notify fleet of mgmt. response (72 hours)





RAMP: Scenario Three

- Twenty Humpback whales observed within Fishing Zone 4
 - If pre-season (Oct or Nov), Fishing Zone closure (“delay”) or other mgmt. action
 - If late-season (April or May), Fishing Zone closure or alternative gear or other mgmt. action guided by mgmt. considerations based on the best available science



RAMP: Scenario Four

- No marine life concentrations data available for a fishing zone
 - If November 1st then delay in 15-day increments
 - If March 1st then early season closure or alternative gear
- * Data for Actionable Species from surveys and telemetry monitoring of Actionable Species designed, conducted, or approved by NOAA or the department as an indication of marine life concentrations in Fishing Zones



RAMP: Scenario Five

- Year 2021 three Humpback whales entangled
- Year 2022 four Humpback whales entangled
- Year 2023 four Humpback whales entangled
 - Impact score = 2.6 based on non-fatal commercial Dcrab entanglements
 - Director will consult with NOAA and the Working Group and apply a mgmt. action based on the best available science



RAMP Regulation Timeline

- June 29 - 45-day comment period ends
- June 29 - Public hearing
- July 8* - Additional 15-day public notice
- July 23* - Additional public hearing (TBD)
- August - Submit to Office of Administrative Law
- September - Submit to Secretary of State
- November 1 Regulations effective

Please submit comments to:

WhaleSafeFisheries@wildlife.ca.gov

More information:

www.wildlife.ca.gov/Conservation/Marine/Whale-Safe-Fisheries

Regulations:

<https://wildlife.ca.gov/Notices/Regulations/RAMP>

Thank You