



## PCFFA Position on Triggers for Management Action in the California Dungeness Crab Fishery

### Introduction

The Pacific Coast Federation of Fishermen's Associations (PCFFA) represents Commercial Dungeness Crab fishermen in all California commercial fishing ports. PCFFA has been in existence for almost 50 years and was re-established in 2024 under new leadership with a renewed focus on an active commercial fishing board representing the modern fleet.

### Purpose for this Position Statement

- Interim and arbitrary language from the 2019 Settlement Agreement has carried over into the Risk Assessment Mitigation Program (RAMP), drafts of future regulations (RAMP 2.0), and the Conservation Plan (CP) that will be the basis for an Incidental Take Permit (ITP).
- As an intervenor and signatory to the Settlement Agreement, PCFFA asserts that triggers for management action, including marine life concentrations and impact scoring within the settlement, were NOT based on scientific or technical analysis but were established solely as interim, arbitrary measures intended to prevent extended litigation and avoid a potential injunction to shut down the California Dungeness Crab fishery in 2019.
- Now in 2024, PCFFA, on behalf of the Commercial Dungeness Crab Fleet, believes these triggers are no longer valid and should not continue to drive fishery management without reevaluation based on current and soon-to-be-available best available science.

### New and Emerging Information

- Since RAMP regulations were implemented in 2020, there have been 54 Risk Assessments conducted that include data on marine life concentrations, entanglements and impact scoring. The Working Group is working to compile this data for future analysis.
- The National Marine Fisheries Service (NMFS) is convening a Take Reduction Team (TRT) in 2025 to address the incidental mortality and serious injury of humpback whales in several trap/pot fisheries along the West Coast. A comprehensive review of best available science, including whale populations, distinct population segments (DPS), potential biological removal (PBR), and acceptable take levels are all expected to be included in the TRT process.
- In September 2024, NOAA/NMFS proposed reclassification of the Category I CA Dungeness crab pot fishery to a Category II fishery on the proposed List of Fisheries for 2025, as required by the Marine Mammal Protection Act (MMPA) based on the current estimated mortality and serious injury rate. These supporting studies should be reviewed and considered before establishing future impact scoring and related management triggers.

## Triggers for Management Action Marine Life

### Concentrations

The 2019 Settlement set arbitrary whale presence triggers for management action (e.g., 20 whales detected or a 5-whale weekly average). Current RAMP and draft RAMP 2.0 regulations, along with the 2024 Conservation Plan, still rely on these arbitrary, interim triggers.

### PCFFA's Position

- Marine Life concentration triggers should be re-evaluated based on updated stock assessment data and rising humpback populations since 2019.
- Updated triggers should allow for continual adjustment based on best available science and should not be fixed in regulations at a specific number.

### Impact Scoring Triggers

The settlement introduced scoring for confirmed entanglements and assigns a score of 1.0 for entanglements confirmed in Ca. Dungeness Crab Gear, and a score of .50 for confirmed entanglements in unknown gear. This scoring has evolved and continues to evolve with the onset of line marking etc. however the general settlement language that does not consider mortality rates or serious injury continues to carry over.

### PCFFA's Position

- Impact Scoring in California regulations should mirror Federal definitions for “take” and should consider mortality and serious injury and PBR when determining how to calculate impact and trigger management action.

## PCFFA Position on RAMP 2.0, the Conservation Plan and the TRT

- PCFFA views the management actions section of RAMP and RAMP 2.0 as tools in the toolbox and the triggers for management actions as the determining factors for when that toolbox is opened and the tools inside are used.
- PCFFA appreciates CDFW's work on the toolbox/management action section of RAMP 2.0 and the revised timeline based on stakeholder feedback. We anticipate remaining engaged and supportive as this language is fine-tuned.
- PCFFA is supportive of CDFW continuing work on updating the Conservation Plan to obtain the ITP but will advocate for submission timing that allows revisions to triggers from the settlement to be updated based on current best available science.
- PCFFA shares CDFW's goal to enter the TRT process with management measures for the California Dungeness Crab fishery in hand. However, PCFFA's position will be that achieving this goal does not require new RAMP regulations or an issued ITP and that draft documents with placeholders for management action triggers would suffice.

## Conclusion

As an intervenor and signatory to the 2019 Settlement agreement, PCFFA cannot support the continuation of specific triggers for management action derived from arbitrary and interim standards meant only to avoid extended litigation and a potential shutdown of the California Dungeness Crab fishery in 2019.

Without the benefit a full scientific review that is expected to be available in 2025, PCFFA is not able to propose new and updated triggers, as these numbers would also be arbitrary, and it is our belief that the management of California Dungeness Crab Fishery should be based on actual data vetted as sufficient to protect whales, while also protecting the cultural and economic contributions of the Dungeness Crab fleet to California.