

Briefing: Coastal Dungeness Crab Fishery Whale Entanglements

Fish and Wildlife Commission Meeting – October 18, 2019



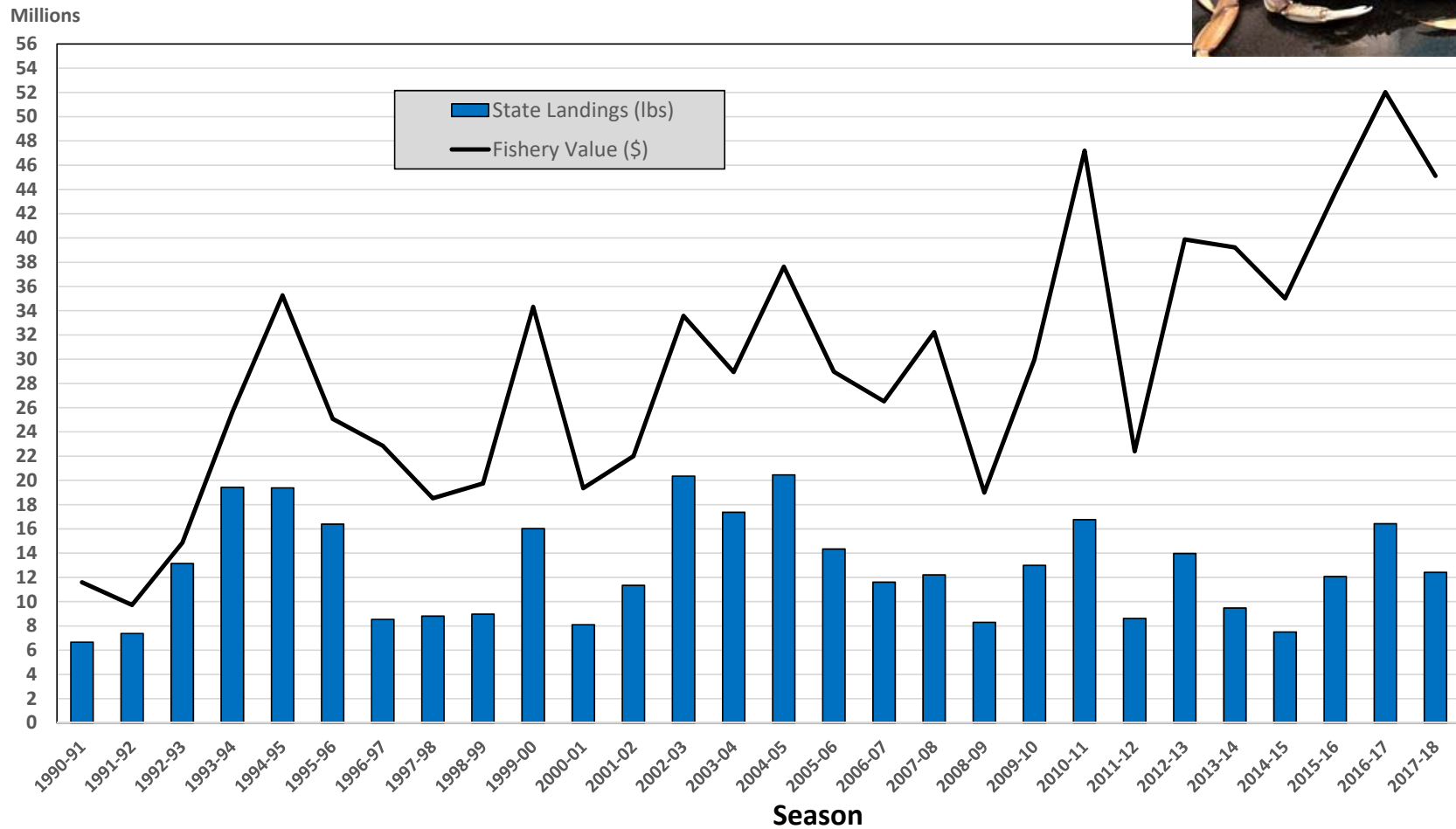
**Michele Culver and Heather Hall
Intergovernmental Ocean Policy**

Overview

- Issue Summary
- NOAA Update on Large Whale Entanglements
- WDFW Actions in 2019
- Proposed Regulatory Changes for 2019-2020 Crab Season
- Next Steps and Timeline

