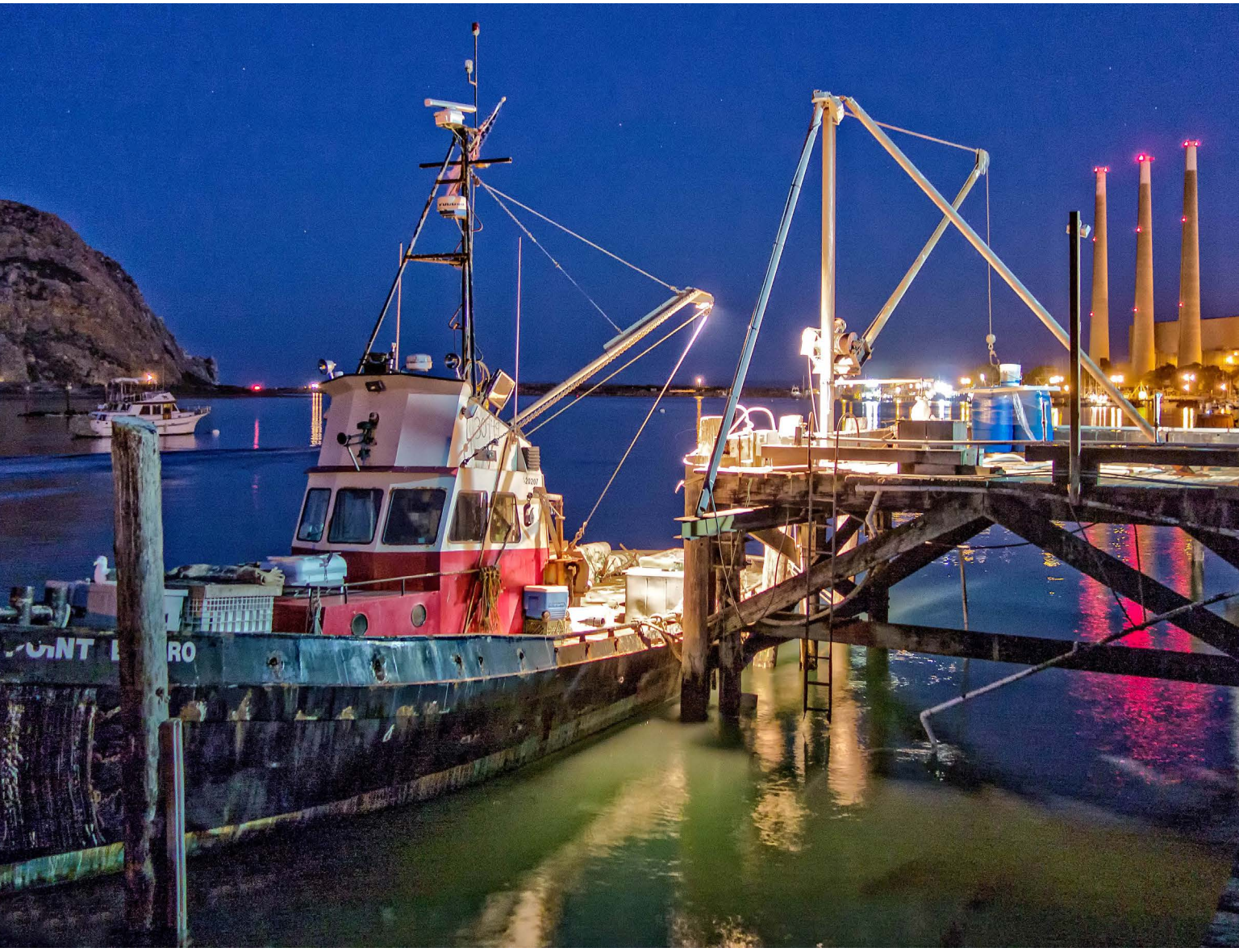
2020 California Commercial Fishing Regulations Digest



For All Commercial Fishing in California
Effective April 1, 2020 through March 31, 2021

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NONDISCRIMINATION

Any person excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program of the California Department of Fish and Wildlife, on the grounds of age, race, national origin, disability, religious or political affiliation, color, sex, ancestry, marital status, or sexual orientation, should contact the nearest regional office of the department or its headquarters located at 1416 9th Street, Sacramento, CA 95814, (916) 653-4711. In addition, you may contact the U.S. Equal Employment Opportunity Commission, Washington, D.C. 20506 or a local EEOC office listed in your phone directory under U.S. Government.

Alternate communication format available upon request, call (916) 322-8911. Call the California Relay (telephone) Service for the deaf or hearing-impaired from TDD phones at 800-735-2929 or 711.

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WEB INDEX

California Code of Regulations - https://oal.ca.gov/

California Department of Fish and Wildlife (CDFW) - wildlife.ca.gov

CDFW, License and Revenue Branch - wildlife.ca.gov/Licensing

CDFW, Marine Region - wildlife.ca.gov/regions/marine

California Fish and Game Commission - www.fgc.ca.gov

California State Marine Protected Areas - wildlife.ca.gov/MPAs

Coastal Pelagic Species - www.fisheries.noaa.gov/species/coastal-pelagic-species

Federal Fishing Permits - www.fisheries.noaa.gov/west-coast/commercial-fishing/west-coast-fishing-permits

Federal Regulations - www.fisheries.noaa.gov/west-coast/sustainable-fisheries/fisheries-management-west-coast

Fish and Game Code - leginfo.legislature.ca.gov/faces/codes.xhtml

Highly Migratory Species - www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-highly-migratory-species

International Pacific Halibut Commission - www.iphc.int

Lost Gear - seadocsociety.org/california-lost-fishing-gear-removal-project/

Marine Mammal Protection Act - www.fisheries.noaa.gov/national/marine-mammal-protection/marine-mammal-protection-act

National Marine Fisheries Service - www.fisheries.noaa.gov/region/west-coast

National Marine Fisheries Service Trawl Rationalization Program - fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-groundfish-trawl-catch-share-program

National Marine Protected Areas Center - www.marineprotectedareas.noaa.gov/

Pacific Fishery Management Council - pcouncil.org

Pacific Mackerel and Sardine - www.fisheries.noaa.gov/species/coastal-pelagic-species

Pacific States Marine Fisheries Commission - www.psmfc.org

Save Our Seabirds - www.seabirdrehab.org

Western and Central Pacific Fisheries Commission - www.wcpfc.int

DEPARTMENT OF FISH AND WILDLIFE SALES OFFICE LOCATIONS

EUREKA
619 Second Street, Eureka, CA 95501
Office Hours - 8:00am - 4:30pm
The office is closed from 12:00pm to 1:00pm daily.
(707) 445-6493 FAX (707) 445-6664
Email: (inland): askregion1@wildlife.ca.gov

FAIRFIELD
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
Office Hours - 8:00am - 4:30pm
(707) 428-2002 FAX (707) 428-2036
Email: askbdr@wildlife.ca.gov

FRESNO
1234 East Shaw Avenue, Fresno, CA 93710
Office Hours - 8:00am - 4:30pm
(559) 243-4005 FAX (559) 243-4022
Email: Reg4sec@wildlife.ca.gov

LOS ALAMITOS
4665 Lampson Avenue, Suite C
Los Alamitos, CA 90720
Office Hours - 8:00am - 4:30pm
The office is closed from 11:30am to 12:30pm daily.
(562) 342-7100 FAX (562) 596-0342
Email: (ocean): askmarine@wildlife.ca.gov

MONTEREY
20 Lower Ragsdale Drive, Suite 100
Monterey, CA 93940
Office Hours - 8:00am - 4:30pm
The office is closed from 11:30am to 12:30pm daily.
(831) 649-2870 FAX (831) 649-2894
Email: (ocean): askmarine@wildlife.ca.gov

REDDING
601 Locust Street, Redding, CA 96001
Office Hours - 8:00am - 4:30pm
(530) 225-2300 FAX (530) 225-2055
Email: askregion1@wildlife.ca.gov

SACRAMENTO
License and Revenue Branch 1740 N. Market Blvd.,
Sacramento, CA 95834
Office Hours - 8:00am - 5:00pm
(916) 928-5822 FAX (916) 419-7586
Email: LRB@wildlife.ca.gov

SAN DIEGO
3883 Ruffin Road, San Diego, CA 92123
Office Hours - 8:00am - 4:30 pm
(858) 467-4201 FAX (858) 495-3614
Email: Askr5@wildlife.ca.gov

FOREWORD

This booklet contains information from both the California Fish and Game Code (FGC) and Title 14, California Code of Regulations (Title 14). For detailed information, refer to the appropriate code or contact the Department of Fish and Wildlife (Department). All species may be taken without restriction except those mentioned by name. Whenever a species is mentioned in this digest, only those conditions specifically described are permitted. Species not mentioned in this digest by name are not restricted as to area in which they may be taken, bag limit, size, or season, except within marine protected areas (MPAs). See specific regulations that apply within each MPA.

Regulations governing commercial fishing gear are permissive. Only those types of fishing gear listed in the code may be used and only under the conditions prescribed. All other types of gear mentioned are illegal, unless authorized by the Fish and Game Commission (Commission) under an Experimental Gear Permit. These excerpts are provided as a courtesy and are not to be used as legal documents. Since the codes may be amended at any time, it is the reader's responsibility to be knowledgeable of, and abide by, all laws and regulations in effect at the time he/she participates in any commercial fishing activity. Any discrepancies between this document and the code(s) from which it was prepared will be enforced and adjudicated according to the official code(s) in effect on the date the activity takes place.

Official copies of the Commission's orders as set forth in Title 14 may be purchased from Barclay's Law Publishers, P.O. Box 2006, San Francisco, CA 94126, (800) 888-3600. Title 14 can be viewed at www.oal.ca.gov. Copies of the FGC on CD may be purchased from LawTech Publishing, 1060 Calle Cordillera, Ste. 105, San Clemente, Ca 92673, (800) 498-0911 or www.lawtechpublishing.com. The FGC can be viewed at
http://leginfo.legislature.ca.gov/faces/codes.xhtml.

California Fish and Game Commission

The Mission of the California Fish and Game Commission is, on behalf of California citizens, to ensure the long term sustainability of California's fish and wildlife resources by:

- Guiding the ongoing scientific evaluation and assessment of California's fish and wildlife resources;
- Setting California's fish and wildlife resource management policies and ensuring these are implemented by the Department of Fish and Wildlife;
- Establishing appropriate fish and wildlife resource management rules and regulations; and
- Building active fish and wildlife resource management partnerships with individual landowners, the public and interest groups, and federal, state, and local resource management agencies.

Department of Fish and Wildlife

The mission of the Department of Fish and Wildlife is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.

The Department is charged with the administration and enforcement of the FGC and Title 14. The Department is organized with the Director and headquarters staff in Sacramento, and seven regional managers coordinating the operations in their respective portions of the state. The Director is the appointing power of all Department employees, who are responsible to the Director for the proper performance of their duties and responsibilities.

Most of the revenue for the Department comes from the Fish and Wildlife Preservation Fund, with a limited amount from other sources (General Fund, Sport Fish Restoration Act, Environmental License Plate Fund, and grants). The Fish and Wildlife Preservation Fund is supported by the sale of sport fishing and hunting licenses, commercial licenses, fish landing taxes, and fines and penalties assessed for violation of Fish and Wildlife laws.

A Reminder From The Center For Marine Conservation

Discarded fishing line, net, bait bags, and trash that enter the marine environment needlessly kill marine wildlife. Floating plastic rope and line also foul boat propellers, and plastic bags clog seawater intakes causing engine failure and costly repairs. If a boater is stranded, the situation can become life-threatening. In 1988, an international treaty, MARPOL, Annex V, took effect. This law bans the dumping of plastic in navigable waters, such as rivers, lakes, canals, streams, bays, and the ocean. It is also a California offense to litter from shore. Become part of the solution; keep trash out of our oceans and waterways. Secure any loose fishing line and trash to ensure it does not enter the water. Where possible, retrieve trash floating in the water or on shore and share your concern with others by encouraging them to help. Ultimately, the solution to marine debris lies with those who care about the future of the aquatic environment and its living resources.

General Provisions Affecting Commercial Fishing

All fish, the taking of which is not otherwise restricted for commercial purposes, by state or federal law or any regulations adopted pursuant to those laws, may be taken at any time for commercial purposes (FGC §8140).

Nets or traps used in violation of law are subject to seizure and forfeiture but may be retained under bond until disposition by the court (FGC §§8630–8633, 12157).

Only those nets, traps, lines, spears, or appliances specifically authorized for by law may be used to take fish (FGC §8603).

Commercial fishermen leaving from or landing in any port in California are subject to commercial fishing laws and regulations even if the fishing activity occurs beyond three miles from shore. California laws and regulations also apply to (1)

licensed California fishermen fishing within 200 miles of the California coast even if the trip began or ended outside of California, and (2) all fishermen fishing within three miles of the California coast or within three miles of offshore island.

Any person who takes fish or assists in the taking of fish for commercial purposes must have a valid commercial fishing license issued to that person that has not been suspended or revoked (FGC §7850).

Any vessel used to take fish for commercial purposes must be registered with the Department (FGC §7881).

Owners and operators of commercial fishing vessels permitted under regulations of the Commission, and commercial passenger fishing vessels licensed pursuant to FGC §7920 shall cooperate with state and federal fishery observers as specified in §105.5, Title 14. (See page 35.)

Some regulations refer to the southern boundary of the state as "a westerly extension of the boundary line between the Republic of Mexico and the United States." Per state and federal regulations, this boundary line is the same boundary line as the United States Exclusive Economic Zone (EEZ), as defined by §1802 of Title 16 of the United States Code. This line can be seen on official NOAA nautical charts and is the boundary which divides U.S. state waters and Mexican waters. North of this boundary line, all state laws and regulations and federal regulations apply. Persons fishing illegally outside the EEZ and bringing the illegal catch back to California are in violation of both state and federal law.

RENEWING COMMERCIAL FISHING LICENSES

Commercial fishing items can be purchased online, at Department Fish and Wildlife License Sales Office, select license agents, or by mail.

NEW FISHERMEN OR BOATS

First time applicants for a Commercial Fishing License or vessel owners registering a new boat, with the Department, must contact the License and Revenue Branch at (916) 928-5822, for initial setup.

