



December 20, 2018

EXPERIMENTAL GEAR PERMIT TERMS AND CONDITIONS NUMBER X-####

In accordance with action taken by the California Fish and Game Commission on December 12, 2018, and pursuant to the provisions of Fish and Game Code (FGC) Section 8606, permission is hereby granted to:

Permittee Name: _____
Permittee Address: _____
Second Operator Name: _____
Second Operator Address: _____
Vessel Name and ID # _____

hereinafter called the permittee, to harvest brown box crabs (*Lopholithodes foraminatus*) (box crab) for commercial purposes. This document must be attached to an Experimental Gear Permit (Permit) to be issued by the California Department of Fish and Wildlife's (Department's) License and Revenue Branch (LRB). The gear may only be used under the following conditions:

A. GENERAL TERMS AND CONDITIONS:

1. Pursuant to FGC Section 8606(a)(2), an Experimental Gear Permit number will be provided by LRB for this activity, and it will be valid for a term of one year commencing on April 1, 2019 and ending on March 31, 2020.
2. This permit shall be operated only on the vessel named above. The Permittee may designate up to one other permit operator who may also harvest box crab from the vessel named above. Either the primary permittee or the secondary operator must be aboard the vessel and both are responsible and accountable for meeting the requirements and limits of this permit and all fishing operations conducted under the terms of this permit.
3. Pursuant to FGC Section 7857(d), a copy of the original Department issued Automated License Data Systems license and permit and the signed Terms and Conditions must be on the commercial fishing vessel at all times when activities are being conducted under the authority of this permit.
4. The permittee and any person who assists the permittee, must possess a valid commercial fishing license issued pursuant to FGC Section 7850, prior to engaging in any fishing operations which are authorized by this permit.
5. The permittee and any person who assists the permittee, shall possess a valid general trap permit issued pursuant to FGC Section 9001, prior to engaging in any fishing operations authorized by this permit.

6. The permittee must possess a valid commercial boat registration issued pursuant to FGC Section 7881, for the vessel named above and must display the Department Boat Registration numbers in plain sight on each side of the vessel.
7. The permittee must comply with all appropriate state and federal laws and regulations, including but not limited to those relating to protected species, minimum size limits, and seasons or areas closed to fishing.
8. The permittee shall cooperate with the Department by allowing personnel designated by the Department to board the commercial fishing vessel operated by the permittee under this permit, to observe or inspect equipment, procedures, or fish and crabs on any fishing trip for as long as the trip may last throughout the duration of the permit.
 - a. The vessel must display a current Coast Guard safety decal.
 - b. The vessel must be capable of safely carrying an observer and provide that observer with accommodations equivalent to those provided to the captain and crew for both single and multi-day trips if multi-day trips are conducted.

SPECIAL CONDITIONS:

1. The permittee must follow the best practices for avoiding whale entanglement described in the attached guide. This includes fishing gear and incident reporting requirements.
2. The permittee shall document all fishing activities using a logbook provided by the Department. Any additional information requested by the Department shall be provided by the permittee. Failure to keep or submit required records of fishing activity may result in revocation or suspension (including non-renewal) of the license or permit for the taking of all fish or the particular species for which the records are required.
3. The permittee shall submit funds in the amount of \$4,500 by December 31, 2018 to cover a portion of the Department's cost for permit approval and monitoring and management of the program.
4. The permittee shall allow Department designated technicians to install electronic fishery monitoring hardware on their vessel and comply with all associated procedures for operation, maintenance, and data sharing. No fishing for box crab may take place unless a functioning electronic monitoring system is installed and used as specified by the Department. The electronic monitoring must remain active at all times when the vessel is in use through the duration of the project.
5. Participants may fish for box crab and rock crab, Dungeness crab or spot prawn within the same trip if appropriate permits for retained species are in place. Adherence to all other regulations regarding the take of these species is required. Brown box crab and lobster shall not be targeted or possessed within the same trip. For research purposes, the Department may provide written authorization for the landing of king crab caught in box crab traps above the 25-pound landing restriction specified in section 126 of Title 14. All other species caught in box crab traps shall be returned to the water immediately and not used as bait.

6. This permit authorizes up to 36,000 pounds of brown box crab to be landed annually by the vessel named in this permit. If this limit is reached prior to one year from the date fishing is initiated, all targeting of box crab must cease until the permit expires and is subsequently renewed.
7. The permittee shall ensure a landing receipt is submitted using E-Tix within 24 hours following a landing of box crab. Use of E-Tix is described in the California Code of Regulations, Title 14, Section 197.
8. The permittee shall participate in all requested research data collection activities including but not limited to:
 - a. Intensive fishing within a designated area
 - b. Trap survey monitoring catch per unit effort with varying levels of trap spacing along strings
 - c. Tag-recapture study
 - d. Crab collections
 - e. Logbook data collection
9. All box crab must have a minimum width of 5 $\frac{3}{4}$ inches across the widest part of the carapace including spines to be retained, possessed and landed unless authorized in writing by the Department to retain smaller crab for research purposes.
10. Pursuant to FGC Section 9004, permittees must service their traps at intervals no more than 96 hours unless otherwise authorized in writing by the Department. Exceptions may be made for weather or other safety concerns.
11. Traps shall meet the following design specifications:
 - a. Traps may be any shape but must have a diameter, length or width no larger than 6 feet
 - b. Traps must have at least one round escape port no smaller than 4 inches in diameter
 - c. Traps made of wire mesh must have mesh measurements 1.5 x 3.5 inches or larger.
 - d. Escape ports must be in the top or side of the trap. If both are in the side, at least one must be located so that at least one half of the opening is in the upper half of the trap.
 - e. Traps must include at least one destruct device to be specified by the Department.
 - f. The Department may allow and/or request deployment of specific trap designs for research purposes.
12. Buoy markings shall comply with requirements specified in California Code of Regulations, Title 14, Section 122.1 (b) except the letter "R" will replace the letter "P" on buoys used for box crab. Additionally, the Department may require a tag of designated shape, color and size, to be provided by the permittee, to be fixed to the line immediately below the buoy.
13. Pop-up buoys shall not be used.
14. A maximum of 75 traps may be fished at one time unless additional traps are authorized in writing by the Department for research purposes.

15. Cooperation with domoic acid testing is required by providing samples to the California Department of Public Health when requested.
16. If requested by the Department, permittees must move fishing gear in response to circumstances including, but not limited to, gear conflicts with other fishermen and Naval operations.
17. Permittees must engage in a minimum of 50 active fishing days per year targeting box crab. Active fishing days include days when box crab traps are pulled and do not include days when only transit or the setting of traps takes place.
18. No processing or packaging of box crab may take place until weighed, recorded on a landing receipt, and a landing receipt is provided to the permittee by the receiver.
19. Access to future permits, if a fishery is developed, is not implied by participation in the experimental permit.

Failure to adhere to the terms of the permit or violation of any laws while operating under the permit may result in immediate suspension or denial of renewal request of the box crab experimental gear permit at the discretion of the Department.

This permit is not valid until the permittee has certified by their signature below that they have read and understand the terms of the permit and has returned one signed copy to the Department.

Joshua Morgan, Chief
License and Revenue Branch

I (we) have read, understand and agree to abide by all terms and conditions of this permit

PERMITTEE SIGNATURE

DATE

SECOND OPERATOR SIGNATURE

DATE

March 4, 2019

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