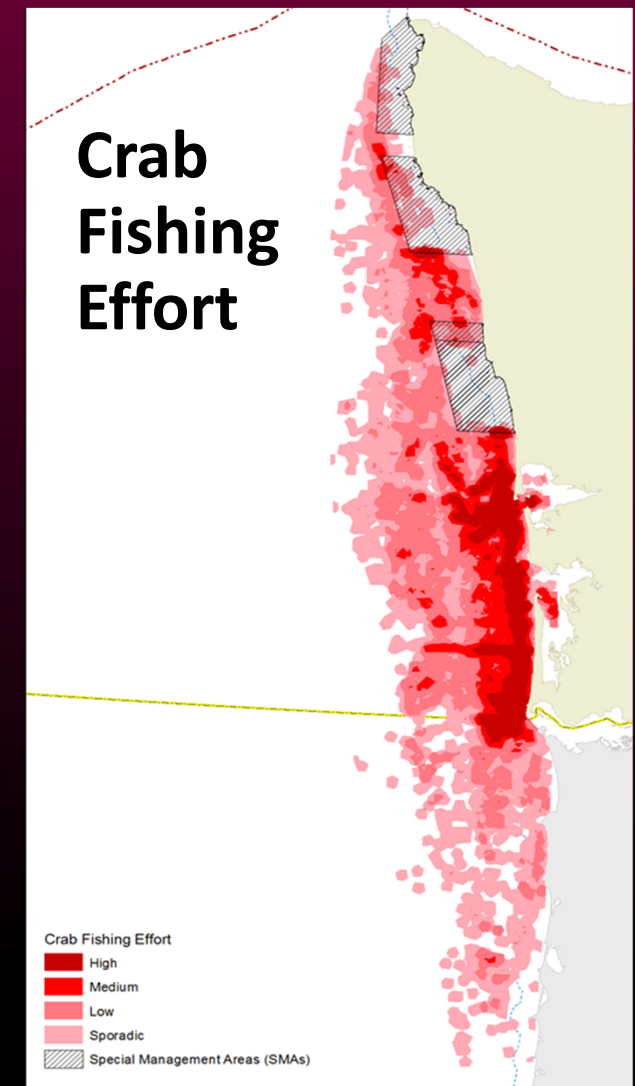


Coastal Dungeness Crab Landings



Whale Entanglements in West Coast Fisheries

- 2000-13: West Coast average ~ 10/year
- 50 in 2015, 48 in 2016, 31 in 2017, and 46 in 2018
- Increases attributed to:
 - Increasing whale populations
 - Changes in fishing effort distribution
 - Changes in patterns of distribution and movement of whales
 - Increased public awareness
- Fisheries include: gillnets, and traps for crab, sablefish, shrimp, and lobster



NOAA 2018 Update: West Coast Whale Entanglements

	2017	2018
West Coast Total	31	46
Subset Attributed to Fishery	14	24
WA Coastal Crab Fishery	2 humpback, 1 gray	1 humpback, 3 gray
Tribal Coastal Crab Fishery	--	1 humpback
CA Coastal Crab Fishery	4 humpback, 1 blue, 1 gray	7 humpback
OR Coastal Crab Fishery	--	1 humpback, 1 gray
Crab Fishery – State Unknown	--	1 humpback
Sablefish Trap/Coonstripe Shrimp	1 humpback	--
CA Spot Prawn Trap Fishery	--	2 humpback
Gillnet Fisheries	4 gray	4 humpback, 3 gray

Key Management Issues

Whale Presence

- Shifting distribution of whales off the West Coast
- Varying environmental conditions influence distribution of prey



Fisheries

- Whale interactions difficult to estimate and predict
- May not be “one size fits all” solution (e.g., gear regulations)

Management Framework

- Reconciliation of MMPA and ESA standards

MMPA vs. ESA Standards

- MMPA 10% of Potential Biological Removal (PBR), ESA “Negligible Impact”
- ESA has 14 Distinct Population Segments, 2 Listed Stocks off West Coast
- Estimated DPS Distribution off WA:

	Previous	Updated
Hawaiian (Not Listed)	45%	43%
Mexico (Threatened)	45%	42%
Central America (Endangered)	10%	15%

- MMPA has one CA/OR/WA “Stock” with a PBR of 16.7, based on a combined Mexico, Central America, and Hawaiian population of 2,800
- ESA estimates 2,800 for Mexico, 780 for Central America, and 11,000 for Hawaiian