RENEWING YOUR COMMERCIAL ITEMS ONLINE

Go to: www.ca.wildlifelicense.com/InternetSales/
To find a license agent in your area that sells commercial fishing licenses visit: www.wildlife.ca.gov/licensing/commercial

LICENSE BUYER SURCHARGE

Section 704, Title 14, of the California Code of Regulations (CCR), states all licenses, tags, permits, reservations or other entitlements purchased via the Automated License Data System (ALDS) will be subject to a three percent nonrefundable surcharge, not to exceed seven dollars and fifty cents ($7.50) per item, to pay the department's cost for issuing that license, tag permit, reservation or their entitlement.

IDENTIFICATION REQUIREMENTS

Section 700.4(c), Title 14 of the California Code of Regulations (CCR), states any applicant applying for any license, tag, permit, reservation or other entitlement issued via ALDS shall provide valid identification. Acceptable forms of identification include:

- Any license document or GO ID number previously issued via ALDS
- A valid driver's license or identification card issued to him or her by the Department of Motor Vehicles or by the entity issuing driver's licenses from the licensee's state of domicile
- US Birth Certificate
- US Certificate or Report of Birth Abroad
- Tribal Identification Card, as defined by each sovereign tribal nation
- Birth Certificate or passport issued from a US Territory
- US Military Identification Cards (Active or reserve duty, dependent, retired member, discharged from service, medical/religious personnel)
- Certificate of Naturalization or Citizenship.
- A foreign government-issued photo identification

Any applicant less than 18 years of age applying for any license, tag, permit, reservation or other entitlement issued via the ALDS shall provide valid identification. Acceptable forms of identification include any form of identification described above; or a parent or legal guardian's identification as described above.

DOCUMENTATION REQUIRED FOR BUSINESS OWNED COMMERCIAL FISHING VESSELS

Fish and Game Code (FGC) Section 1054 requires commercial fishing vessel owners to show proof of the statements or facts required for the issuance of any Commercial Boat Registration.

- Articles of Incorporation
- Articles of Organization
- Certificate of Limited Partnership
- Statement of Partnership Authority

DUPLICATE LICENSES OR PERMITS

To replace a lost or destroyed license or permit the licensee may go to a Department License Sales Office, online at www.wildlife.ca.gov/Licensing/Online-Sales or at select license agents. The fee for a duplicate license is $10.56 and $3.09 for duplicate permits.

MANDATORY COAST GUARD EXAMS REQUIRED FOR COMMERCIAL FISHING VESSELS

Commercial fishing vessels that operate beyond 3 nautical miles from the territorial sea baseline are required to get a dockside exam from the Coast Guard.

Coast Guard units will be boarding vessels at sea to determine if they have already successfully completed a mandatory exam. Any vessel with a decal issued after Jan 1, 2013 are considered in compliance. Those that don't comply will be issued a warning and 30 days to come into compliance.

For more information www.uscg.mil/d13/cfvs/default.asp

UPDATES FOR 2020

MINIMIZING MARINE LIFE ENTANGLEMENT RISK IN THE DUNGENESS CRAB FISHERY

Effective January 1, 2019 the Director of Fish and Wildlife has the interim authority to restrict the take of Dungeness crab if the fishery poses a significant risk to marine life entanglement. The Department is also developing regulations that support the Risk Assessment and Mitigation Program (RAMP). The regulations are scheduled to become effective by November 1, 2020. Additional information regarding the RAMP can be found on the Ocean Protection Council's RAMP web page at www.opc.ca.gov/risk-assessment-and-mitigation-program-ramp/. Regulatory documents will be posted on CDFW's Proposed Regulations web page at wildlife.ca.gov/Notices/Regulations as they become available.

DUNGENESS CRAB FISHERY UPDATES

SB262 updated the authorized methods for transferring Dungeness crab vessel permits (Section 8280.3 FGC).

CLARIFICATION TO BARREL TRAP LIMIT

In June 2019, the Fish and Game Commission adopted an amendment to Section 180.6 (b), Title 14, which clarified that the barrel trap limit is tied to the vessel. This regulation became effective October 1, 2019. See page 69.

COMMERCIAL DUNGENESS CRAB TRAP GEAR RETRIEVAL PROGRAM

The Department adopted regulations (Section 132.7, Title 14, CCR) to implement a lost and abandoned commercial Dungeness crab trap gear retrieval program. Any gear left in the water after the close of the season is subject to retrieval under this program. The Department encourages Dungeness crab vessel permit holders who are contacted by authorized entities to work cooperatively to reclaim their gear. Program non-compliance will result in additional fees and potential permit restrictions. More information is available at www.wildlife.ca.gov/Conservation/Marine/Whale-Safe-Fisheries or by contacting WhaleSafeFisheries@wildlife.ca.gov.

NEW BUOY MARKING REQUIREMENTS

To improve gear identification in marine life entanglement incidents, new buoy marking requirements become effective on May 1, 2020 for the following trap fisheries: spot prawn, rock crab, tanner crab, spiny lobster, coonstripe shrimp, and nearshore finfish. All buoys attached to traps must be marked with Identification Letters unique to a fishery and at least one buoy must be marked with an Identification Number that identifies the operator. For letter assignments and more information, please see Title 14, Section 180.5 on pg. 147.

BEST PRACTICES GUIDE TO MINIMIZE WHALE ENTANGLEMENT RISK

The National Marine Fisheries Service has confirmed significant increases in large whale entanglements over the last few years, and specifically in California Dungeness crab fishing gear. Entanglements threaten the stability of the fishery and coastal fishing communities. In response, a Best Practices Guide (Online at www.opc.ca.gov/webmaster/_media_library/2019/11/2019-20_BPG_Final.pdf) has been developed to highlight voluntary actions towards reducing whale entanglements.

FISH TICKET REQUIREMENTS

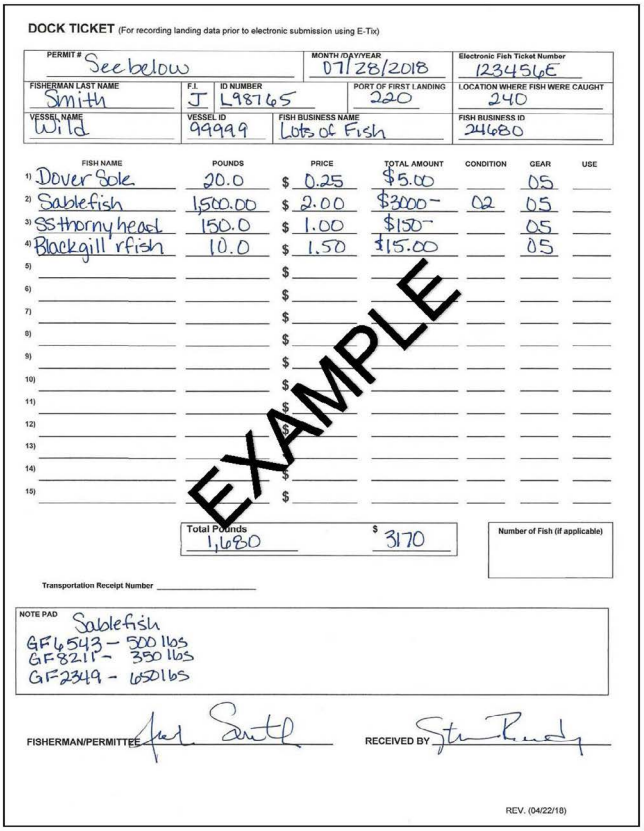
As of July 1, 2019 all commercial landings are required to be electronically submitted via the E-Tix application. These changes affect commercial fishermen, fishermen's retail license holders and commercial fish businesses.

Important things to note:

- Sablefish, bluefin tuna, and groundfish trawl landings must be submitted via E-Tix within 24 hours.
- All other landings must be submitted via E-Tix within 3 (three) business days.
- Electronic fish tickets should be filled out immediately upon landing using the E-Tix system. If not feasible, a paper dock ticket including all required information must be filled out when fish are landed.
  –If you have internet access (mobile, tablet, or computer) at the time of offloading, then you can enter a landing directly into E-Tix.
  –If there is no internet available at the time of offloading, you must plan ahead by signing into the E-Tix system to generate an electronic fish ticket number (or multiple ticket numbers) and use a paper dock ticket.
  –If you use dock tickets, an electronic fish ticket number must be generated via E-Tix prior to receiving a landing and must be included on a dock ticket. You can also print out a dock ticket with the fish ticket number before buying fish.
- **Paper copies of the electronic fish ticket or dock ticket must be signed by both the buyer and fisherman, and a paper copy must be given to the fisherman at the time of the landing.**
- Both buyer and fisherman must keep the paper copies of signed electronic fish tickets or dock tickets for 4 (four) years and make them available for inspection by the Department.
- Existing requirements to keep records onboard the vessel for groundfish, sheephead, tanner crab, rock crab, non-*Cancer* crabs, and salmon still apply.

Additional information:

- Procedures and Resources for Commercial Landings Website – This website includes the User Guide, Dock Ticket example and a link to PSMFC's E-Tix website: https://wildlife.ca.gov/Fishing/Commercial/Landing-Resources. Contact Dave Colpo at (503) 595-3100.
- The Pacific States Marine Fisheries Commission maintains the E-Tix application and offers free one-on-one training.
- For any other questions regarding electronic fish tickets, contact the Marine Fisheries Statistical Unit at ElectronicFishTicket@wildlife.ca.gov or by phone at (562) 342-7130.



DOCK TICKET (For recording landing data prior to electronic submission using E-Tix)

PERMIT #	MONTH /DAY/YEAR	Electronic Fish Ticket Number
See below	07/28/2018	1234566

FISHERMAN LAST NAME	F.I.	ID NUMBER	PORT OF FIRST LANDING	LOCATION WHERE FISH WERE CAUGHT
Smith	J	L98765	220	240

VESSEL NAME	VESSEL ID	FISH BUSINESS NAME	FISH BUSINESS ID
Wild	99999	Lots of Fish	246680

	FISH NAME	POUNDS	PRICE	TOTAL AMOUNT	CONDITION	GEAR	USE
1)	Dover Sole	20.0	$ 0.25	$5.00		05	
2)	Sablefish	1,500.00	$ 2.00	$3000–	02	05	
3)	SS thorny head	150.0	$ 1.00	$150–		05	
4)	Blackgill rfish	10.0	$ 1.50	$15.00		05	
5)			$				
6)			$				
7)			$				
8)			$				
9)			$				
10)			$				
11)			$				
12)			$				
13)			$				
14)			$				
15)			$				

Total Pounds 1,680 $ 3170

Number of Fish (if applicable)

Transportation Receipt Number

NOTE PAD
Sablefish
GF6543 – 500 lbs
GF8211 – 380 lbs
GF2349 – 650 lbs

FISHERMAN/PERMITTEE

RECEIVED BY

REV. (04/22/18)

EXAMPLE

GENERAL PROVISIONS AFFECTING COMMERCIAL FISHING

NOAA FISHERIES GROUNDFISH TRAWL CATCH SHARE PROGRAM

Complete guidelines available on NMFS' Trawl Rationalization Program website at: https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-groundfish-trawl-catch-share-program.

For questions or additional information, please contact the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), West Coast Region, 7600 Sand Point Way NE Building #1, Seattle, WA 98115–0700 at (206) 526-6140.

HEALTH ADVISORIES FOR CALIFORNIA FINFISH, SHELLFISH AND CRUSTACEANS

When circumstances arise, warnings, quarantine information, and health advisories about consuming California's ocean finfish, shellfish and crustaceans will be posted here, as provided by the California Department of Public Health. This web page was established as a source of information for fishermen and the fishing industry. wildlife.ca.gov/Fishing/Ocean/Health-Advisories

SEA URCHIN DIVING PERMIT DRAWING APPLICATIONS

Applications are available at www.dfg.ca.gov/licensing/forms/ or call (916) 958-5822 for an application to be sent to you.

PROHIBITED SPECIES

Specimens of the following groups or species shall not be taken or possessed for commercial purposes:

Marine Plants and Algae

Eelgrass - (*Zostera* species)
Surfgrass - (*Phyllospadix* species)

Clams and Other Mollusks (FGC §§5521, 5521.5, 8343–8346, 8510 and §671, Title 14.)

All Species of Abalone:
Red abalone – *Haliotis rufescens*
White abalone – *Haliotis sorenseni*
Pink abalone – *Haliotis corrugata*
Green abalone – *Haliotis fulgens*
Black abalone – *Haliotis cracherodii*
Pinto abalone – *Haliotis kamschatkana*
Flat abalone – *Haliotis walallensis*
Threaded abalone – *Haliotis assimilis*

Exception: *The above species of native abalone may be possessed, transported, or imported for the purposes of aquaculture, under a permit issued by the Department. Note that live, non-native specimens of abalone (genus Haliotis) may not be possessed, transported or imported, except under a permit issued by the Department.*

Scallops
Pismo clams
Northern razor clams
All members of the genus *Dreissena* (zebra mussels)
New Zealand mudsnails –*Potamopyrgus antipodarum*
Stalked or gooseneck barnacles –*Pollicipes* sp.
Giant acorn barnacle –*Balanus nubilus* or *Balanus aguila*
Owl limpet –*Lottia gigantea*
Coffee bean shells –*Trivia* sp.
Three–winged murex –*Pteropurpura trialata*
Vidler's simnia –*Simnia vidleri*
Queen tegula –*Tegula regina*
Sea slugs –Order Opisthobranchia (including nudibranchs): No sub-class Opisthobranchia species may be taken except for the following:
- Sea hares–*Aplysia californica* and *Aplysia vaccaria*
- Thick-horned *aeolid–Hermissenda crassicornis*
- Lion's mouth –*Melibe leonina*
- Shag rug or papillose aeolid–*Aeolidia papillosa*
- Spanish shawl –*Flabellina iodinea*

Vertebrates (FGC §§8370–8373, 8380, 8388, 8393, 8430–31, 8435–36, 8598, 8599, and §§150.16, 182, 671, Title 14.)

