



~California Dungeness Crab Task Force~

<http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

REPORT

TO: Joint Committee on Fisheries and Aquaculture, Mike McGuire, Chair
Joint Committee on Fisheries and Aquaculture, Dawn Addis, Vice Chair
California Fish and Game Commission, Samantha Murray, President
California Department of Fish and Wildlife, Charlton Bonham, Director

CC: California Ocean Protection Council, Jenn Eckerle, Executive Director
California Fish and Game Commission, Melissa Miller-Henson, Executive Director
California Fish and Game Commission, Susan Ashcraft, Marine Advisor
California Department of Fish and Wildlife, Craig Shuman, Marine Region Manager
Pacific States Marine Fisheries Commission, Caren Braby, Sr. Program Manager
Joint Committee on Fisheries and Aquaculture, Chris Nielsen, Capitol Director

FROM: California Dungeness Crab Task Force

DATE: December 11, 2024

RE: October 2024 recommendations from the California Dungeness Crab Task Force

APPENDICES: (1) [Dungeness Crab Task Force Background and Operations](#)
(2) [October 29-30, 2024 DCTF Meeting Summary](#)
(3) [DCTF Charter - Updated November 2023](#)
(4) [Trap Limit Program Department Accounting through the 2022-23 FY](#)
(5) [Trap Limit Program Department Accounting, March 13, 2014](#)
(6) [December 9, 2021 DCTF Report: October 2021 recommendations from the California Dungeness Crab Task Force](#)
(7) [December 9, 2020 DCTF Report: October 2020 recommendations from the California Dungeness Crab Task Force](#)
(8) [PCFFA Position on Triggers for Management Action in the Dungeness Crab Fishery](#)
(9) [CBD v. Bonham settlement from 2019: Case 3:17-cv-05685-MMC Document 71 Filed 03/26/19 Page 3 line3-7.](#)
(10) [November 2023 recommendations from the California Dungeness Crab Task Force](#)

This report provides recommendations from the legislatively mandated California Dungeness Crab Task Force (DCTF) to the Joint Committee on Fisheries and Aquaculture (the Legislature), the California Department of Fish and Wildlife (CDFW), and the Fish and Game Commission (FGC). These recommendations are presented to inform Dungeness crab fisheries management, including future and existing legislation and regulations. Specifically, this report includes recommendations related to the state's management of the Dungeness crab account, fishing practices, reporting, lost gear retrieval, and addressing the Risk Assessment and Mitigation Program (RAMP) and marine life entanglements. Additional details on the DCTF's recommendations are available in the full October 29-30, 2024 meeting summary, which is available on the [DCTF's website](#) ([Appendix 2](#)).

The DCTF appreciates the opportunity to advance and inform the management of the Dungeness crab fishery in partnership with the Legislature, CDFW, and FGC. The DCTF’s work was completed pursuant to Fish and Game Code (FGC) §8276.4 with financial support as directed by FGC §8276.5. For additional background details and DCTF operations, please see [Appendix 1](#).

Additional information, including previous reports and meeting summaries with details on the development of the recommendations provided in this report, is available on the DCTF webpage: <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>.

DCTF VOTES AND ANALYSIS

The DCTF developed the following recommendations during a two-day meeting on October 29-30, 2024. The recommendations represent the agreements of DCTF Members present at the meeting (as per voting protocols defined in the DCTF Charter, [Appendix 3](#))¹. However, in some cases, the recommendations are not the *verbatim* language used when the votes were taken. Because of the iterative nature of the conversations at the DCTF meetings, the language of some recommendations has been adjusted to improve clarity. The additional context and the voting record will be included in the meeting summary, which will be posted on the DCTF’s webpage when available. Explanatory notes are provided below each recommendation when necessary.

DCTF RECOMMENDATIONS — October 29-30, 2024

Summary of Recommendations

Recommendation #	Legislative, Regulatory, or Administrative Change Requested?	Audience for Recommendation	Vote Count (14 affirmatives needed to pass a recommendation)
1a: Managing the Dungeness Crab Account’s Existing Surplus	<input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Regulatory <input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Legislature <input type="checkbox"/> CDFW <input type="checkbox"/> FGC	18 affirmative 0 opposed 3 absent
1b: Preventing a Continued Surplus in the Dungeness Crab Account	<input type="checkbox"/> Legislative <input checked="" type="checkbox"/> Regulatory <input type="checkbox"/> Administrative	<input type="checkbox"/> Legislature <input checked="" type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent
2: 96-Hour Gear Servicing Requirement	<input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Regulatory <input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Legislature <input checked="" type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent
3: Transiting a Closed Area	<input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Regulatory <input checked="" type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Legislature <input checked="" type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent
4: Streamlined Reporting	<input checked="" type="checkbox"/> Legislative <input type="checkbox"/> Regulatory <input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Legislature <input checked="" type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent

