

Regulatory Language

Section 125.1, Title 14, CCR, is amended to read:

§ 125.1 Commercial Take of Rock Crab; Size Limit; Use of Rock Crab as Bait; Incidental Take Provisions

... [No changes to subsections (a)-(b)]

(c) Incidental take. Only the following species may be taken incidentally in rock crab traps being used to take rock crab under authority of a permit issued pursuant to Section 125. All other invertebrates and finfish shall be immediately released to the water.

- (1) Kellet's whelk.
- (2) Octopus.
- (3) Crabs, other than the genus *Cancer*, subject to limits provided in subsection 126 (b).

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

Note: Authority cited: Section 8282, Fish and Game Code.

Reference: Sections 8043, 8047, 8250.5, 8275, 8281, 8284, 9001.7 and 9011, Fish and Game Code.

Section 126, Title 14, CCR, is amended to read and add Section 126.1:

§ 126. Commercial Take of Crabs not in the Genus *Cancer* in Trap Gear.

(a) For the purpose of this section, crabs in the genus *Cancer* include Dungeness and rock crab as defined in Fish and Game Code subdivisions 8275(a) and (c).

(b) Incidental take of crabs not listed in subsection (a) is allowed in rock crab, Dungeness crab, and California spiny lobster trap fisheries as follows:

(1) No more than 25 pounds of each crab species in the Lithodidae family (box crab and king crab) may be possessed onboard a vessel, retained or landed at any time. The amount of Lithodidae species possessed onboard a vessel, retained or landed shall not exceed the amount of rock crab, spiny lobster, or Dungeness crab that are legally possessed onboard the vessel, retained or landed at any time.

(2) Crabs in the genus *Chionecetes* (Tanner crab) may not be taken except under the authority of a Tanner Crab Trap Vessel Permit.

(3) The total allowable catch of sheep crab (spider crab, *Loxorhynchus grandis*) is 95,000 pounds landed during a calendar year. The department will close the fishery at the time that the catch limit is reached, or is projected to be reached, prior to the end of the calendar year. The department shall give no less than 10 days notice to any individual who has landed sheep crab within the previous five years and post notice of closure on the department's website. The department shall give the public and the commission no less than 10 days notice of the closure via a department news release.

(c) Pursuant to Fish and Game Code Section 9001.7, crabs not in the genus *Cancer* may be used as bait in finfish traps. All crab shall be brought ashore and accounted for

on a landing receipt pursuant to Fish and Game Code Sections 8043 and 8047 prior to being used as bait as follows:

(1) The total pounds of each species to be used as bait from each landing shall be recorded by writing the species common name and pounds within the rows provided and noting "bait use" in the space for price.

(2) Crab used as bait in finfish traps shall be documented on board the vessel by a copy of the landing receipt pursuant to Fish and Game Code Sections 8043 and 8047 demonstrating that the crab to be used as bait has been landed prior to being used as bait. Copies of all landing receipts which document the catch of crabs that are used as bait shall be kept onboard the fishing vessel for a minimum period of 30 calendar days from the date of landing as listed on the landing receipt.

Note: Authority Cited: Section 7090, Fish and Game Code.

Reference: Section 7090, Fish and Game Code.

§ ~~426~~126.1 Commercial Take of Tanner Crab

... [No changes to subsections (a)-(f)]

Note: Authority cited: Sections 713, 1050, 5508, 7090, 7857, 8026 and 8282, Fish and Game Code.

Reference: Sections 1050, 1052, 5508, 7050, 7051, 7055, 7056, 7058, 7850, 7857, 7881, 8026, 8031, 8040, 8041, 8042, 8043, 8046, 8051, 8250.5, 8282, 8284, 8834, 9000, 9001, 9002, 9003, 9004, 9005, 9006, 9007, 9008 and 9011, Fish and Game Code.