All shark and ray egg cases
Brown smoothhound sharks –*Mustelus henlei* (less than 18 inches in a whole condition or dressed with head and tail removed)
All poachers – Family Agonidae
Wolf–eel – *Anarrhichthys ocellatus*
California sheephead – *Semicossyphus pulcher* (less than 13 inches)
Garibaldi – *Hypsypops rubicundus*
Leopard shark (less than 36 inches)
Angel shark (must be within size and percentage of load limits—see FGC §8388 pages 22 and 62)
Giant sea bass* (black sea bass)
White shark*
Basking sharks
Steelhead (sea-run rainbow trout)
Dolly Varden
Sacramento perch
White perch – *Morone americana*
Black bass
Striped bass
White bass – *Morone chrysops*
Trout
Catfish
Pacific bonito (less than 24 inches fork length or five pounds)
Coho salmon (silver salmon)
Crappie
Sunfish
Kelp bass (calico bass)
Barred sand bass
Spotted sand bass
Marlin
Yellowfin croaker
Spotfin croaker

California corbina
Sturgeon
Bluefin tuna (less than 7½ pounds)
*In specific net fisheries an incidental take is allowed (see gill net regulations page 62).

Live Rocks (FGC §8598.2)
Rocks with living organisms attached, commonly called "live rocks." Rocks shall not be broken to take marine aquaria species and any rock displaced to access any such species shall be returned to its original position.

Other Invertebrates (FGC §§8500, 8598)
All sponges – Phylum Porifera
Jellyfish – *Pelagia* spp.
Corals and anemones, all species – Coelenterata
All gorgonians – Order Gorgonacea
Sea Pens – Order Pennatulacea –all species except *Renilla kollikeri*
Featherduster worm – *Eudistylia polymorpha*
Fiddler crab – *Uca crenulata*
Umbrella crab – *Cryptolithodes sitchensis*
Krill – *Euphausia* spp. It is unlawful to take or land krill of any species of euphausiid for any purpose except scientific research

IT IS UNLAWFUL TO:

- Pollute the state waters or to discard litter within 150 feet of the high water mark of the waters of the state (FGC §§5650, 5652).
- Cause or permit any deterioration or waste of any fish taken in or brought into waters of this state, except for fish offal used in a reduction process or plant (FGC §7704).
- Sell, purchase, deliver for commercial purposes, or possess any shark fin or shark tail or portion thereof that has been removed from the carcass (with the exception of thresher shark) (FGC §7704).
- Use explosives in fish–inhabited waters except under Commission regulations (FGC §5500).
- Possess on any boat or bring ashore any fish for which a size or weight limit is prescribed in such a condition that its size or weight cannot be determined. The Commission may adopt regulations to establish equivalents under which other than whole fish may be brought ashore (FGC §5508).
- Take shellfish for human consumption from contaminated waters (FGC §5670).
- Take fish for commercial purposes on any commercial passenger fishing vessel operating as a passenger vessel, nor may any fish or amphibian taken under the authority of a sport fishing license on such vessel be sold or purchased (FGC §§7121, 8385).
- Disturb or injure any net, trap, or other apparatus being used legally to take fish (FGC §8604).
- It is unlawful for any person to sell, offer, or hold for sale any shellstock or shucked shellfish that has not been harvested from a growing area which has been certified by the Department or that has not been purified in accordance with Health and Safety Section 112170.

PROCEDURE FOR OPENING AND CLOSING FISHERIES DUE TO TOXINS IN FINFISH OR INVERTEBRATES (FGC SECTION 5523)

(a)(1) If the Director of Environmental Health Hazard Assessment, in consultation with the State Public Health Officer, determines, based on thorough and adequate scientific evidence, that any species or subspecies of fish is likely to pose a human health risk from high levels of toxic substances, the Director of Fish and Wildlife may order the closure of any waters or otherwise restrict the taking in state waters of that species.

(2) After the Director of Fish and Wildlife orders the closure of any waters or restricts the taking of any species of fish pursuant to paragraph (1), he or she shall notify the commission and request that the commission schedule a public discussion of the closure or restriction at its next scheduled full commission meeting.

(b)(1) When the Director of Environmental Health Hazard Assessment, in consultation with the State Public Health Officer, determines that a health risk no longer exists, the Director of Environmental Health Hazard Assessment shall notify the Director of Fish and Wildlife and shall request that any waters closed pursuant to subdivision (a) be reopened for fishing and any restrictions imposed pursuant to subdivision (a) be lifted.

(2) Upon receiving the notification and request pursuant to paragraph (1), the Director of Fish and Wildlife shall open any waters closed pursuant to subdivision (a) and lift any restrictions imposed pursuant to subdivision (a) in a manner that promotes a fair and orderly fishery.

(c) It is unlawful to take any fish from any closed waters or to otherwise violate any restriction on take imposed pursuant to this section.
(d) If there is a delay in the opening of any waters for Dungeness crab season pursuant to this section, the Director of Fish and Wildlife may further delay opening those waters in order to provide 72-hours notice before a gear setting period. If, with 72-hours notice, the gear setting period would begin on a federal holiday, a state holiday, the day before Thanksgiving Day, December 24, or December 31, the director may delay opening those waters for the additional time that is necessary to begin the gear setting period on the next day that is not one of those days.
(e) Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to actions taken pursuant to this section.

FEDERAL AND OTHER REGULATIONS

Federal regulations are in effect for many California fisheries including Coastal Pelagic Species (Pacific sardine, Pacific mackerel, jack mackerel, northern anchovy, and market squid), groundfish, Highly Migratory Species (tunas, billfish, dolphinfish, and thresher, mako, and blue sharks), and Pacific salmon species (Chinook salmon, coho salmon, pink salmon). For information regarding federal fisheries regulations please contact: National Marine Fisheries Service (NMFS), West Coast Region, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802–4213, (562) 980–4030. You can also obtain regulations and other fishery information from the following NMFS web sites:

Coastal Pelagic Species – www.fisheries.noaa.gov/species/coastal-pelagic-species

Groundfish – www.fisheries.noaa.gov/species/west-coast-groundfish

Salmon – www.fisheries.noaa.gov/west-coast/sustainable-fisheries/salmon-and-steelhead-fisheries-west-coast
Highly Migratory Species – www.westcoast.fisheries.noaa.gov/fisheries/migratory_species/highly_migratory_species.html

ROCKFISH CONSERVATION AREAS (RCAS)

All California commercial fishermen need to be aware of RCAs. RCAs restrict the use of certain gear types due to their potential of interacting with over fished groundfish species. For more information refer to Federal groundfish regulations. Regarding the RCA boundaries, please contact the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service, West Coast Region, 7600 Sand Point Way NE Building #1, Seattle, WA 98115–0700 at (206) 526–6150 or www.fisheries.noaa.gov/species/west-coast-groundfish.

FEDERAL GROUNDFISH PERMITS

As of January 1, 1994, limited entry permits for groundfish are required aboard all vessels fishing groundfish trawl, longline, and fishpot (trap) gear under the limited entry permit program (limited entry gears). Longline and fishpot vessels without permits, along with all other gear except trawl, are allowed to continue fishing in open access fisheries. Trip limits and other management measures are used in the limited entry and open access fisheries to keep their harvest within the historic levels of that segment of the fleet not receiving permits. For further information contact: West Coast Region, National Marine Fisheries Service, 7600 Sand Point Way NE Building #1, Seattle, WA 98115–0700, (206) 526–4353, Fax (206) 526–6736 or www.fisheries.noaa.gov/species/west-coast-groundfish.

SALMON REGULATIONS

The National Marine Fisheries Service, West Coast Region, will electronically publish the annual Booklet of Federal Regulations for West Coast Salmon Fisheries, in mid–May. This booklet contains the complete federal regulations (50 CFR Part 660) and can be found online at www.fisheries.noaa.gov/west-coast/sustainable-fisheries/salmon-and-steelhead-fisheries-west-coast. Any in-season changes to the federal regulations will be announced on a telephone hotline at (800) 662–9825 or (206) 526–6667 and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF–FM and 2182 kHz.

COMMERCIAL FISHING LICENSES

The Department issues licenses for all commercial fishermen, fishing vessels, passenger fishing boats, and fish businesses in California. Limited entry commercial fishing permits are also issued to pre–qualified fishermen to take certain species of fish, or use certain gear types, for commercial purposes. Non–restrictive commercial fishing permits are available to all licensed commercial fishermen. Permits or licenses are issued and renewed at all Department offices listed on the inside cover unless otherwise noted.

Address Changes

Applications to renew commercial fishing licenses, permits, and commercial fishing vessel registrations are mailed to the address the licensee provides on his/her commercial fishing license. FGC §7857(m) requires licensees to notify the Department of their old and new address within three months of when they move or acquire a new address. Please include your commercial fishing license identification number and your Fish and Game commercial boat registration number. To report a change of address you may:

1. Email your address change to lrbcomm@wildlife.ca.gov.

2. Go online to www.wildlife.ca.gov/licensing/Online-Sale and update your information.

Applications

Renewal applications are mailed to commercial fishermen and commercial fishing vessel owners licensed with the Department during the previous license year. Applications are available from all Department offices listed on the inside front cover. Please read the instructions before submitting applications and fees. Applicants are required to complete all information requested unless specified as voluntary. Incomplete applications will be returned and could delay the issuance of a license or permit.

Under FGC and Title 14, the Department is authorized to collect information from applicants to maintain a record of licensure. All information requested on applications is mandatory unless otherwise indicated and is confidential pursuant to FGC §8022. This information may be released to any federal agency responsible for fishery management activities, provided the information is used solely for the purposes of enforcing fishery management provisions and provided the information will otherwise remain confidential. The Department may also release this information in accordance with FGC §391 or pursuant to a court order, to a public or private postsecondary institution engaged in research under the terms of a legally binding confidentiality agreement, or un-

APRIL 1, 2020 - MARCH 31, 2021 LICENSE, PERMIT, AND STAMP FEES

COMMERCIAL FISHING LICENSES, REGISTRATIONS, AND STAMPS

Fees include a nonrefundable three percent (3%) application fee, not to exceed $7.50 per item. (Section 700.4, Title 14, California Code of Regulations)

Resident Commercial Fishing License	$149.09
Non-resident Commercial Fishing License	440.25
Commercial Fishing Salmon Stamp	87.55
"John Doe" Commercial Fishing Salmon Stamp	87.55
Commercial Ocean Enhancement Stamp	55.36
Commercial Boat Registration (Resident)	387.25
Commercial Boat Registration (Non-resident)	1,146.75
Commercial Aircraft Registration	311.75
Commercial Passenger Fishing Vessel License	387.25

NON-RESTRICTIVE PERMITS

Anchovy Take	$46.87
Bay Shrimp	46.87
Coonstripe Shrimp Trap Vessel	117.16
Crayfish	46.87
Ghost Shrimp	46.87
Golden and Ridgeback Prawn Trawl	46.87
Inland or Freshwater Fish	46.87
Land California-Caught Fish Outside California Waters	23.18
Lobster Crewmember	195.44
Marine Aquaria Collector	509.00
Northern Rock Crab Trap	381.75
Sea Urchin Crewmember	46.87
Southern Pink Shrimp Trawl	46.87
Swordfish	509.00
Tanner Crab Trap Vessel	14,257.75
Tidal Invertebrate	46.87
Trap	55.36

TRANSFER FEES

Permit transfer fees are not subject to the nonrefundable three percent (3%) application fee.

Deeper Nearshore	$1,500.00
Drift Gill Net (vessel)	130.00
Dungeness Crab (T/NT)	200.00
General Gill	100.00
Lobster Operator	500.00
Market Squid Transfer Fee	500.00
Market Squid Brail (Upgrade from light boat)	1,500.00
Nearshore Fishery (permit)	1,500.00
Nearshore Fishery (trap endorsement)	75.00
Northern Pink Shrimp Trawl Vessel (new owner)	1,000.00
Northern Pink Shrimp Trawl Vessel (same owner)	200.00
Northern Pink Shrimp Trawl Vessel (temporary)	100.00
Pacific Herring	1,000.00
Herring Eggs on Kelp	1,000.00
Salmon Vessel	200.00
Herring Boat Transfer	50.00
Sea Cucumber (Dive or Trawl)	200.00
Southern Rock Crab Trap	1,000.00
Spot Prawn Trap Vessel (new owner)	50.00
Spot Prawn Trap Vessel (same owner)	200.00

LIMITED ENTRY AND RESTRICTED ACCESS PERMITS

California Halibut Bottom Trawl Vessel	$ 67.21
Deeper Nearshore Species Fishery	195.44
Drift Gill Net (Shark and Swordfish)	509.00
Dungeness Crab Vessel (Resident)	311.75
Dungeness Crab Vessel (Non-resident)	615.00
General Gill/Trammel Net	509.00
Herring Permit (Resident)	402.75
Herring Permit (Non-resident)	1,519.25
Herring Eggs On Kelp (Resident)	402.75
Herring Eggs On Kelp (Non-resident)	1,519.25
Lobster Operator and Trap Tags	838.50
Market Squid Vessel (Transferable)	3,001.75
Market Squid Vessel (Non-transferable)	1,579.60
Market Squid Brail (Transferable)	3,001.75
Market Squid Light Boat (Transferable)	905.75
Market Squid Light Boat (Non-Transferable)	59.48
Northern Pink Shrimp Trawl Vessel (Transferable)	1,526.75
Northern Pink Shrimp Trawl Vessel (Non-transferable)	767.75
Salmon Vessel	46.87
Sea Cucumber Diving	387.25
Sea Cucumber Trawl	387.25
Sea Urchin Diving	509.00
Sea Urchin Diving Draw Application	4.64
Southern Rock Crab Trap	381.75
Spot Prawn Trap Vessel - Tier 1	387.25
Spot Prawn Trap Vessel - Tier 2	387.25
Spot Prawn Trap Vessel - Tier 3	1,526.75

Nearshore Fishery Permits

North Coast Region (Transferable/Non-transferable)	$767.75
North-Central Coast Region (Transferable/Non-transferable)	767.75
South-Central Coast Region (Transferable/Non-transferable)	767.75
South Coast Region (Transferable/Non-transferable)	767.75
Nearshore Fishery Bycatch Permit	311.75

Nearshore Fishery Trap Endorsements

North-Central Coast Region (Transferable/Non-transferable)	$117.16
South-Central Coast Region (Transferable/Non-transferable)	117.16
South Coast Region (Transferable/Non-transferable)	117.16

LATE FEES

Permit late fees are not subject to the nonrefundable three percent (3%) application fee.