¹ As part of the DCTF’s voting procedures, thumbs up and thumbs sideways are *both* counted as affirmative votes in determining whether a recommendation has at least the 2/3 affirmative vote required to be forwarded to the Joint Committee on Fisheries and Aquaculture, CDFW, and FGC.

Recommendation #	Legislative, Regulatory, or Administrative Change Requested?	Audience for Recommendation	Vote Count (14 affirmatives needed to pass a recommendation)
5: Expansion of Lost Gear Recovery	<input type="checkbox"/> Legislative <input type="checkbox"/> Regulatory <input checked="" type="checkbox"/> Administrative	<input type="checkbox"/> Legislature <input checked="" type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent
6: PCFFA & Updating Triggers	<input type="checkbox"/> Legislative <input checked="" type="checkbox"/> Regulatory <input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Legislature <input checked="" type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent
7: Alignment Across State and Federal Whale Mitigation Processes	n/a	<input checked="" type="checkbox"/> Legislature <input checked="" type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent
8: Funding Support for Line-Marking	n/a	<input checked="" type="checkbox"/> Legislature <input type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent
9: Funding for Industry-Led Surveys to Support RAMP	n/a	<input checked="" type="checkbox"/> Legislature <input type="checkbox"/> CDFW <input type="checkbox"/> FGC	19 affirmative 0 opposed 2 absent

The Dungeness Crab Account, FGC §8276.5

CDFW provides an annual accounting of the Dungeness Crab Account (FGC §8276.5). The DCTF has provided recommendations with respect to the Dungeness Crab Account in previous years and continues to track it closely.

Recommendation 1a, Managing the Dungeness Crab Account’s Existing Surplus: The DCTF recommends the surplus funds sitting in the Dungeness Crab Account (FGC §8276.5) that continue to accrue in excess of CDFW and the DCTF’s expenditures be deposited in an interest-bearing account managed and overseen by the Pacific States Marine Fisheries Commission (PSMFC). Any continued surplus in the Dungeness crab account should be deposited to PSMFC biannually. The DCTF expects PSMFC to work in partnership with the DCTF and CDFW to use these funds in a fashion that is in alignment with the DCTF’s identified priorities. The funds should not be used without approval from the DCTF and should not be utilized by the Tri-State Dungeness Crab Commission.

If there is no way to distribute the funds to PSMFC or PSMFC cannot work with the DCTF to spend these funds in alignment with the DCTF’s priorities, then the DCTF rescinds this recommendation and recommends moving forward with an alternative option outlined in Recommendation 1b.

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
16	2	0	0	3

Rationale:

Pursuant to FGC §8276.5(a)(5), CDFW provides an annual account of the costs associated with the Dungeness Crab Trap Limit Program (DCTLTP). The funds collected through the DCTLTP are deposited in the Dungeness Crab Account. FGC §8276.5(e) restricts the use of those funds so they may be used only to: 1) administer and enforce the DCTLTP and 2) support the administration and facilitation of the DCTF. The most current accounting shows that as of the 2022-23 fiscal year, there is an end-of-year balance of \$3.5M² in the account ([Appendix 4](#)). At the October 2024 DCTF meeting, CDFW shared that the account must maintain a balance to cover the CDFW’s spending authority of \$1.1M for 2023-24 FY and maintain a reserve of \$1.1M for fiscal uncertainties leaving an excess of at least \$1.3M in the account.

The DCTF believes the \$1.3M excess funds should be used to support the Dungeness crab fleet’s priorities. The DCTF would like to work with PSMFC to help identify priorities which may include, but will not be limited to, funding research, gear retrieval efforts, vessel monitoring surveys, gear marking, etc. The DCTF is disappointed to learn that the excess funds in the Dungeness crab account have not been accruing interest through an interest-bearing account. By responsibly managing the fund, PSMFC could help ensure the \$1.3M and other surplus funds shared in the future can be used to support industry priorities and needs long-term.

