Regulatory Language

Section 132.1, Title 14, California Code of Regulations, is amended to read:

§ Section 132.1. Dungeness Crab Trap Tags, Biennial Buoy Tags, and Trap and Buoy Tag Allocations.

~~Beginning with the 2013 Dungeness crab season, every Dungeness crab trap aboard a permitted Dungeness crab vessel and fished in California waters shall have a valid tag attached to the Dungeness crab trap and a valid tag assigned to that vessel attached to the buoy.~~

(a) Dungeness Crab Trap Tags. Every Dungeness crab trap aboard a permitted Dungeness crab vessel and fished in California waters shall have a valid tag attached to the Dungeness crab trap.

> (1) Dungeness crab trap tags shall be supplied by the owner of the Dungeness crab trap and shall contain the trap owner's telephone number.

> (2) A Dungeness crab trap tag is required on Dungeness crab traps onboard a permitted Dungeness crab vessel.

> (3) If the information on the tag is illegible or incorrect, or if the tag is missing from the Dungeness crab trap for any reason, the trap shall be considered not in compliance, and shall not be used to take Dungeness crab for commercial purposes.

. . . [No changes to subsections (b) through (c)]

NOTE: Authority cited: 8276.5, Fish and Game Code.
Reference: Section 8276.5, Fish and Game Code.

Regulatory Language

Section 132.2, Title 14, California Code of Regulations, is amended to read:

§ 132.2. Waiver for a ~~Permitted Dungeness Crab~~ Vessel to Retrieve ~~Another~~ <u>a</u> <u>Permitted Dungeness Crab</u> Vessel's Dungeness Crab Traps.

(a) No ~~Dungeness crab permitted~~ vessel shall possess, use, control, or operate any Dungeness crab trap without a buoy tag assigned to that vessel except:

(1) To set gear as allowed under Section 8280.7 of the Fish and Game Code; or

(2) To retrieve from the ocean and transport to shore commercial Dungeness crab trap(s) of ~~another~~ <u>a</u> permitted Dungeness crab vessel that were lost, damaged, abandoned, or otherwise derelict, provided that:

(A) No more than six (6) derelict Dungeness crab traps may be retrieved per fishing trip, except as provided in subparagraphs (E) and (F).

(B) Crab from the retrieved Dungeness crab trap(s) shall not be retained and shall be returned to the ocean waters immediately.

(C) Immediately upon retrieval of Dungeness crab trap(s), the retrieving vessel operator shall document in the retrieving vessel's log the date and time of trap retrieval, number of retrieved Dungeness crab traps, location of retrieval, and retrieved trap tag information.

(D) Any retrieved Dungeness crab trap(s) shall be transported to shore during the same fishing trip that retrieval took place.

(E) From July 16 through October 31, an unlimited number of Dungeness crab traps may be retrieved per fishing trip and transported to shore during the same fishing trip.

(F) Under a waiver granted by the department, retrieval of more than six (6) Dungeness crab traps to shore by another ~~Dungeness crab permitted~~ vessel is allowed if:

1. The <u>Dungeness crab permitted</u> vessel is incapacitated due to a major mechanical failure or destroyed due to fire, capsizing, or sinking, or;

2. Circumstances beyond the control of the permitholder created undue hardship.

3. A request for the waiver shall be submitted in writing to the department's License and Revenue Branch.

4. A copy of the waiver approved by the department shall be on board the vessel making the retrieval.

5. The waiver may include conditions such as time period to conduct retrieval, landing prohibitions or any other criteria the department deems necessary.

NOTE: Authority cited: 8276.5 and 9002.5, Fish and Game Code.
Reference: Section 8276.5 and 9002.5, Fish and Game Code.

Regulatory Language

Section 132.3, Title 14, California Code of Regulations, is amended to read:

§ 132.3. Biennial Dungeness Crab Trap Limit Permit

(a) ~~Effective Date. Beginning with the 2013 Dungeness crab season, a~~ A person who purchases a valid Dungeness crab vessel permit shall also purchase a valid biennial Dungeness Crab Trap Limit Permit along with all of the buoy tags for that permitholder's tier to take Dungeness crab for commercial purposes using trap gear; otherwise, the Dungeness crab vessel permit shall be void.

. . . [No changes to subsection (b)]

NOTE: Authority cited: Section 8276.5, Fish and Game Code.
Reference: Section 8276.5, Fish and Game Code.

Regulatory Language

Section 132.6, Title 14, CCR, is added to read:

§ 132.6 Dungeness Crab Trap Surface Gear Limitations and Gear Removal Time.

(a) Pursuant to Sections 8276.5 and 9005 of the Fish and Game Code, every trap or string of traps shall be marked with a buoy, known hereafter as the main buoy, and such buoy shall be tagged with a Dungeness crab biennial buoy tag. Any additional surface buoys attached after the main buoy shall be limited to the following:

(1) No more than one trailer buoy for traps deployed at depths equal to or less than 210 feet (35 fathoms).

(2)   No more than two trailer buoys for traps deployed at depths greater than 210 feet (35 fathoms).

(3) One end marker buoy that shall not extend more than three feet in length behind the last trailer buoy.

(b) End marker buoys shall be less than five inches in diameter and are not considered trailer buoys.

(c) The length of the line that is attached between the last trailer buoy and either the main buoy or the vertical line attached to the trap shall not exceed:

(1) A maximum of 24 feet when the trap is deployed at depths equal to or less than 210 feet (35 fathoms).

(2) A maximum of 36 feet when the trap is deployed at depths greater than 210 feet (35 fathoms).

(d) It is unlawful to leave any Dungeness crab buoys, lines, or traps in state waters after the end of the Dungeness crab fishing season. All Dungeness crab traps shall be removed from state waters by 11:59 pm on the last day of the season as set forth in sections 8276 and 8277 of the Fish and Game Code.

NOTE: Authority cited: Sections 702, 7059, 8276, and 8277 Fish and Game Code. Reference: Sections 7056, 7059, 8276, 8277, 9002.5, 9004, 9005, and 9007, Fish and Game Code.