Commercial Fishing Limited Entry Permit Late Fee:

1 to 30 days	$160.75
31 to 60 days	320.25
61 days to March 31, 2019	641.25

2020-2021 LIMITED ENTRY AND RESTRICTED ACCESS COMMERCIAL FISHING RENEWAL APPLICATION DEADLINES

Permit	Deadline for Receipt or Postmark of Application Without Penalty	Late Fee Assessed	Late Fee
California Halibut Bottom Trawl Vessel Deeper Nearshore Fishery Drift Gill Net Dungeness Crab Vessel General Gill/Trammel Net Lobster Operator Market Squid Vessel Market Squid Brail Market Squid Light Boat Nearshore Fishery Nearshore Fishery Trap Endorsement Nearshore Fishery Bycatch Northern Pink Shrimp Trawl Salmon Vessel Sea Cucumber (Dive or Trawl) Sea Urchin Diving Spot Prawn Trap (Tier 1, 2, & 3) Southern Rock Crab Trap	April 30, 2020	May 1, 2020 to May 30, 2020 May 31, 2020 to June 29, 2020 June 30, 2020 to March 31, 2021*	$160.75 $320.25 $641.25
Pacific Herring	May 31, 2020	June 1, 2020 to June 30, 2020 July 1, 2020 to July 30, 2020 July 31, 2020 to March 31, 2021	$160.75 $320.25 $641.25

* The Department shall deny renewal applications for the above permits last renewed in 2019-2020 received or postmarked after March 31, 2021. Applicants applying after the March 31, 2021 deadline may appeal in writing to the Department's License and Revenue Branch. (FGC§7852.2(c)).

der other conditions as the Commission by regulation may provide.

All forms, logs, books, covers, documents, electronic data, software, and other records of any kind issued or otherwise supplied, directly or indirectly, by the Department, the purpose of which is to provide a means for reports, records, or other information to be filed with the Department, continue to be the property of the Department. Those forms, logs, books, covers, documents, electronic data, software, other records, or portions thereof remain the property of the Department whether used, unused, attached, or detached from their original binding, packaging, or other medium and shall be immediately surrendered upon demand to a peace officer of the Department acting in his or her official capacity, without being altered in any manner.

An applicant may obtain a copy of his/her license records maintained by the Department by contacting the custodian of records at the Department of Fish and Wildlife, License and Revenue Branch, 1740 N. Market Blvd., Sacramento, CA 95834, (916) 928–5822, or e–mail LRB@Wildlife.ca.gov. All requests for copies of license records must be submitted in writing and include the requester's name, address, and phone number.

Payment Policy

Personal checks will be accepted by the Department if name and address are imprinted on the check. Checks returned to the Department due to insufficient funds will render your license or permit invalid. The Department may also deny the issuance or renewal of any commercial license or permit if a person has failed to reimburse the Department for the amount due plus an additional processing fee of $30. (FGC §7852.25) Any commercial activity performed without a valid license or permit is a violation of the FGC and therefore subject to enforcement action.

Credit Cards–Licenses, permits, tags, stamps, or registrations may be purchased with a Visa or MasterCard.

Search for a license agent near you at www.ca.wildlifelicense.com/InternetSales/OutletSearch/FindOutlet.

Refund Policy

Refunds will not be issued for commercial fishing licenses, boat registrations, stamps or permits. Licenses, registrations,

stamps or permits are considered valid from April 1 through March 31 of the year following, or, if issued after the beginning of that term, for the remainder thereof.

Application Acceptance Policy

Fish and Wildlife Operations Manual, Section 9308 authorizes the Department to accept applications for licenses, tags and stamps for which the deadline falls on a weekend or holiday until the close of business on the first working day following the application deadline.

Limited Entry and Restricted Access Permits

Limited entry and restrictive access commercial fishing permits are issued only to pre–qualified commercial fishermen or vessel owners. "Limited entry fishery" means a fishery in which the number of persons who may participate or the number of vessels that may be used in taking a specified species of fish is limited by statute or regulation (FGC §8100). Permits can be renewed at all Department offices listed on the inside front cover unless otherwise noted. Permits are non–transferable unless otherwise specified and must be renewed annually.

Meeting Fish Landing Requirements

Fish landings used to meet permit eligibility requirements must have been reported to the Department on a fish landing receipt pursuant to FGC §§8046 and 7857(f). Personal use or transportation receipts will not be accepted as proof of eligibility. Unless otherwise specified, the permit year is April 1 through the following March 31.

Suspension or Revocation of Commercial Fishing Privileges

If you fish under a Commercial Fishing permit and violate FGC or Title 14, the Department may ask the Fish and Game Commission to suspend or permanently revoke your permit. Any person who has had a commercial fishing license or permit suspended or revoked shall not engage in that fishery or obtain any other commercial fishing license or permit to engage in that fishery while the revocation or suspension is in effect (FGC §7857(i)).

COMMERCIAL FISHING LICENSE REQUIREMENTS

Unless otherwise noted, commercial fishing licenses, registrations, stamps, or permits are valid from April 1 through March 31, or, if issued after the beginning of that term, for the remainder thereof. (FGC §7857(k))

Commercial Fishing License Required

Before a non–restrictive or limited entry commercial fishing permit can be issued, an applicant must possess a valid 2020-2021 commercial fishing license (resident or non–resident) (FGC §7857(a)).

Exemptions:

Any person who is employed by a fish receiver to unload fish or fish products, or to load or unload food and supplies, on or from a commercial fishing boat at a dock; and any person working aboard a licensed commercial passenger fishing boat is not required to have a commercial fishing license.

Resident Commercial Fishing License

Any resident 16 years of age or older who uses or operates, or assists in using or operating, any boat, aircraft, net, trap, line, or other appliance to take fish or amphibia for commercial purposes, and no person who causes to be brought ashore, any fish or amphibia at any point in the state for the purpose of selling them in a fresh state or who contributes materially to the activities on board a commercial fishing vessel is required to have a commercial fishing license.

Nonresident Commercial Fishing License

Any non–resident 16 years of age or older who uses or operates, or assists in using or operating, any boat, aircraft, net, trap, line, or other appliance to take fish or amphibia for commercial purposes, and no person who causes to be brought ashore, any fish or amphibia at any point in the state for the purpose of selling them in a fresh state or who contributes materially to the activities on board a commercial fishing vessel is required to have a commercial fishing license.

Non–fisherman on Board a Vessel

Every person on board a vessel on which fish are being taken for commercial purposes is required to have a commercial fishing license, except a person who does not contribute to the activities on board or cause any fish to be brought ashore to sell and his/her presence is registered in the vessel log.

Any person engaged in any commercial fishing activity must:

- Possess a valid commercial fishing license (FGC §7850);
- Sign his/her commercial fishing license before use (FGC §7857(h));
- Have in his/her possession, or immediately available, his/her valid driver license or identification card issued by the DMV or the entity issuing driver licenses from his/her state of residence (FGC §7852.27);
- Show his/her commercial fishing license on demand of any officer (FGC §2012); and
- The person to whom the licensee or permit has been issued shall be present when fish are being taken, possessed aboard a commercial fishing boat or landed for commercial fishing purposes. Commercial fishing vessel permit holders or licensees are exempt from this provision (FGC §7857).

Accurate Fish Ticket Information

Recording accurate information on electronic fish tickets is required by law (California Code of Regulations Title 14, Section 197). Fish tickets have been used to qualify vessels and licensees in newly established restricted access fisheries and limited entry fisheries. Please ensure that the information recorded by the fish receiver on your fish tickets is accurate.

Written requests for copies of fish ticket records must be submitted by the vessel owner or fisherman to the CDFW's Marine Fisheries Statistical Unit, 4665 Lampson Avenue, Ste C, Los Alamitos, CA 90720 or call (562) 342–7130.

Fishing Activity Records (Logbooks)

Fishery logbooks are legal documents completed by the owner or operator of a comme=rcial fishing vessel to record fishing activities. Fish and Game Code sections 7923 and 8026 provide authority for requiring and submitting fishing records. Logbook data are used primarily to evaluate catch per unit effort although other data such as location, depth, gear, and environmental conditions may also be collected.

The holder of specified commercial fishing permits and/or licenses is required to keep and submit a complete and accurate record of fishing activities on forms provided by the Department. Failure to comply with the record keeping requirements may result in revocation, suspension, or non–renewal of the license or permit for the fishery or species of fish for which the records are required, for a period of up to one year (FGC §8026. §§190, 195, Title 14).

Currently, state logbooks are required in the bay shrimp, halibut trawl, live bait, lobster, market squid, pink shrimp, sea cucumber, sea urchin, shrimp/prawn trawl, tanner crab, and all other trawl fisheries except federal groundfish trawl. A state logbook is required for all gill net fisheries, except when targeting federal highly migratory species with large mesh drift gill net gear.

Owners or operators of commercial passenger fishing vessels are also required to complete a Southern California Commercial Passenger Fishing Vessel Log and/or the Central and Northern California Commercial Passenger Fishing Vessel Logbooks.

FISH TRANSPORTATION RECEIPTS

Commercial fishermen who are NOT licensed as a Fish Receiver may transport or cause their fish to be transported to a licensed Fish Receiver under the authority of a fish transportation receipt. The accurate weight of each species must be listed on the transportation receipt. Fish transportation receipt books are available from all Department offices listed on the inside front cover.

Exception: Persons licensed as Fish Receivers are not authorized to use fish transportation receipts.

ADDITIONAL LICENSE STAMP REQUIREMENTS FOR COMMERCIAL FISHERMEN

Ocean Enhancement Stamp

Any commercial fisherman, who takes, possesses aboard a commercial fishing vessel, or lands any white seabass south of Point Arguello is required to obtain an ocean enhancement stamp.

Determining the Commercial Fishing Salmon Stamp Fee

The fee for commercial fishing salmon stamps is formulated by law (FGC §7860), based on the total pounds of salmon taken commercially during the previous salmon season, but may not exceed $260. The stamp fees are used to pay for new or expanded salmon enhancement and restoration programs, and to raise Chinook salmon to be released into state waters.

Commercial Fishing Salmon Stamp

A commercial fishing salmon stamp must be purchased and affixed to the California commercial fishing license of any person 18 years of age or older who:

Renews a salmon vessel permit;

Takes salmon for commercial purposes; or is on board a vessel on which salmon are being taken or transported for commercial purposes.

Exemptions:

Persons who will be 70 years of age or older as of April 1, 2020, crewmembers fishing under the authority of a "John Doe" Commercial Fishing Salmon Stamp or nonworking persons on board a vessel who are registered in the vessel's log are not required to have a commercial fishing salmon stamp.

Senior Salmon Fishermen

Vessel owners or their agents less than 70 years of age as of April 1, 2020, are required to purchase a 2020-2021Commercial Fishing License and a Commercial Fishing Salmon Stamp, even if the salmon vessel owner does not intend to commercially fish for any species during the 2020-2021 license year. In addition, a 2020-2021 Commercial Boat Registration and Salmon Vessel Permit must be purchased for the qualified vessel.

Only vessel owners 70 years of age or older as of April 1, 2020, are exempt from obtaining a Commercial Fishing Salmon Stamp. A salmon vessel owner who designates an agent 70 years of age or older must still purchase a Commercial Fishing License and Commercial Fishing Salmon Stamp for the owner or the agent before a Salmon Vessel Permit can be issued unless the vessel owner is also 70 years of age or older as of April 1, 2020.

PROOF OF VESSEL OWNERSHIP

If you are registering a commercial fishing vessel with the Department, you must provide a copy of the vessel's California DMV undocumented vessel certificate number (CF), USCG certificate of documentation, or out of state vessel registration from the DMV or other appropriate licensing Department with your commercial boat registration application (FGC §7601).

The Department cannot issue a commercial boat registration without proof of a valid CF number issued by the DMV or document number assigned by the USCG. No other permit, stamp or license can be issued for that vessel without a valid Department commercial boat registration.

Owners of vessels of five net tons or more should contact the USCG for information on vessel documentation.

COMMERCIAL BOAT REGISTRATION REQUIREMENTS

Any resident or non–resident owner or operator is required to obtain a non–transferable commercial boat registration for any of the following vessels:

- Any vessel operated in public waters in connection with fishing operations for profit in this state; and
- A vessel which, for profit, permits persons to sport fish.

All vessels that are performing some aspect of commercial fishing operations whether they are actually fishing or not are required to have a commercial boat registration. For example, the following vessels must be registered with the Department:

- A boat delivering traps, even if the doors are wired open and the traps are not baited
- A boat delivering a herring net to another boat fishing for herring
- A boat with a light attracting market squid for a purse seiner
- Seine skiffs
- pick–up boat
- Boats rented without an operator whether powered by an inboard or outboard motor

The commercial boat registration must be carried aboard the vessel at all times and posted in a conspicuous place (FGC §7881). Pursuant to FGC §7881(e), any licensed guide operating under FGC §2535 is not required to obtain a commercial boat registration.

FISH AND GAME VESSEL REGISTRATION NUMBERS

When a boat is first registered with the Department, a permanent Fish and Game vessel registration number is assigned to that vessel and cannot be transferred to any other boat (FGC §7880). Vessel owners are required to display the assigned Department vessel registration number according to the following specifications:

Metal Registration Plates

The metal registration plates previously used to display the vessel registration number are no longer being issued by the Department. However, previously issued plates may continue to be used as long as there is one plate on each side of the vessel and the plates are not damaged. Vessel owners must adhere to the vessel registration number display requirements when:

- One or both metal vessel registration plate(s) have been defaced, mutilated, lost, stolen, or destroyed; or
- The vessel has not previously been registered with the Department.

Printed Registration Number

If metal registration plates have not been issued to the vessel, or they no longer comply with the above specifications, the vessel registration number must be displayed according to the following specifications:

- The vessel registration number, preceded by the letters "FG", must be printed in black Roman letters and Arabic numerals, block style, no less than 2 inches high, of a thickness easily readable from another vessel, and placed on a white background.

EXAMPLE: FG00000

- The white background must exceed the area of the lettering by a minimum of one (1) inch in all directions, and may be painted directly on the vessel or may be on a separate plate on the outside of the hull on both sides of the vessel.
- The registration number, and the plate it is on, if any, must be permanently affixed to the vessel and maintained in such a condition as to be clearly readable.
- The number must be clearly visible and may not be placed in close proximity to, or in such a manner as to create confusion with, the CF number assigned to boats by the California DMV.