Recommendation 1b, Preventing a Continued Surplus in the Dungeness Crab Account: If the surplus in the Dungeness Crab Account (FGC §8276.5) cannot be managed by PSMFC, then the DCTF recommends amending §132.1 Title 14, CCR to reduce the cost of the biennial permit fees to the fleet thereby eliminating the continued accrual of a surplus in the Dungeness crab account. The DCTF estimates that by reducing the biennial permit fee down to \$600 while continuing to charge \$5/tag, CDFW should be able to cover the costs of the DCTLTP and the DCTF while not continuing to accumulate a surplus.

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

Rationale:

The DCTF understands that CDFW must use the Dungeness Crab Account to cover costs to administer and enforce the DCTLTP and support the administration and facilitation of the DCTF. However, since the program's inception in 2013-2014 FY ([Appendix 5](#)), CDFW has not utilized its full spending authority and continues to accrue excess funds in the account year after year ([Appendix 4](#)). As a result, CDFW is mandated to lower the cost of the fees associated with the program trap tag fee and the biennial trap limit permit fee. As outlined in Recommendation 1a, the DCTF supports utilizing these excess funds to support DCTF priorities listed, but if it is not possible for PSMFC to manage these funds, then the DCTF recommends §132.1 Title 14, California Code of Regulations (CCR) be amended to reduce the cost of the biennial trap limit permit fee to the fleet to eliminate the surplus in the account. The revenue generated by the DCTLTP should not continue to exceed the costs of the program and DCTF.

² Following the DCTF meeting, information was shared that the fund accrued interest through the state’s PMIA: <https://www.treasurer.ca.gov/pmia-laif/pmia/index.asp>

General Dungeness Crab Fishery Management

FGC §8276.4 mandates that the DCTF discuss refining commercial Dungeness crab fishery management and the need for statutory changes to accomplish DCTF objectives. The DCTF identified relevant regulatory and legislative needs; Recommendations 2-5 directly relate to resolving issues the industry has faced in recent years.

Recommendation 2, 96-Hour Gear Servicing Requirement: The DCTF recommends and reaffirms their 2020 & 2021 recommendations to amend the 96-hour (4 days) gear servicing requirement (FGC §9004) to allow no less than a 7-day and up to a 9-day soak time weather permitting for commercial Dungeness crab. This recommendation aligns with §29.80 Title 14, CCR for the California recreational Dungeness crab fishery.

The Dungeness crab fishery has tools in place to address potential concerns related to increased gear loss, including an electronic monitoring mandate to track fishing activity and a lost-gear recovery program that incentivizes recovery of lost gear. The DCTF will work with CDFW to explore the development of additional programs to provide incentives for reducing gear loss (e.g., rewards for fishermen who lose minimal gear each season).

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
15	4	0	0	2

Rationale:

In the 2020 and 2021 reports ([Appendix 6](#) and [7](#)), the DCTF expressed concerns about FGC §9004, especially later in the season when it is not economically viable or environmentally sound to service gear every 96 hours (4 days). The DCTF believes the commercial Dungeness crab fishery should be allowed a longer servicing interval. The DCTF recommends this interval be no less than seven days and up to nine days, with the latter option in alignment with the recreational Dungeness crab fishery.

Servicing commercial Dungeness crab fishing gear every 96 hours, especially later in the season when crab become sparser, is not economically viable as the cost to operate the vessel/crew far exceeds the value of the catch. Additionally, fewer trips to service gear also equate to less gas use and fewer emissions, which has positive implications for the environment. Fishermen have also shared that the urgency of complying with this law hinders the ability to find lost gear during the day since they are in a rush to service the gear they can readily find within the 96 hour window.

The DCTF hears the concerns expressed by CDFW and some groups related to this recommended change regarding entanglement risk; however, there is no evidence that an increased servicing interval equates to increases in marine life entanglement risk. The DCTF sees value in aligning the California commercial Dungeness crab servicing interval with the California recreational fishery, as well as the Dungeness crab fisheries in Oregon and Washington. Unlike California's servicing requirement of pulling gear every 96 hours, Oregon and Washington require a landing every two weeks ([OAR 635-005-0485](#) and [WAC 220-340-480](#)). California should not be held to a different standard than the other two states. Additionally, the National Marine Fisheries Service (NMFS) will establish a [West Coast Take Reduction Team](#) (TRT) in 2025 to address the incidental mortality and serious injury of humpback and blue whales in trap/pot fisheries along the West Coast of the U.S, including Dungeness crab fisheries in California, Oregon, and Washington. Under the TRT process, there may be value for gear servicing/landing requirements to be

consistent across the three states. The Dungeness crab fishery is strongly opposed to marine life entanglements and would not recommend an extended service interval if they believed it would result in more entanglements.

