



April 1, 2017

Dear commercial lobster operator permit holder:

## **NEW COMMERCIAL LOBSTER FISHING REGULATIONS FOR THE 2017/18 SEASON**

Last year, the California Fish and Game Commission (FGC) adopted regulations to support the implementation of the California Spiny Lobster Fishery Management Plan (FMP). This action included changes and additions to commercial fishing regulations for sections 121, 121.5, 122, 122.1, 122.2 and 705 Title 14, California Code of Regulations. A summary of new commercial lobster regulations including the new trap limit and permitting changes effective April 1, 2017 for the 2017-2018 lobster fishing season are provided below. These excerpts are provided as a courtesy and are not to be used as legal documents. The full text of the new regulations can be found in the 2017/18 commercial fishing digest at:  
<https://www.wildlife.ca.gov/Licensing/Commercial>

### Trap limit program

- Lobster operator permit holders will be issued 300 trap tags for each valid lobster operator permit possessed (§ 122.1(c)).
- Commercial fishermen are allowed to possess up to two lobster operator permits, allowing the deployment of a maximum of 600 traps (§ 122(b)(3)). One of those permits must be a transferable lobster operator permit.
- Every deployed trap and traps possessed by lobster operator permit holders aboard vessels are required to have a valid trap tag attached (§ 122.1(c)).
- Replacement procedures for catastrophic trap tag loss, which is the loss of 75 or more trap tags during the season (§ 122.1(c)(2)). Submission of the Lobster Operator Permit Catastrophic Lost Trap Tag Affidavit (DFW 1701) is required to receive replacement tags (§ 705 (c)(5)). The affidavit is enclosed and available online at:  
<https://www.wildlife.ca.gov/Licensing/Commercial>

### Lobster operator permit changes

- Lobster operator permit renewal and transfer regulations are updated for consistency with the trap limit program (§ 122(b)).
- A notarized Lobster Operator Permit Transfer Application (DFW 1702) (§ 705(b)(1)) is now required for all permit transfers (§ 122(c)). The application is enclosed and available online at: <https://www.wildlife.ca.gov/Licensing/Commercial>
- A lobster operator permit transfer will be deferred when the current lobster operator permit holder is awaiting final resolution of any criminal, civil, and/or administrative action that could affect the status of the permit (§ 122(c)(3)).
- Upon the death of a person with a transferable lobster operator permit, the estate will have 2 years to transfer the permit (§ 122(c)(4)).
- Increased lobster operator permit fee (including trap tags) and new replacement trap tag fees (§ 705).

Other changes

- Beginning with the 2017/18 season, lobster operator permit holders are required to submit an End of Season Spiny Lobster Trap Loss Reporting Affidavit (DFW 1020) (§ 705(c)(7)) for each lobster operator permit you hold at the end of each lobster fishing season to the address listed on the affidavit (§ 122.2(f)). The affidavit is enclosed and available online at: <https://www.wildlife.ca.gov/Licensing/Commercial>
- The Daily Lobster Fishing Log (DFW 122) has been updated. The revised logbook will be distributed ahead of the season and is required beginning with the 2017-2018 lobster fishing season.
- SCUBA gear may be used to locate and secure lost traps (§ 122(h)).
- The trap service interval is extended from 4 to 7 days (§ 122.2(d)).
- The pre- and post-season gear deployment and retrieval time period is extended from 6 to 9 days (§ 122.2(b)).
- Lobster operator permit holders are allowed to retrieve up to 6 lobster traps of another lobster operator permit holder that were lost, damaged, abandoned, or otherwise derelict, per fishing trip (§ 122.2(h)(1)(A)).
- Clarification that all lobster traps left in the water 14 days after the end of a commercial lobster fishing season are considered abandoned (§ 122.2(e)).
- A waiver submitted to the California Department of Fish and Wildlife (CDFW) for approval is now required for a lobster operator permit holder to service the traps of another lobster operator permit holder (§ 122.2(h)(2)).
- All lobster operator permit holders fishing jointly on one vessel will be liable for any violation from that vessel (§ 122(g)).
- The description of navigation channel restricted fishing areas has been updated from general landmark descriptions to GPS coordinates (§ 122(d)).

If you have any questions or concerns, please contact me at (562) 342-7107 or Tom.Mason@wildlife.ca.gov.

Sincerely,

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