LOST, DESTROYED, OR SOLD VESSELS

FGC §7881 requires commercial fishing vessel owners to notify the Department immediately of the loss, destruction, or sale of their vessel. Proof of the loss, or destruction must be provided (i.e., police report, U.S. Coast Guard report, fire report, etc.).

COMMERCIAL PASSENGER FISHING VESSEL LICENSE REQUIREMENTS

Any boat from which persons are allowed to sport fish for a fee is required to have a commercial passenger fishing vessel license, in addition to a commercial boat registration.

Any person operating under a commercial passenger fishing vessel license:

Is not required to obtain a guide license (FGC §2537).

- Shall obtain a local business license, PUC bond, and USCG permits, and file appropriate state and federal tax reports.
- Shall not permit any person to fish from that vessel unless that person has a valid sport fishing license, any other required stamp or report card. Violations are prosecuted as misdemeanors.
- Shall cooperate with state and federal fishery observers at no charge to the sponsoring agency as specified (§105.5 ,Title 14).

No commercial fishing is permitted on any commercial passenger fishing vessel when operating as a passenger vessel, nor may any fish or amphibian taken under the authority of a sport fishing license on such boat be sold or purchased (FGC §§7121, 8385).

Logbook Requirement: Southern California Commercial Passenger Fishing Vessel Log and/or the Central and Northern California Commercial Passenger Fishing Vessel Log must be completed before the end of each fishing trip.

The holder of a Commercial Passenger Fishing Vessel (CPFV) license is required to complete and submit to CDFW an accurate record of their fishing activities, including when no fishing occurred in a month.

The application on the website below allows the CPFV license holder to manage accounts for vessel(s) and for CPFV license holders and CPFV operators to create, submit, and view their logs for fishing activity records electronically.

Otherwise the CPFV license holder and/or CPFV operator must complete and submit paper logs from logbooks provided by CDFW.

The authority to collect this information is granted pursuant to Fish and Game Code Sections 7923 and 8026 and California Code of Regulations, Title 14, Section 195. CPFV catch information is used by CDFW for resource analysis and resource management.

Commercial Passenger Fishing Vessel (CPFV) Logs Link:
apps.wildlife.ca.gov/marinelogs/cpfv

U.S. COAST GUARD LICENSE REQUIREMENTS

Any person operating a vessel (including auxiliary sail vessels) propelled by machinery on a federally navigable waterway and carrying at least one passenger for hire must hold a license issued by the USCG. A person operating a non-motorized or non-self propelled vessel carrying more than six passengers, with at least one for hire, must be similarly licensed. This ensures operators have a certain level of experience and knowledge.

"Passengers for hire" means a passenger for whom consideration is contributed as a condition of carriage on the vessel, whether directly or indirectly flowing to the owner, operator or any other person having an interest in the vessel. The 1993 Passenger Vessel Safety Act allows a voluntary sharing of the actual expenses of the voyage, as is the normal custom among friends, by monetary contribution or donation of fuel, food, beverage, or other supplies. This type of voluntary sharing does not constitute "consideration" or a passenger for hire situation.

Everyone on board a vessel is defined as a passenger EXCEPT the owner, master, and crew. In order to be considered crew a person must be engaged in the business of the vessel, not have contributed consideration for carriage AND be paid for their services on board. "Crew" are afforded all the rights and protections guaranteed employees under the law.

When carrying one or more passengers for hire, on a vessel of less than 100 gross tons, it is illegal to carry more than six passengers unless the vessel has a valid USCG issued Certificate of Inspection (COI). Vessels of 100 gross tons or more must have a valid COI when carrying over twelve passengers at least one of which is for hire. A COI is issued to a vessel following plan approval, stability tests and completion of a thorough inspection by the USCG.

A chartered vessel is one that has been contracted for or rented with or without crew. Where passengers have not given consideration or are not "for hire", the Act requires vessels of less than 100 gross tons that are chartered with crew to be inspected if they carry more than six passengers. In those charter agreements where a crew is not provided the threshold for inspection is twelve or more passengers. For questions, please call (510) 437-5960.

Civil Penalties for violation of the vessel inspection regulations can be as much as $5,000 and up to $25,000 for licensing violations.

The USCG and your local officials request your assistance in ensuring public safety and safe vessel operations. For licensing questions, please contact the USCG National Maritime Center at 1-888-427-5662. To report unsafe or illegal operations, please call the Senior Investigations Officer at the USCG Sector Office in your area. You can remain anonymous.

Office	Main	Passenger Sportfishing Vessel Inspections	Commercial Fishing Vessels Examinations	USCG Senior Investigations Officers
USCG Sector San Francisco	(415) 399-3547	(510) 437-3444	(510) 437-5788	(415) 399-2046
USCG Sector Los Angeles/ Long Beach	(310) 521-3600	(310) 521-3725	(310) 521-3744	(310) 521-3770
USCG Sector San Diego	(619) 278-7000	(619) 278-7241	(619) 278-7249	(619) 278-7255

ADDITIONAL STAMP REQUIREMENTS FOR COMMERCIAL PASSENGER FISHING VESSELS

Commercial Fishing Salmon Stamp Commercial passenger fishing vessels taking salmon or having salmon on board in ocean waters north of Point Arguello (Santa Barbara County) are also required to have a commercial fishing salmon stamp for the operator and an additional stamp for each crewmember required on board by the USCG (FGC §7925). (For further information on crewmember requirements, please contact your nearest USCG office).

Exemption:

Operators and crewmembers working aboard a commercial passenger fishing vessel are not required to a have a commercial fishing salmon stamp when operating as a commercial passenger fishing vessel if the vessel also has a valid commercial salmon vessel permit.

Ocean Enhancement Stamp

Commercial passenger fishing vessels operating south of Point Arguello (Santa Barbara County) are required to have an ocean enhancement stamp (FGC §6596.1(b).

Commercial Aircraft Registration

Any owner or operator of an aircraft operated in airspace above public waters in connection with fishing operations for profit in this state is required to obtain a commercial aircraft registration. The registration must be carried aboard the aircraft at all times when the aircraft is used in connection with commercial fishing operations.

NON–RESTRICTIVE COMMERCIAL FISHING PERMITS

Non–restrictive commercial fishing permits may be issued to any licensed commercial fisherman. Permits or licenses are issued and renewed at all Department offices listed on the inside front cover unless otherwise noted. Permits are non–transferable. Unless otherwise specified, the permit year is April 1 through the following March 31. Following is a list of non–restrictive commercial fishing permits:

Anchovy Take

Required for the owner or operator of a vessel to take anchovies for reduction purposes.

Other Restrictions

Anchovy may only be taken pursuant to regulations adopted by the Department of Commerce, National Oceanic and Atmospheric Administration. Annual harvest quotas for United States reduction and non–reduction fisheries will be determined and announced prior to August 1 of each year. Anchovy fishing boats operating in waters south of Point Mugu shall display the Department of Fish and Game vessel registration number in 14 inch black numerals on white background (FGC §8182). Anchovy may be taken in Humboldt Bay under specified conditions for live bait purposes only (FGC §8183).

See page 37 for more information.

Anchovy Reduction

No anchovy shall be taken, possessed, landed, or processed for reduction purposes except by permit and proper declaration of intent to take anchovies for reduction purposes pursuant to §147, Title 14 CCR. Anchovy are also subject to the provisions of federal regulations for Coastal Pelagic Species. For up–to–date information regarding federal regulations, see https://www.fisheries.noaa.gov/species/coastal-pelagic-species#commercial.

Bay Shrimp

Required for the operator of a vessel to use trawl nets and Chinese shrimp nets to take bay shrimp, Oriental goby, plainfin midshipman, longjaw mudsucker, and staghorn sculpin inside of the Golden Gate Bridge.

Logbook Requirement: Bay Shrimp Log.

Coonstripe Shrimp Trap Vessel Permit

The owner of any vessel using traps to take, possess aboard a boat, or land coonstripe shrimp for commercial purposes, must have a valid Coonstripe Shrimp Trap Vessel Permit and a valid General Trap Permit.

Control Date Established

§180.15, Title 14, established a November 1, 2001 control date. Initial participation in this fishery after November 1, 2001 does not guarantee participation in a future restricted access program should one be developed.

Any person who is issued a 2020-2021 Coonstripe Shrimp Trap Vessel Permit is not guaranteed eligibility under any future restricted access program for this fishery that might be adopted by the Fish and Game Commission.

Other Restrictions

Coonstripe shrimp may not be taken from November 1 through April 30.

See page 42 for more information.

Crayfish

Required in addition to a commercial fishing license when taking crayfish for human consumption. Required in addition to a live fresh water bait fish license for each person taking crayfish for bait (FGC §8491. §§116, 200.29, Title 14).

Issuing Office: License and Revenue Branch, Sacramento

Ghost Shrimp

Required for each commercial fisherman operating or assisting in operating hand or engine powered equipment to take ghost shrimp. Commercial fishermen operating under the authority of a ghost shrimp permit must also possess a tidal invertebrate permit.

See page 69 for more information.

Golden and Ridgeback Prawn Trawl

Required for the operator of a vessel to use or possess trawl

nets to take golden or ridgeback prawns in ocean waters.

Logbook Requirement: Shrimp/Prawn Trawl Log

Other Restrictions
Ridgeback prawn may be taken under a permit and Commission regulations from October 1 through May 31. Golden prawn may be taken under a permit and Commission regulations at any time. (See §120.3, Title 14, for incidental catch allowance during closed periods.)
See page 70 for more information.

Issuing Office: License and Revenue Branch, Sacramento

Inland or Freshwater Fish
Required for each person to take inland or freshwater fish for commercial purposes. The following species can be taken under the authority of this permit (FGC §8437, and §226.7(f), Title 14, CCR):
Carp or Minnow Family
Mullet Family
Cichlid Family
Sculpin Family
Freshwater Mollusks
Silverside Family
Goby Family
Smelt Family
Killifish Family
Stickleback Family
Lamprey Family
Sucker Family
Livebearer Family
Threadfin Shad

Land California–Caught Fish Outside California Waters
Required for each vessel that delivers fish taken in state waters to points beyond state waters (FGC §7891).

Lobster Crewmember
Required for each person who accompanies and assists any lobster operator permit holder in the commercial take of spiny lobster and who does not qualify for a lobster operator permit. The lobster operator permit holder must be present whenever a lobster crewmember is taking, possessing, or transporting spiny lobster for commercial purposes.

See page 91 for more information.

Marine Aquaria Collector
Required for anyone taking, possessing aboard a boat, or landing any live native marine species specified in FGC §8597 from California waters for marine aquaria pet trade purposes. At least one person aboard each commercial fishing vessel shall have a valid marine aquaria collector permit. Size limits for the commercial take of rockfish and California sheephead are found in §150.16, Title 14.

See page 96 for more information.

Northern Rock Crab Trap Permit
Required for any person using traps to take, possess aboard a vessel, use as bait, or land rock crab, including brown, yellow and red rock crab (*Cancer antennarius, Cancer anthonyi, or Cancer productus*), for commercial purposes between 42° N. lat. (the Oregon/California border) and 36° N lat. (at Lopez Point, Monterey County). Commercial fishermen operating under the authority of a Northern Rock Crab Trap Permit must also possess a valid general trap permit. At least one Northern Rock Crab Trap Permit holder must be aboard the vessel at all times when taking, possessing aboard a vessel, using as bait, or landing rock crab using trap gear. If a support vessel is used, a Northern Rock Crab Trap Permit holder must be on each vessel when taking rock crab.

Other Restrictions (Crabs other than Dungeness)
Only rock crabs 4¼ inches or more in breadth may be taken under a revocable general trap permit and Commission regulations in any waters of the state at any time, except in Districts 9, 19A, 19B, and 21 and those portions of District 20 lying on the north and east sides of Santa Catalina Island north of Southeast Rock. Fishermen must carry and use a measuring device. Rock crab traps made of wire mesh not less than 1 7/8 inch by 3 7/8 inch, inside measurement, with the 3 7/8 inch measurement parallel to the floor of the trap shall have at least one rigid circular opening of not less than 3¼ inches inside diameter in an outside wall of the rearmost chamber of the trap. All other rock crab traps must have two 3¼ inch diameter openings, in the rearmost chamber of the trap and one of such openings shall be located so that at least one–half of the opening is in the upper–half of the trap. All rock crab traps or strings of traps must be marked with buoys. All traps must be serviced every 96 hours, weather at sea permitting (FGC §§8275, 8282, 8284, 9001, 9003–9006, 9011).

See Rock Crab section on page 117 for more information.

Pacific Mackerel and Sardine
For up to date information on federal regulations and management quotas and allocation/reallocation schemes, see https://www.fisheries.noaa.gov/species/coastal-pelagic-species#commercial

(See pgs. 10, 32, 38, 41, 97, and 149 for more information.)

Pacific Halibut
For up to date information on commercial regulations and fishery registration information, see the International Pacific Halibut Commission's website at https://iphc.int/management/fisheries/directed-commercial-fisheries/directed-iphc-regulatory-area-2a

Sea Urchin Crewmember
Required for each person who assists in taking sea urchins and who does not qualify for a sea urchin diving permit. A sea urchin crewmember cannot dive for sea urchins (§120.7, Title 14).

See page 130 for more information.

Southern Pink Shrimp Trawl

Required for any commercial fisherman using a trawl net to take, possess aboard a boat, or land pink shrimp for commercial purposes in ocean waters south of a line drawn due west of Point Conception (§120, Title 14).

Logbook Requirement: Shrimp/Prawn Trawl Log

Other Restrictions

Prawns and shrimp may be taken from April 1 through October 31, except for the taking of golden, spot and ridgeback prawns (§§120, 120.3, Title 14).

See page 114 for more information.

Swordfish

Required for the owner or operator of a vessel using harpoon or hook–and–line to take swordfish for profit. A swordfish permit will be issued free of charge to individuals with a valid drift gill net permit. At least one person aboard each commercial fishing vessel shall have a valid swordfish permit.

Refer to federal regulations for highly migratory species and groundfish fisheries for federal logbook requirements.