CDFW and environmental groups have also expressed concern that extending the gear servicing interval would result in increased gear loss. The DCTF would not recommend a fishing practice they believe would increase gear loss because it is an environmental and navigational hazard, as well as a financial loss to fishing businesses. Gear loss is expensive and primarily caused by rough weather and boating traffic, not because of longer servicing times. The commercial Dungeness crab fishery has multiple means of coordinating lost gear retrieval efforts, including a permitted lost fishing gear recovery program (FGC §9002.5 and §132.7 Title 14, CCR) as well as gear retrieval allowances in-season and post-season (§132.2 Title 14 CCR) as described in Recommendation 4. The permitted program disincentivizes gear loss through potential fines or revocation of permit(s). The DCTF continues to prioritize lost gear recovery as described in Recommendation 5.

The DCTF also pointed to existing regulations that would help address concerns about lost and displaced gear. The RAMP (§132.8 Title 14, CCR) mandates that all commercial Dungeness crab fishermen have an electronic monitoring device onboard their vessels by the 2023-24 fishing season. This device must be “capable of tracking and recording vessel location using GPS coordinates at a frequency of no less than once a minute during fishing operations.” This electronic monitoring requirement will allow fishermen and managers to better monitor gear placement and help mitigate gear loss or displacement. There are other ways the fleet will be required to report gear loss and retrieval efforts under both regulatory updates to the RAMP bi-weekly fishing activity report and the lost or abandoned gear retrieval regulation, §132.2 Title 14 CCR. These tools will also help track and mitigate lost gear.

Maintaining a 96-hour service interval for trap gear is an economic burden on the fleet with negative environmental implications and no evidence that it would result in an increase in entanglement risk or gear loss.

Recommendation 3, Transiting a Closed Area: While currently prohibited by law, the DCTF believes it is important to create a legal pathway to allow fishermen to transit a closed management zone with crab onboard. The DCTF recommends that before being allowed to transit a closed management zone while in possession of crab, vessel operators must make a declaration to CDFW’s Marine Enforcement Division. Operators must designate the port they are transiting to in their declaration with procedures to follow in case of mechanical failure and/or vessel breakdown during transit. Transiting vessels must continuously transit as defined by federal regulations³ and the California Code of Regulations.⁴ This includes taking a direct, expeditious route without loitering or stopping. Transiting vessels must have a CDFW-approved electronic monitoring system onboard that is fully operational during the transit.

³ Code of Federal Regulations 660.11 states “Continuous transiting or transit through means that a vessel crosses a groundfish conservation area or EFHCA on a heading as nearly as practicable to a direct route, consistent with navigational safety, while maintaining expeditious headway throughout the transit without loitering or delay.”

⁴ §150.06(b) Title 14, CCR states “Continuous transit is defined as on a heading as nearly as practicable to a direct route through a California Groundfish Restriction Area or closed waters, while maintaining expeditious headway throughout transit without delay and with fishing gear stowed and secured in such a manner that it is rendered unusable for fishing.”

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

Rationale:

Various sections of the Fish and Game code state that it is unlawful to “take or possess” Dungeness crab while in a closed zone. Additionally, FGC §8276.4(a)(1) states that a vessel may transit a closed area with Dungeness crab traps onboard only if there is no crab onboard the vessel. These regulations make it burdensome for those fishing on the edge of an open management zone (e.g., Bodega Bay) or the state (e.g., Crescent City) and wish to land the crab in their possession. These regulations are in place to ensure that crab are not being caught in closed zones. Oregon and Washington allow vessels to transit a closed area if they declare to their respective Fish and Wildlife agencies before transiting. Federal groundfish fisheries also allow transiting if the fishing gear is properly stowed, meaning it is not deployed and is either below deck or secured in a way that renders it unusable for fishing. To be applicable to the Dungeness crab fishery, gear would need to be secured and rendered unusable (meaning the trap doors tied open, traps strapped down on the deck so they can’t deploy, etc). A transiting allowance in a closed zone can be enforced through electronic monitoring devices, while any deviations recorded as a result of vessel mechanical issues would need to be addressed. Therefore, the DCTF recommends that CDFW provide an exemption process if vessel breakdowns occur when transiting. The DCTF recommends that CDFW develop a process that reflects the process described in Recommendation 3.