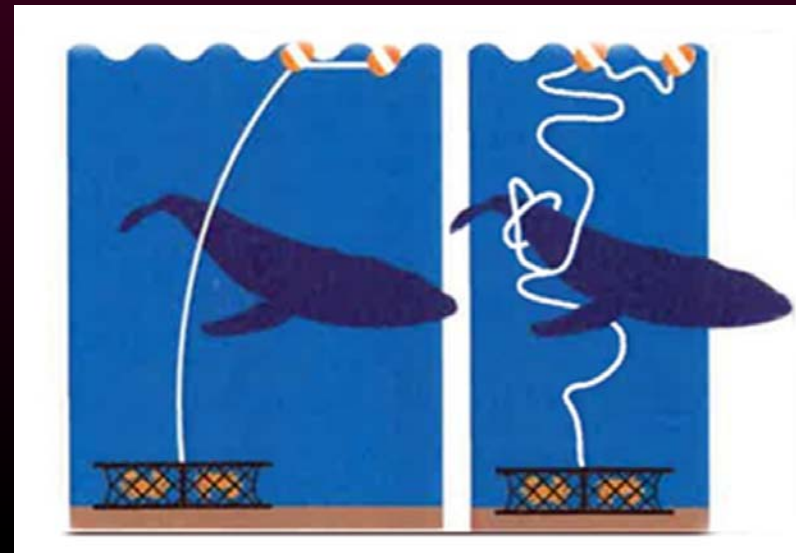
WDFW Actions in 2019



- **January – Commission briefing**
- **March and April – Two stakeholder workshops to discuss whale entanglement issue and identify potential management measures**
- **May – Commission briefing**
- **July 1 – Implement emergency rule to reduce pot limits by about 1/3**
- **August 15 – Crab Advisory Board meeting to develop proposed rules**
- **Sept 18 – Filed proposed rule changes (CR-102)**
- **Sept 30 – Crab industry and stakeholder workshop to review proposed rule changes and solicit public comment**
- **Oct 2 – CR-102 published in state register, mailed to all license holders with explanatory letter and notice of public comment opportunities**

Proposed Rule Change # 1: Require only the amount of line necessary

- Revises WAC 220-340-430(6)(a)
- Effective beginning effective date of the rule, and remain in place year-round after that



Proposed Rule Change # 2: Reduce pot limit and require summer buoy tag

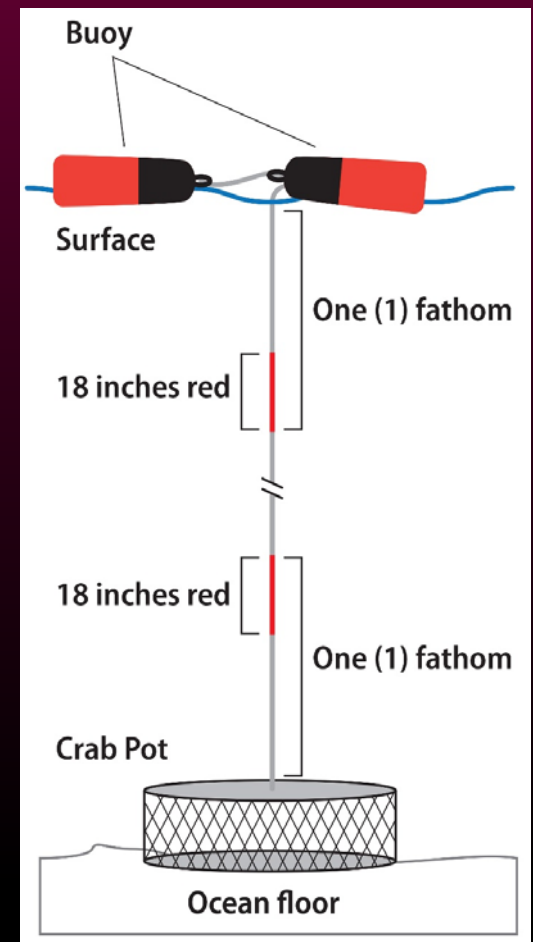
- **Revises WAC 220-340-480(5)(a) and (b)**
- **Effective May 1, 2020; required annually from May 1 of each year**

Proposed Rule Change # 3: Replacement buoy tags

- **Revises WAC 220-340-430**
- **Effective May 1, 2020; required annually from May 1 of each year**

Proposed Rule Change # 4: Require line marking specific to WA

- Revises WAC 220-340-430(6)(b)(i) and (ii)
- Currently, as written, this change would be implemented upon the effective date of the rule and in effect year-round
- WDFW staff recommends including an effective date of May 1, 2020 in the final rule (CR-103), and to require it year-round after that



Proposed Rule Change # 5: Remove reference to “ring nets” as commercial gear

- **Revises WAC 220-340-435**
- **Effective beginning effective date of the rule, and remain in place year-round after that**

Proposed Next Steps

- **Whale Entanglement Outreach and Proposed Rules**
 - **November 6: Crab Industry and Stakeholder Workshop – Whale Entanglement Updates and Public Hearing on Proposed Rules**
 - **January 2020: Commission Consider Rules for Adoption**
- **Stakeholder Workshops in 2020**
 - **Continue to Discuss Potential Actions to Avoid and Reduce Whale Interactions**
 - **Solicit Feedback on New Regulations Changes and Recommend Adjustments to Commission, as Needed**
- **NOAA Incidental Take Permit Application**
 - **Continue to Coordinate with NOAA and Oregon and California on Data and Analysis for Conservation Plan**
 - **Target Submission: December 2020**

Questions?