See page 135 for more information.

Tanner Crab Trap Vessel Permit

Any vessel using traps to take, possess aboard a vessel, or land Tanner Crab for commercial purposes must have a valid Tanner Crab Trap Vessel Permit. Tanner crab taken incidentally in other trap fisheries may not be possessed and must be immediately returned to the water unless the vessel has a valid Tanner Crab Trap Vessel Permit. A Tanner Crab Trap Vessel Permit is not required to incidentally take, possess or land Tanner crab with gear other than trap gear.
See page 135 for more information.

Tidal Invertebrate

Required for each person who takes mollusks, crustaceans, or other invertebrates for commercial purposes in any tidepool or tidal area, including tide flats or other areas between the high tidemark and 1,000 feet beyond the low tidemark (FGC §§8340-8346, 8500, 8510, 8598)

Only the following may be taken for commercial purposes:
barnacles (except stalked or gooseneck, and giant acorn)
chiones
clams (except pismo, northern razor, and those species of clams not listed in FGC §§8341, 8342)
cockles
limpets (except owl)
mussels
native oysters
octopus
sand crabs
sand dollars
sea hares
shrimp
starfish
worms

Lobster, sea cucumber, sea urchin, Dungeness crab, rock crab, and market squid cannot be taken under the authority of a tidal invertebrate permit. Commercial fishermen using powered equipment to take ghost shrimp must also possess a valid tidal invertebrate permit.
See page 138 for more information.

Trap

Required for every person who uses traps to take finfish, mollusks, or crustaceans for profit except spiny lobster and Dungeness crab, as defined in FGC §9001. Dungeness crab can only be taken on vessels that have a valid Dungeness crab vessel permit. Commercial fishermen can only take lobster under the authority of a lobster operator permit. Except for persons using prawn, shrimp or hagfish traps, in which no other species may be taken, the following species may be taken **incidentally** with a general trap permit:

box crab
octopus
spider crab

Shallow nearshore species may be taken with traps under the authority of a Nearshore Fishery Permit and Nearshore Fishery Trap Endorsement and general trap permit (§§150, 150.03, Title 14). Deeper Nearshore Species may be taken with traps under the authority of a Deeper Nearshore Species Fishery Permit and a general trap permit (§180(b), Title 14).

Prawns and shrimp may be taken with prawn or shrimp traps and a general trap permit (FGC §§8590–8595, 9000–9006, 9015). Spot prawn may be taken with traps under the authority of a spot prawn trap vessel permit (Tier 1, 2, or 3) and a general trap permit (§180.3, Title 14).

California killifish, longjaw mudsucker, yellowfin goby, shiner perch, and staghorn sculpin may be taken with baitfish traps under a general trap permit. (FGC §§8400, 9000, 9001, 9020, under Trap Permits).

See page 138 for more information.

Finfish Trap Requirements (Other Than Hagfish and Sablefish Trap)

- Each person on board the vessel must possess a valid general trap permit.
- If nearshore species are present, at least one person on board the vessel must possess a valid nearshore fishery permit, trap endorsement and general trap permit.
- If deeper nearshore species are present, at least one person on board the vessel must possess a valid deeper nearshore species fishery permit and general trap permit.
- Minimum mesh size of 2 inches by 2 inches, statewide.
- Traps left in the water overnight must be unbaited from one hour after sunset to one hour before sunrise, with the door secured open.

- Pop–up devices cannot be used.
- Each trap must have a trap destruct device.
- Each buoy must be marked with the fisherman's commercial fishing license number followed by the letter "Z," statewide.
- No finfish traps within 750 feet of any pier, breakwall, or jetty.
- No more than 50 traps may be used in state waters along the mainland shore.
- When finfish are present, lobster can only be possessed if each person on board the vessel has a valid lobster permit.
- Lobster and crabs of the genus *Cancer*, except brown rock crab, yellow crab, and red crab, cannot be used as bait (FGC §§9000, 9000.5, 9001.7, 9003, 9006, 9007 and 9008, under Trap Permits).

Hagfish Trap Requirements

- Each person on board the vessel must possess a valid general trap permit.
- Pop–up devices cannot be used.
- Each trap must have a trap destruct device.
- A maximum of 500 Korean traps or 200 bucket traps can be used each day.
- No other traps allowed when Korean or bucket traps are on board the vessel.
- No species other than hagfish can be taken, possessed, or sold when Korean or bucket traps are on board the vessel(FGC §§9000, 9000.5, 9001.6, 9001.7, 9003, 9006, 9007 and 9008, which are located under Trap Permits). See pg. 73 for more information.

Sablefish Trap Requirements

- Each person on board the vessel must possess a valid general trap permit.
- Each buoy must be marked with the fisherman's commercial fishing license number followed by the letter "B" statewide.
- South of Point Arguello, Santa Barbara County, traps shall be six feet or less in greatest dimension, minimum mesh size 2 inches by 2 inches, minimum depth is 200 fathoms.
- South of Point Arguello, Santa Barbara County, no other traps are allowed on board the vessel when fishing for sablefish with traps, except that spot prawn traps may be used under the authority of a spot prawn trap permit. (FGC §§9000, 9000.5, 9001, 9001.7, 9001.8, 9003, 9006, 9007 and 9008, under Trap Permits.)

OTHER LICENSES AND PERMIT REQUIREMENTS

The licenses and registrations are valid from January 1 through December 31, or if issued after the beginning of that term, for the remainder thereof.

Anchovy Reduction

Required for fish processors to process anchovies for reduction purposes. For anchovy reduction, see Commission regulations (FGC §§8180, 8181, 8075–8080).

Issuing Office: Fish and Game Commission

Kelp Harvesting

Required for each person or company harvesting kelp or other aquatic plants. The following kelp beds may not be harvested at any time: Nos. 10, 15, 22, 24, 203, 206, 224, 225, 226, 301, 302, 303, 304, 305, 306, 307, 310, and 311 (§165.5 (j), Title 14, CCR). Kelp bed Nos. 308, 309, and 312, located in northern California, may not be harvested except by a lessee authorized by the Commission (§165.5 (j), Title 14, CCR). Leased kelp beds allow exclusive harvesting rights to lessee only (§165.5, Title 14, CCR). Kelp harvest license holders must be aware of kelp bed status (§165.5 (j), Title 14, CCR). Prior Commission approval of a kelp harvest plan is required before a kelp harvester may use a mechanical harvester to harvest giant kelp in beds where harvest is allowed (§165 (c)(6), Title 14, CCR). See §165-165.5, Title 14, CCR and FGC §§6650-6711 for additional regulations. See page 80 for more information.

Issuing Office: Los Alamitos

Live Fresh Water Bait Fish

Required for any person taking, transporting, or selling live fresh water fish for bait for profit. Live fresh water bait fish dealers must purchase a license to possess and sell golden shiners, fathead minnows, freshwater clams, freshwater crayfish, and such species designated by the Department and under Commission regulations (FGC §§8460–8462, §§200–200.31, Title 14).

Issuing Office: License and Revenue Branch, Sacramento.

SEASON, BAG AND SIZE LIMITS BY SPECIES

Clams

Commercial harvesting of bivalves for human consumption is governed by Health and Safety Code §112190: It is unlawful for any person to sell, offer, or hold for sale any shellstock or shucked shellfish that has not been harvested from a growing area which has been certified by the California Department of Public Health or that has not been purified in accordance with Public Health and Safety Code §112170.

Clams may be taken commercially between September 1 and April 30 in Districts 8, 9, and 17 and at any time in all other districts (FGC §8340).

Littlenecks, chiones, and hard–shell cockles including thin–shelled littleneck, common littleneck, Japanese littleneck, rough–sided littleneck, smooth chione, wavy chione, and banded chiones:
May be taken at any time, except in the waters of Marin County, where they may be taken only between September 1 and March 31. 1 ½ inches or more in diameter, 50 in the aggregate per day and in possession (FGC §8341).

Washington and gaper clams:
Districts 1½, 8, 9: Twenty–five in the aggregate and in possession per day. Commercial fishermen with valid daily written order from dealer or restaurant may possess up to the number specified on order in Districts 8 and 9 (FGC §8342). All other districts: 10 each in possession.

Mussels:
Any time in any number except that in Districts 19, 19A, 19B, and 21 the daily bag limit for California sea mussels is 250 pounds in the shell or equivalent out of the shell, where one pound meat equal 3.8 pounds in shell; and one gallon meat equal 30 pounds in shell (FGC §8344. §115, Title 14).

Freshwater Clams:
Under the Commission, freshwater clams may be taken only for live bait purposes under the authority of a live freshwater bait fish license.

Shrimp:
Only unmarketable shrimp taken in Districts 11, 12, and 13 not exceeding 50 percent of a boat load may be dried. For ocean shrimp, see Commission regulations (FGC §8842, §120, Title 14).

SALTWATER AND ANADROMOUS FISH

Yellowfin Tuna, Bluefin Tuna:
May be taken at any time (FGC §8374). No bluefin tuna under 7 ½ pounds may be taken (FGC §8375). The Commission may prohibit the taking or possessing of tuna in the same manner as taking or possessing tuna is prohibited by federal law or by rules or regulations adopted pursuant to the Tuna Convention Act of 1950, as amended by Public Law 87–814 of the 87th Congress (FGC §313). The Federal Highly Migratory Species regulations can be found at:
www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-highly-migratory-species

Albacore:
May be taken at any time (FGC §8376).

Pacific Bonito:
None less than 24 inches fork length or 5 pounds in weight may be taken or possessed except a load of bonito taken by a round haul net may contain 18 percent or less by number of bonito smaller than the size limit and a load of fish taken by a gill net or trammel net may contain 1,000 pounds or less of bonito smaller than the size limit (FGC §8377).

Skipjack:
May be taken at any time (FGC §8378).

Giant Sea Bass:
May not be taken except one fish per vessel may be possessed or sold if taken incidentally by gill or trammel nets. This restriction shall not apply to 1,000 pounds of giant sea bass per trip and 3,000 pounds of giant sea bass per vessel per calendar year taken south of the U.S.–Mexico boundary line (FGC §8380).

Nearshore Fish:
Black–and–yellow, gopher and kelp rockfish, California scorpionfish (sculpin) not less than 10 inches total length. Kelp greenlings, rock greenlings, China and grass rockfish not less than 12 inches total length. California sheephead not less than 13 inches total length. Cabezon not less than 15 inches total length (§150.16, Title 14). Nearshore fish species taken in trawl nets and landed dead are exempt from these size limits (FGC §8588(a)).

Grunion:
May be taken between June 1 and March 31 (FGC §8381).

White Seabass:
South of a line extending due west (true) from Point Conception, white seabass may not be taken for commercial purposes from March 15 through June 15, inclusive (§155, Title 14). It is unlawful to take, possess, sell, or purchase any white seabass less than 28 inches in length, measured from the tip of the lower jaw to the end of the longer lobe of the tail (FGC §8383.5).

Exception:
One white seabass not less than 28 inches in total length may be taken, possessed, and sold by a person or possessed on a vessel each calendar day if such white seabass is taken incidental to gill and trammel net fishing operations conducted under authority of a permit issued pursuant to Fish and Game Code §8681. Any fish so taken shall not be transferred to any other vessel (§155, Title 14). During a gill and trammel net fishing trip which includes more than one calendar day, not more than one white seabass shall be possessed or sold during or at the end of the trip.

Barracuda, Yellowtail:
None less than 28 inches. Between May 1 and Aug. 31 it is unlawful for (a) any one person to have more than 500 pounds of yellowtail in their possession on any boat, barge or vessel; (b) two or more persons to have in their possession on any boat, barge or vessel, a combined weight of 500 pounds of yellowtail per person; or (c) five or more persons to have more than a combined weight of 2,500 pounds of yellowtail in their possession on any boat, barge or vessel. (See Title 14 for fish taken in Mexican waters and brought into California under Commission regulations. (FGC §§8382, 8384, 8386, 8387. §109, Title 14).

California Halibut (General Provisions):
No California halibut may be taken, possessed, or sold that measures less than 22 inches in total length. Total length means the shortest distance between the tip of the jaw or snout, whichever extends farthest while the mouth is closed, and the tip of the longest lobe of the tail, measured while the halibut is lying flat in natural repose, without resort to any force other than the swinging or fanning of the tail (FGC §8392). Please refer to §189, Title 14 on page 72, and to the federal groundfish regulations with regard to special provisions involving California halibut.

California Halibut (Trawl Grounds):
Waters lying between one and three nautical miles from the mainland shore between Pt. Arguello and Pt. Mugu: 1) Season: June 16–March 14; 2) No California halibut less than 22 inches total length, or more than 500 pounds of other fish may be possessed, except that any amount of sea cucumbers

taken pursuant to a valid permit, sharks, skates, or rays may be taken or possessed; 3) Single bags and cod–ends or double bags and cod–ends may be used within the halibut trawl grounds and may be possessed while a vessel is in transit directly to the halibut trawl grounds or returning directly to port. Double bags shall be hung and tied to each rib line so that the knots of each layer coincide, knot for knot, for the full length of the double layers. The double mesh section shall not measure over 25 meshes or 12 feet in length, whichever is greater. The individual meshes in the double section shall measure not less than 7½ inches in length. No net, whose cod–end meshes are less than prescribed in this section, may be possessed on any vessel that is operating under the authority of this section (FGC §§8392, 8495–8497, 8843).

Marlin:
May not be taken or possessed commercially, except black marlin may be imported under certain conditions. (FGC §8393).

Surfperch:
May be taken only between Aug. 1 and April 30, except shiner perch which may be taken, sold or purchased at any time. Surfperch, except shiner perch, may be sold or purchased only between Aug. 1 and May 10. Barred, redtailed, and calico surfperch may not be taken south of Pt. Arguello. Barred, redtail, and calico surfperch taken north of Pt. Arguello must be tagged prior to shipment south of that point. The Commission may adopt regulations to manage the commercial surfperch fishery (FGC §8395. §112, Title 14).

Angel Shark:
No female angel shark measuring less than 42 inches in total length or 15 ¼ inches in alternate length and no male angel shark measuring less than 40 inches in total length or 14 ½ inches in alternate length may be possessed, sold, or purchased, except that 10 percent of the angel shark in any load may measure not more than ½ inch less than the minimum sizes specified herein.