Recommendation 4, Streamlined Reporting: The DCTF recommends streamlining the multiple reports — one for retrieval of lost gear efforts and another for lost trap numbers under the RAMP program — to improve efficiencies and reduce reporting burdens on fishermen.

In the short term, the DCTF recommends that CDFW update the RAMP bi-weekly report to include a link to the lost gear retrieval report. Additionally, the DCTF recommends that CDFW provide text reminders to permit holders for both reporting requirements.

The DCTF also recommends improving lost gear reporting by uploading images of lost gear fishermen find in the ocean but are unable to retrieve along with location information (e.g., latitude and longitude).

The DCTF recommends CDFW continue to explore long-term solutions to streamline data collection and management across both the RAMP program and lost gear retrieval efforts. To do this, CDFW should clarify their data needs, objectives, and constraints with the goal of streamlining reporting so there is a single location for the fleet to submit their reports.

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

Rationale:

The California Department of Fish and Wildlife (CDFW) released a [Notice of Proposed Rulemaking:](#)

[Expanded Retrieval of Lost or Abandoned Commercial Dungeness Crab Traps \(Amend Section \(§\) 132.2, Title 14, California Code of Regulations \(CCR\)\)](#) that would, among other things, establish an enhanced reporting requirement to track locations and amount of derelict gear for management and law enforcement purposes. Section § 132.2(a)(2)(D), Title 14, CCR states: “On or before the first day of each month, vessel operators shall report information required by subsection (a)(2)(C) for any traps retrieved during the prior month. Reporting shall be via email or text to LostGear@wildlife.ca.gov, or on an electronic form prescribed by the Department.” However, commercial Dungeness crab fishermen are also required to submit a biweekly report for the Risk Assessment and Mitigation Program (RAMP § 132.8, Title 14, CCR) regarding their fishing activities. Requiring permit holders to submit multiple reports for the same fishery at varying frequencies and to different emails is confusing and may impact compliance rates.

The DCTF identified short-term solutions to address this issue in the recommendation above. The DCTF also requested CDFW develop a longer-term solution to make the process less cumbersome, reduce confusion within the fleet, and increase compliance. One longer-term solution identified by the DCTF is outlined in Recommendation 5.

Recommendation 5, Expansion of Lost Gear Recovery: The DCTF recommends the Pacific Coast Federation of Fishermen's Association (PCFFA) and the Nature Conservancy (TNC) work collaboratively to expand California’s voluntary lost-gear retrieval efforts. The DCTF recommends the industry work with PCFFA and TNC to coordinate the use of a user-friendly smartphone app developed by TNC. This app would allow commercial Dungeness crab fishermen and all other boaters to document the latitude and longitude from images taken of lost gear on the water and track retrieval efforts. The DCTF believes that crowdsourcing lost trap location data will better support a coastwide, voluntary lost gear recovery effort by the fleet.

The DCTF recommends CDFW, TNC, and PCFFA coordinate immediately to identify an expedited way to incorporate the data collected from the TNC app to satisfy gear retrieval reporting requirements outlined in §132.2, Title 14, CCR. The data collection from the app should eventually replace the monthly reporting outlined in §132.2 and provide more robust and real-time data of lost gear retrieval efforts, including the quantity of Dungeness crab lost gear retrieved from the water. The DCTF requests an update on the progress of this data integration process by the summer of 2025.

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

Rationale:

As illustrated by numerous DCTF recommendations over the last 16 years, the industry views the removal of all lost and derelict gear as an urgent and crucial step to ensuring a clean ocean and reducing the number of marine life entanglements. This includes reducing entanglements of unidentified origin, which negatively impact the commercial and recreational Dungeness crab fishery as part of the RAMP. The industry is eager to clean up the ocean and remove derelict gear in partnership with CDFW, TNC, PCFFA, and other ocean users (e.g., recreational fishermen, whale watch vessels, etc). Leadership and coordination support from PCFFA and TNC will be crucial in further developing this voluntary program. The DCTF hopes these efforts as an industry will be supported by fisheries managers and that CDFW will integrate this innovative data source into reporting requirements outlined in §132.2, Title 14, CCR. This recommendation is also in

alignment with Recommendation 4 as a means to streamline data collection while still gathering crucial information that can inform the RAMP program, CDFW's management goals, and the industry's commitment to a healthy and thriving ocean.

