



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



November 7, 2016

NOTICE OF EMERGENCY REGULATORY ACTION

Subject: Commercial rock and Dungeness crab fishing emergency closure and season delay due to unsafe domoic acid levels.

The California Department of Fish and Wildlife (Department) proposes this emergency rulemaking action under the Administrative Procedure Act to close the commercial rock crab fishery in any ocean waters of the state north of Pigeon Point (37°11'00" N. lat.) and keep closed the commercial Dungeness crab fishery in any ocean waters of the state north of Point Reyes, Marin County (38°00' N. lat.). This action is necessary due to domoic acid levels in Dungeness crab and rock crab that pose a significant risk to public health as determined by the Director of the Office of Environmental Health Hazard Assessment, in consultation with the Director of the California Department of Public Health. The Department proposes these emergency regulations for adoption into California Code of Regulations, Title 14, Division 1, Subdivision 3, Chapter 3, section 131.

This emergency situation clearly poses such an immediate, serious harm that delaying action to allow for public comment and notice requirements, pursuant to Section 11346.1 of the Government Code, would be inconsistent with the public interest.

The specific text of the emergency regulations to be adopted and the Finding of Emergency and Informative Digest may be accessed through the Department's website at the following address:

<https://www.wildlife.ca.gov/Notices/Regulations/Emergency-Crab-Closure-2016>.

If you have any questions regarding this emergency action, please contact Craig Martz, Department Regulations Unit Manager, Wildlife and Fisheries Division, at (916) 653-4681. Related comments or questions can also be submitted to the Department via email at the following address: Regulations@wildlife.ca.gov.