Angel shark total length shall be measured from the anterior end of the head to the tip of the tail while the fish is lying in a position of natural repose. When measuring total length or alternate length, the tip of the tail may be laid flat against the surface of the measuring device. Angel shark alternate length shall be measured from the point where the leading edge of the first dorsal fin meets the back to the tip of the tail. Angel sharks may be constrained from lateral movement during measurement by restraining devices approved by the Department.

Angel shark taken in gill or trammel nets shall be landed (brought ashore) with at least one intact pelvic fin and the tail fin attached. Angel shark taken in gill or trammel nets shall not be transferred to or from another vessel, except that angel shark may be transferred to or from vessels with a Department observer on board. An observer shall observe and make a written record of that transfer (FGC §8388).

Leopard Shark:
Leopard shark less than 36 inches in total length shall not be taken, possessed, sold, or purchased for commercial purposes (FGC §8388.5).

Thresher Shark:
Thresher shark taken with drift gill nets shall not have the pelvic fin severed from the carcass (FGC §8576.5). Tails and fins, other than pelvic fins, that have been removed from the carcass may be possessed on a permittee's vessel if the corresponding carcass is in possession for each tail and fin (FGC §7704).

White Shark:
(a) It is unlawful to take any white shark (Carcharodon carcharias) for commercial purposes, except under permits issued pursuant to Section 1002 for scientific or educational purposes or pursuant to subdivision (b) for scientific or live display purposes.
(b) Notwithstanding subdivision (a), white sharks may be taken incidentally by commercial fishing operations using set gill nets, drift gill nets, or roundhaul nets. White shark taken pursuant to this subdivision shall not have the pelvic fin severed from the carcass until after the white shark is brought ashore. White shark taken pursuant to this subdivision, if landed alive, may be sold for scientific or live display purposes.
(c) Any white shark killed or injured by any person in self-defense may not be landed.

Shark:
May not be taken with drift gill nets of mesh size eight inches or greater except under a revocable permit issued by the Department (FGC §8561). It is unlawful to sell, purchase, deliver for commercial purposes, or possess on any commercial fishing vessel any shark fin or shark tail that has been removed from the carcass. However, thresher shark tails and fins may be retained if there is a corresponding carcass to match each tail and fin (FGC §7704).

Skate:
May be taken under state and federal regulation. Possession of skate wings on any boat is prohibited as there are no equivalents or conversion factors established in statute or regulation under which other than whole skates may be brought ashore (FGC §§5508, 8042). Regulations require that big skate and longnose skate be sorted upon landing (§189(b)(3), Title 14). Please refer to federal groundfish regulations (www.fisheries.noaa.gov/species/west-coast-groundfish) for more information.

FRESHWATER FISH

Steelhead or trout may not be sold or purchased except that inspected and tagged Dolly Varden or steelhead trout from out of state and domesticated trout may be sold and purchased under Commission regulations. Not more than one daily bag limit of such steelhead trout may be sold or possessed in District 1½ (FGC §§8430–8433).
It is unlawful to sell or purchase any fresh, canned, or cured fish taken in the Klamath River District or in the waters of the Smith River (FGC §8434).

Calendar of Commercial Fishing Open Seasons 2020 (and 2021 where applicable)

Species	Districts	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Surfperch Open 08/01/2020 to 04/30/2021 Open 08/01/2019 to 04/30/2020	All. Shiner perch open all year. Barred, redtail and calico may not be taken south of Pt. Arguello.				30	CLOSED			1				
White Seabass Open 06/16/2020 to 03/14/2021 Open 06/16/2019 to 03/14/2020	All districts south of Pt. Conception			14	CLOSED		16						
Spiny Lobster Open 10/7/2020 through 3/17/2021	18, 19, 20A and part of 20			18	CLOSED						2		
Nearshore Fishery North of 40°10′ Open all year	All districts North of 40°10′	Except cabezon, greenlings, and CA sheephead											
South of 40°10′ Open 05/01/2020 to 12/31/2020	All districts South of 40°10′		CLOSED			1							31
Dungeness Crab (Opening dates may be delayed.) Open 12/01/2020 to 07/15/2021* Open 12/01/2019 to 07/15/2020 *	Districts 6, 7, 8 and 9							15	CLOSED				1
Open 11/15/2020 to 06/30/2021 Open 11/15/2019 to 06/30/2020	All other districts						30	CLOSED				15	
Spot Prawn (Trapping) *All traps must be in waters of 50 fathoms or greater South of Point Arguello Open 02/01/2020 – 10/31/2020	18, South of Pt. Arguello, 19, 19A, 20, 20A, 21		1								31	CLOSED	
North of Point Arguello Open Open 08/01/2020 to 04/30/2021 Open 08/01/2019 to 04/30/2020	6, 7, 10, 17, 18, North of Pt. Arguello				30	CLOSED			1				
Coonstripe Shrimp (Trapping) Open 05/01/2020 to 10/31/2020	All		CLOSED			1					31		
California Halibut Trawling - Open 06/16/2020 to 03/14/2021 6/16/2019 to 3/14/2020	California Halibut Trawl Grounds			14	CLOSED		16						
All Year	Federal waters only												
Hook-and-line All Year	All												
Pink Shrimp (Trawling) Open 04/01/2020 to 10/31/2020	Federal waters only		CLOSED		1						31		
Ridgeback Prawn (Trawling) Open 10/01/2020 to 05/31/2021 Open 10/01/2019 to 05/31/2020	Southern California					31		CLOSED			1		
Sea Urchin (Red)	All	See page 126 for Open and Closed Days											
Salmon		SEE FEDERAL REGULATIONS											
Sea Cucumber	All State waters	See page 125 for Open and Closed Days											
Kellet's Whelk Open 7/1/2020 through 3/18/2021 Open 7/1/2019 through 3/20/2020	All			18 20	CLOSED CLOSED			1 1					

*The director may modify the Dungeness crab season due to marine life entanglement risk (§FGC 8276.1) and/or delay the season in districts 6, 7, 8, and 9, based on the results of pre-season quality testing (FCG §8276.2).

Open season - Dates listed for open season are inclusive

Catfish may not be sold except catfish imported from outside the state or catfish grown pursuant to Division 12 by registered aquaculturists (FGC §§8435, 15005). Live catfish may not be imported (§171, Title 14, CCR).

Sacramento perch, crappie, black bass, or sunfish (except those grown pursuant to Division 12 by registered aquaculturists) may not be sold (FGC §§8436, 15005).

Carp or minnow family except grass carp
cichlid family
freshwater mollusks
goby family
gray mullet family
killifish family
lamprey family
livebearer family
sculpin family
silverside family
smelt family
stickleback family

Sucker family and threadfin shad may be taken for commercial purposes pursuant to regulations adopted by the Commission (FGC §§8437, 8437.1, Title 14, §226.7).

PROHIBITED USES OF NETS IN PARTICULAR DISTRICTS

In Districts 19 or 19A nets (except dip nets) may not be used within 750 feet of any pier, wharf, jetty, or breakwater (FGC §8660). For information regarding the use of nets within or near Channel Islands marine protected areas, refer to §632, Title 14, or contact a Department office listed on the inside front cover.

In Districts 19A and 20, vessels may transport nets through these districts at any time but may enter harbors only in case of distress or emergency (FGC §8661).

Gill, trammel, or fyke nets may not be possessed on any boat in any district upstream from a line drawn between Antioch Point and the west tip of Kimball Island and a line drawn between Point Sacramento and the east point of Montezuma Island (FGC §8663).

Nets may not be used or possessed within 500 feet of the Klamath, Smith, Eel, Mad, Van Duzen, or Mattole rivers or their tributaries (except in Districts 6 and 7). The provisions do not apply to trawl or drag nets being transported (FGC §8664).

In District 118.5 nets may not be used within 750 feet of any pier or dock except for bait nets described in FGC §8780 used to capture live bait and lobster traps described in FGC §9010.

In the Salton Sea and for one mile upstream from the mouth of the New and Alamo Rivers (except in District 22) outside the boundaries of any state or federal game refuge set gill nets or seines may be used and possessed by commercial fishermen to take mullet not less than 14 inches long and carp by permit under Commission regulations (FGC §§8666–8669).

Upstream from the Carquinez Bridge salmon or shad nets may not be used or possessed (FGC §8670).

IMPORTATION AND TRANSPORTATION OF FISH AND AMPHIBIA

All shipments of fish, mollusks, and crustaceans shall show weights and species contained (FGC §§2348, 8341).
Abalone legally taken outside California may be imported when accompanied by a U.S. custom house entry certificate. Containers of such abalone shall be marked with the place of origin (FGC §2371).

It is unlawful to import into California for commercial purposes any salmon of smaller size than can be legally taken under regulations of either the Pacific Fishery Management Council or the state of landing (FGC §2361).
Yellowtail
barracuda
white seabass
sturgeon
striped bass
shad
crab meat
spiny lobsters
and Pismo clams
may be imported into California under Commission regulations
(FGC §§2362, 2363, 2364, 2365, 2369. §§109, 110, 132, 135, Title 14).

Marlin meat may not be exported from the state (FGC §2354).

Frogs: No person shall, for commercial purposes, take, possess, sell, transport, or export frogs for human consumption (FGC §6851). Legislation governs the use of frogs for frog jumping contests (FGC §§6880–6885). Frogs may be taken and sold for scientific and educational purposes under regulations established by the Commission (FGC §6852. §658, Title 14).

BRIEF DESCRIPTION OF DISTRICTS WITH COMMERCIAL FISHERIES

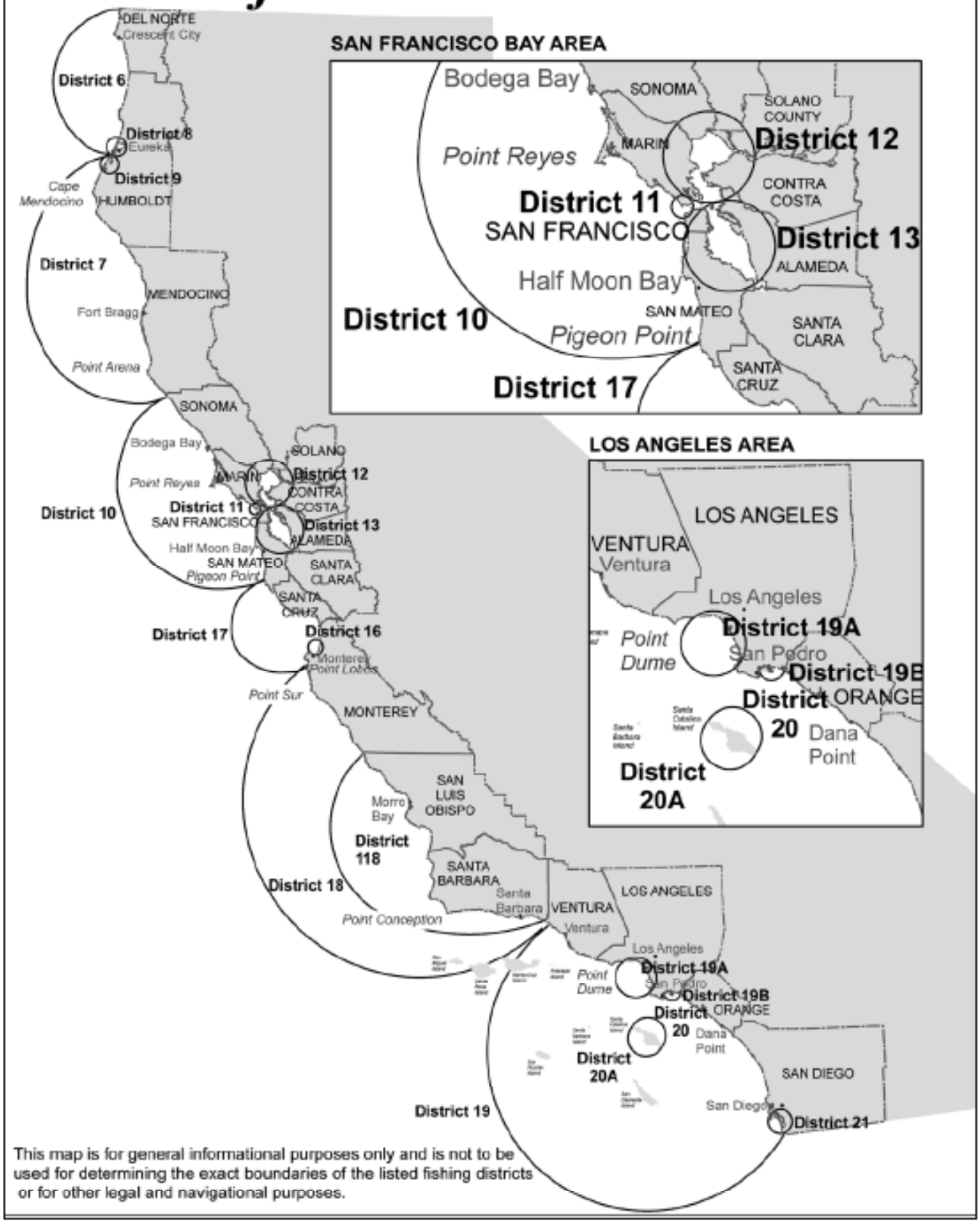
SEE MAP ON PAGE 25

DISTRICTS 1½, 1 3/8, 1¾, 2, 2¼, 2½, 3, 3½, 4, 4 3/8, 4½ and 4¾ generally constitute inland water or land areas. Contact a Department office listed on the inside front cover (FGC §§11001 –11003). District **1½** includes those portions of Del Norte, Siskiyou, Trinity and Humboldt counties not included in other districts. (FGC §11003)

DISTRICT 6 includes the ocean waters and tidelands of the state from the northerly boundary of the state to the west end of north jetty at the entrance to Humboldt Bay; excluding all streams, sloughs, and lagoons.

DISTRICT 7 includes the ocean waters and tidelands of the state from the west end of north jetty at the entrance to Hum-

California Marine Districts



This map is for general informational purposes only and is not to be used for determining the exact boundaries of the listed fishing districts or for other legal and navigational purposes.

boldt Bay to the southern boundary of Mendocino County; excluding all streams, sloughs, and lagoons. Note: See FGC §11015 for more information about the entrance to Humboldt Bay.