Marine Life Entanglements in Dungeness Crab Fishing Gear

Fish and Game Code (FGC) §8276.4 mandates the DCTF discuss refining Dungeness crab management. A huge focus of the commercial and recreational California Dungeness crab fisheries in the last few years has been addressing and reducing the incidence of marine life entanglements. During the November 2023 meeting, the DCTF's discussion focused primarily on the RAMP (§132.8 to Title 14, CCR) and other topics that directly inform the RAMP, including the state's efforts to apply for an Incidental Take Permit (ITP).

Recommendation 6, PCFFA & Updating Triggers: The DCTF supports PCFFA's position to revisit the triggers for management action in the RAMP and Conservation Plan ([Appendix 8](#)) and recommends state and federal fisheries managers reevaluate the triggers in the settlement and RAMP to reflect the most current, relevant, and available science.

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

Rationale:

Marine life concentration numbers initially identified in the *CBD v. Bonham*⁵ settlement from 2019 ([Appendix 9](#)), are the basis for RAMP marine life concentration triggers that result in fishery management actions. As clearly stated in the PCFFA letter to CDFW ([Appendix 8](#)), the DCTF believes these triggers are outdated and should reflect the most current, available science to prevent unnecessary economic impacts to the Dungeness crab fishery.

Recommendation 7, Alignment Across State and Federal Whale Mitigation Processes: The DCTF recommends that the various programs to minimize entanglement risk that will soon affect the Dungeness crab fishery better align and complement one another. These programs include:

- RAMP regulatory changes in 2025,
- Implementation of the TRT in 2025, and
- Issuance of the ITP as a result of submitting the Conservation Plan.

The DCTF strongly recommends that CDFW commit to working on adaptive management components and outcomes from the TRT and other parallel processes and incorporate them into the Conservation Plan.

The DCTF recommends the most updated data, information, and stock assessments for humpback and blue whales be used to inform the TRT, RAMP, ITP, and other related fishery management decisions moving forward. The DCTF requests updated data also be made available to the industry as soon as possible.

⁵ Case 3:17-cv-05685-MMC Document 71 Filed 03/26/19 Page 3 line3-7.

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

Rationale:

The alignment of RAMP rulemaking changes, TRT, ITP and other fishery management and protected species processes is crucial for both conservation and fishing industry success. When properly coordinated, these processes create effective, efficient, and legally sound strategies that protect marine life while reducing burdens on the Dungeness crab fleet. If these processes are misaligned, they can create significant challenges for the industry. They can erode trust between fishermen and managers while creating regulatory uncertainty and operational inefficiencies. Fishermen may face contradictory regulations or overlapping requirements, leading to confusion and potential non-compliance. The financial impact is particularly concerning - fishermen might invest in unnecessary equipment or lack adequate time to adapt to changing regulations. This uncertainty makes proper planning and budgeting nearly impossible, especially considering the economic effects of gear modifications, seasonal delays, and closures.

A coordinated approach ensures that management decisions are based on the best available science and can adapt to new data. For example, if TRT requirements become less restrictive than RAMP regulations, the latter should be adjusted accordingly. This flexibility, combined with clear, consistent regulations, helps achieve the ultimate goal: protecting endangered species while maintaining a viable California Dungeness crab fishing industry. Through better alignment, we can maximize conservation outcomes while ensuring regulations remain practical and feasible for the fishing community to implement.

Recommendation 8, Funding Support for Line-Marking: The DCTF recommends the state of California identify and allocate resources to cover the cost of materials and labor to support fishermen with the transition to line marking to uniquely identify California commercial Dungeness crab gear in entanglements to satisfy the requirements in the updated RAMP regulations that supports issuance of an ITP.

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

Rationale:

The California Dungeness crab fishery continues to face economic burdens, including shortened seasons, electronic monitoring requirements, and participation in working groups without financial support (e.g., the TRT, the DCTF, and the Whale Working Group). The proposed RAMP rulemaking for §132.8, Title 14, CCR will soon require the fleet to transition to uniquely marked line over the course of the next one to five Dungeness crab fishing seasons. It will also require the fleet to update their surface buoys with unique marks that identify the California commercial Dungeness crab fishery, requiring some fishermen to purchase new buoys for all of their trap gear. The transition involves significant costs for new equipment, labor, and training, placing financial strain on both small, family-run businesses as well as larger operations. In November 2023, the DCTF made a similar recommendation ([Appendix 10](#)) and estimated the cost to transition gear would total approximately \$32M fleetwide. Without support from the state or other outside funding sources, it will be impossible to implement this regulation without adverse impacts on an already

struggling fleet. There could also be compliance issues resulting from fishermen who cannot afford to mark all of their lines and buoys. Given the vital role crab fisheries play in local economies—creating jobs, supporting businesses, and generating tax revenue—financial assistance is critical. Funding will ensure the industry remains sustainable and preserve the economic vitality of coastal communities that rely on this important industry while also meeting the conservation goals of the RAMP.

Recommendation 9, Funding for Industry-Led Surveys to Support RAMP: Over the last three fishing seasons, the commercial Dungeness crab industry, with support from TNC, has piloted industry-led, vessel-based surveys to inform the RAMP. The DCTF believes these surveys are a valuable source of marine life concentration data, especially in management zones where no CDFW-approved surveys were conducted to inform risk assessments. The DCTF sees value in continuing these surveys to provide useful data that inform the RAMP and ensure no RAMP Zone is absent of data.

The DCTF recommends the CA Legislature allocate \$900k over three years to support industry-led, vessel-based surveys. The DCTF also recommends that CDFW outline clear data collection reporting standards and expectations so that these surveys are considered an approved data source under RAMP by the CDFW Director when making management decisions. The DCTF recommends that PSMFC coordinate and manage the funds to support the survey program. The DCTF will also seek up to 20% of matching funds via other funding sources to support this effort (e.g., the Dungeness crab account, also see Recommendation 1a, in-kind, etc.).

Vote of all DCTF Members (ex officio Members abstained):

Thumbs up	Thumbs Sideways	Thumbs Down	Abstained	Absent
19	0	0	0	2

Rationale:

The California Dungeness crab fishery is fully committed to being part of the solution to reducing the number of whale entanglements by actively engaging in conservation efforts and adopting best practices to minimize entanglement risk of marine life. The fleet is actively working to remove lost and derelict gear from the ocean, testing new gear configurations, participating in CDFW's Experimental Fishing Permit to test new gear types, and volunteering time to participate in the Whale Working Group, TRT, and DCTF to help develop strategies to further reduce entanglement risks. Additionally, the industry has worked with scientists and conservation organizations to develop and pilot a vessel-based survey program led by the fishing community to collect data to inform the RAMP.

The DCTF sees value in continuing industry-led, vessel-based surveys since they fill a niche that other data sources do not and can also be used to complement existing monitoring conducted by Cascadia Research, The Marine Mammal Center, Scott Benson (NOAA Southwest Fisheries Science Center), Karin Forney (NOAA Southwest Fisheries Science Center), and Monterey Bay Whale Watch. However, the industry needs financial support from the state to continue this valuable effort and inform the RAMP. Funding will support a project manager, vessel reimbursement, data collection tools (e.g., iPads, positioning devices), and possibly observer coverage. CDFW has indicated that in order to consider industry-led, vessel-based surveys as an approved data source to inform management triggers under RAMP, they must have a robust survey design that will require independent observers on all vessels. Coordinating with CDFW will be critical to prioritizing data collection in management zones, especially those zones with limited

or no regularly available on-the-water data collection. The DCTF welcomes additional guidance from CDFW on what they need from the surveys to be considered approved data sources.

The DCTF believes there is a need to have a combination of data sources regularly available to ensure there are no lapses in data availability in each management zone that would lead to a delay or early closure of the fishery. The industry-led, vessel-based surveys ensure an additional monitoring program is in place to inform the RAMP.

DCTF NEXT STEPS

The DCTF anticipates meeting again in the Fall of 2025 to continue addressing high-priority topics related to the management of the Dungeness crab fishery. The DCTF may meet before this time period should any timely issues arise that would benefit from the DCTF's perspectives. The DCTF anticipates sharing a report following each DCTF meeting to ensure that recommendations are shared in a timely fashion and that the appropriate entities can act on those recommendations while they are relevant. The DCTF looks forward to being responsive to the needs of the Dungeness crab industry, CDFW, FGC, and the Legislature to discuss priority issues, including those outlined in this report, and other priorities that may arise.