DISTRICT 8 includes the entrance to Humboldt Bay and the waters and tidelands in that portion of Humboldt Bay lying north of a line running east from south jetty apron; excluding all sloughs, streams, and rivers that empty into the bay. Note: See FGC §11016 for more information about the entrance to Humboldt Bay.

DISTRICT 9 includes that portion of Humboldt Bay lying south of a line running east from south jetty apron, excluding all rivers, streams, and sloughs emptying into the bay.

DISTRICT 10 includes the ocean waters and tidelands of the state lying between the southern boundary of Mendocino County and a line extending west from the Pigeon Point Lighthouse in San Mateo County, including Tomales Bay, to a line drawn from the mouth of an unnamed creek about 1,500 feet north of Tomasini Point to the mouth of unnamed creek at Shell Beach; excluding Bodega Lagoon, all that portion of Bolinas Bay lying inside of Bolinas bar, that portion of San Francisco Bay lying east of a line drawn from Point Bonita to Point Lobos, and all rivers, streams and lagoons.

DISTRICT 11 includes the waters and tidelands of San Francisco Bay lying between the extreme westerly point of Point Bonita to the extreme westerly point of Point Lobos and around the shoreline of the bay to the foot of Powell Street, in a direct line to Peninsula Point, thence to Northwestern Pacific Railroad ferry slip at Sausalito, thence along the shore line of the bay to the point of beginning.

DISTRICT 12 includes the waters and tidelands of San Francisco Bay not included in Districts 11 and 13, the waters and tidelands of San Leandro Bay, Oakland Creek, San Antonio Creek in Alameda County, Racoon Straits, San Pablo Bay, and the Carquinez Straits to the Carquinez Bridge, and all the waters within the exterior boundaries of these districts, excluding all tributary sloughs, creeks, bays, rivers, and overflowed areas not described herein.

DISTRICT 13 includes the waters and tidelands of San Francisco Bay lying south of a line drawn from the Ferry Building at the foot of Market Street in San Francisco to the mouth of Oakland Creek in Alameda County, excluding all streams, sloughs and lagoons.

DISTRICT 16 includes the waters and tidelands of that portion of Monterey Bay lying south of a line drawn 100° magnetic from the extreme northerly point of Point Pinos east to the eastern shore of Monterey Bay.

DISTRICT 17 includes the waters and tidelands of Monterey Bay and the Pacific Ocean, lying between a line extending west from Pigeon Point Lighthouse and a line extending west from Yankee Point, Carmel Highlands in Monterey County; excluding District 16 and all rivers, creeks, sloughs, and lagoons emptying into the Pacific Ocean and Monterey Bay within the boundaries thus defined.

DISTRICT 18 includes the ocean waters and tidelands of the state not included in other districts, lying between a line extending due west from Yankee Point in Monterey County and a line extending from Point Rincon near the boundary between Santa Barbara and Ventura Counties westerly through Richardson Rock, excluding all rivers, streams, sloughs, and lagoons.

DISTRICT 19 includes state ocean waters, tidelands, and islands off the coast and waters adjacent thereto lying south of District 18 and north of the westerly extension of the boundary line between San Diego County and Mexico (except Districts 19A, 19B, 20, 20A and 21); excluding all rivers, streams, sloughs, lagoons, and bays.

DISTRICT 19A includes ocean waters and tidelands of the state lying between the southerly extremity of Malibu Point and the westerly extremity of Rocky Point (Palos Verdes Pt.); excluding all rivers, streams, and lagoons.

DISTRICT 19B includes ocean waters and tidelands of the state lying northerly of a line drawn from the west end of the San Pedro Breakwater, thence in an extended line following the axis of the San Pedro Breakwater, the middle breakwater and Long Beach Breakwater to the east end of the latter, to the outer end of the west jetty of Anaheim Bay. Except as otherwise provided, all provisions of §11029 that apply to Districts 4 and 4 1/8 apply to District 19B.

DISTRICT 20 includes Santa Catalina Island and that portion of the state waters within three nautical miles of the island's coast line on the northerly, easterly, and southerly sides of the island lying between a line extending three nautical west magnetically from the extreme westerly end of Santa Catalina Island to a line extending three nautical miles southwest magnetically from the most southerly promontory of China Point.

DISTRICT 20A includes the waters lying around Santa Catalina Island within three nautical miles of the island's coast line which are not included in District 20.

DISTRICT 21 includes the waters and tidelands of San Diego Bay lying inside a straight line drawn from Point Loma to the offshore end of the San Diego Breakwater.

DISTRICT 22 includes all waters of Imperial County and those portions of Riverside and San Bernardino counties lying south and east of the following line: Starting at the intersection of Highway 99 with the north boundary of Imperial County, thence north along that highway to the intersection with Highways 60 and 70; thence east along Highways 60 and 70 to its intersection with the Cottonwood Springs Road in Sec. 9, T. 6 S., R. 11 E; thence north along that road and the Mecca Dale Road to Amboy; thence east along Highway 66 to the intersection with Highway 95; thence north along Highway 95 to the California–Nevada boundary.

DISTRICT 23 includes the lands and waters lying within the drainage area of the Rubicon and Little Rubicon Rivers above their confluence in Sec. 13, T. 13 N., R. 13 E.; all lands and waters lying within the drainage area of South Fork of the American River and all its tributaries above Chili Bar Bridge on the Placerville–Georgetown Highway; all of the lands and waters lying within the drainage area of Webber Creek above the Mother Lode Highway between El Dorado and Placerville; the waters of Lake Tahoe and the Truckee River, and all streams flowing into that lake and river, and all lands and waters within the drainage basin of that lake and river lying within this state; the waters of Silver Lake, Twin Lakes, Twin Lake, Blue Lakes, Meadow Lake, Wood Lake, Winnemucca Lake and Scott's Lake, Burnside Lake, the Carson River, the West Fork of the Carson River, Willow Creek and Markleeville Creek and all tributaries of those streams and all streams flowing into those lakes and all lands and waters lying within the drainage basin of those lakes, rivers and streams within the state, all the waters of the Cosumnes River and its tributaries, and all lakes lying within the watershed of that river and tributaries above the bridge on the Mother Lode Highway between Plymouth and Nashville, all being within Alpine, Amador and El Dorado counties.

DISTRICT 25 includes the waters of Lake Almanor and all streams flowing into that lake and all lands lying within the drainage basin of those streams and lake, all being within Plumas and Lassen counties.

KLAMATH RIVER DISTRICT includes the Klamath River and the waters thereof, following its meanderings from the confluence of the Klamath River and the Shasta River in Siskiyou County to the mouth of the Klamath River in Del Norte County. Every person, firm, corporation or company who constructs or maintains any dam or other artificial obstruction in any of the waters of said Klamath River Fish and Wildlife District is guilty of a misdemeanor and upon conviction must be fined not less than one thousand dollars ($1,000) or be imprisoned in the county jail of the county in which the conviction shall be had, not less than 100 days, or by both such fine and imprisonment, and any artificial obstruction constructed, placed or maintained in said district is hereby declared to be a public nuisance.

TRINITY AND KLAMATH RIVER DISTRICT includes the Klamath River and the waters thereof, following its meanderings from the mouth of the Klamath River in Del Norte County to its confluence with the Salmon River, and also the Trinity River and the waters thereof, following its meanderings from its confluence with the Klamath River in Humboldt County to its confluence with the south fork of the Trinity River.

DISTRICT 118 includes the ocean waters and tidelands beginning at the south side of the pier at San Simeon thence westerly three miles, thence southerly to a point three miles west of the southern boundary of the state park at Cambria in San Luis Obispo County, thence easterly to the southwest point of the state park at Cambria. All provisions relating to District 18 shall apply to District 118.

DISTRICT 118.5 includes ocean waters and tidelands not included in other districts, bounded by a line beginning at the intersection of the common boundary of Monterey and San Luis Obispo counties, thence due west two miles to a point, thence southerly and parallel to the coast line two miles south of the common boundary of Santa Barbara and Ventura counties, thence north to the intersection of the common boundary of Santa Barbara and Ventura counties, excluding all rivers, streams, sloughs, and lagoons. Except as otherwise provided, all provisions relating to District 18 shall apply to District 118.5.

EXCERPTS FROM THE FISH AND GAME CODE AND TITLE 14, CALIFORNIA CODE OF REGULATIONS

A complete copy of the Fish and Game Code is available at http://leginfo.legislature.ca.gov/faces/codes.xhtml. A complete copy of Title 14, California Code of Regulations is available at
https://govt.westlaw.com/calregs.

The following excerpts from the Fish and Game Code (FGC) and/or the California Code of Regulations, Title 14 provide essential information about specific commercial fisheries, but do not provide a complete summary of all commercial fishing laws and regulations. It is the fisherman's responsibility to know and obey all laws and regulations in effect while engaged in commercial fishing activities. Changes to either code may occur at any time during the year.

Any discrepancies between the excerpts and the code(s) from which it was prepared will be enforced and adjudicated according to the official code in effect on the date the activity takes place.

Regulations that have changed since the printing of the 2019-2020 Commercial Fishing Regulations Digest are highlighted in red font.

IDENTIFICATION REQUIREMENTS

§700.4. Automated License Data System.

(a) Defined:

For the purposes of this Division the "Automated License Data System" or "ALDS" is an automated system that replaced the Department's paper license inventory system. ALDS allows license items to be printed instantly using point of sale terminals and is available at Department license agents and Department license sales offices located throughout the state. ALDS also allows applicants to apply for licensing via the Internet.

(b) Get Outdoors Identification Number

The first time any applicant applies for any license, tag, permit, reservation or other entitlement via ALDS, the applicant shall receive a unique Get Outdoors Identification number or "GO ID." The GO ID shall not be transferable to any other person.

(c) Identification Required; Acceptable forms of.

Any applicant applying for any license, tag, permit, reservation or other entitlement issued via ALDS shall provide valid identification. Acceptable forms of identification include:

(1) Any license document or GO ID number previously issued via ALDS
(2) A valid driver's license or identification card issued to him or her by the Department of Motor Vehicles or by the entity issuing driver's licenses from the licensee's state of domicile
(3) US Birth Certificate
(4) US Certificate or Report of Birth Abroad
(5) Tribal Identification Card, as defined by each sovereign tribal nation
(6) Birth Certificate or passport issued from a US Territory
(7) US Passport
(8) US Military Identification Cards (Active or reserve duty, dependent, retired member, discharged from service, medical/religious personnel)
(9) Certificate of Naturalization or Citizenship.
(10) A foreign government-issued photo identification
(d) Any applicant less than 18 years of age applying for any license, tag, permit, reservation or other entitlement issued via the ALDS shall provide valid identification. Acceptable forms of identification include:
(1) Any form of identification described above
(2) A parent or legal guardian's identification as described above.
(e) Nonrefundable Application Fee
All licenses, tags, permits, reservations or other entitlements purchased via ALDS shall be subject to a three percent nonrefundable application fee, not to exceed seven dollars and fifty cents ($7.50) per item, to pay the Department's costs for issuing that license, tag, permit, reservation or other entitlement.

GENERAL PROVISIONS AFFECTING COMMERCIAL FISHING

FGC and CCR, T14 Excerpts

§1.80 Take

Hunt pursue, catch, capture of kill fish, amphibians, reptiles, mollusks, crustaceans or invertebrates or attempting to do so.

§70. Resident

"Resident" means any person who has resided continuously in the state of California for six months or more immediately prior to the date of his/her application for a license or permit, any person on active military duty with the Armed Forces of the United States or auxiliary branch thereof or any person enrolled in the Job Corps established pursuant to §2883 of Title 29 of the United States Code.

§57. Non–resident

"Non–resident" means any person who has not resided continuously in the state of California for six months immediately prior to the date of his/her application for a license or permit.

§7852.2. Commercial Fishing Permits; Renewal After Application Deadline; Exceptions and Fees

Notwithstanding any other provision of law, a commercial fishing license, stamp, permit, or other entitlement for which there is a renewal deadline shall not be renewed after that deadline, except as follows:
(a) In addition to the base fee for the license, stamp, permit, or other entitlement, the department shall assess a late fee for any renewal the application for which is received after the deadline, according to the following schedule:
(1) One to 30 days after the deadline, a fee of one hundred twenty–five dollars ($125).
(2) Thirty–one to 60 days after the deadline, a fee of two hundred fifty dollars ($250).
(3) Sixty–one days or more after the deadline, a fee of five hundred dollars ($500).
(b) The Department shall not waive the applicable late fee. The late fees specified in this section are applicable beginning in the 2008 license year, and shall be adjusted annually thereafter pursuant to §713.
(c) The Department shall deny any application for renewal received after March 31 of the permit year following the year in which the applicant last held a valid permit for that fishery.
(d) An applicant who is denied renewal of a late application may submit a written appeal for renewal to the Commission within 60 days of the date of the Department's denial. The Commission, upon consideration of the appeal, may grant renewal. If the Commission grants renewal, it shall assess the applicable late fee pursuant to subdivision (a).

§7857. Conditions Applicable To Commercial Fishing License

Unless otherwise specified, the following conditions apply to each commercial fishing license, permit, or other entitlement issued to take, possess aboard a boat, or land fish for commercial purposes and to each commercial boat registration issued by the Department, except licenses issued pursuant to Article 7 (commencing with §8030):
(a) The person to whom a commercial fishing permit or other entitlement is issued shall have a valid commercial fishing license issued pursuant to §7852 that is not revoked or suspended.
(b) The Commission, after notice and opportunity for hearing, may suspend, revoke, or cancel commercial fishing privileges for a period of time to be determined by the Commission for the following reasons:
(1) The person was not lawfully entitled to be issued the license, permit, or other entitlement.
(2) A violation of this code, the terms of the permit or other entitlement, or the regulations adopted pursuant thereto, by the licensee, permittee, person holding the entitlement, or his or her agent, servant, employee, or person acting under the licensee's, permittee's, or entitled person's direction or control.
(3) A violation of any federal law relating to the fishery for which the license, permit, or other entitlement was issued by the licensee, permittee, person holding the entitlement, or his or her agent, servant, employee, or person acting under the licensee's, permittee's, or entitled person's direction or control.
(c) The person to whom the commercial fishing license, permit, or other entitlement is issued shall be present when fish are being taken, possessed aboard a boat, or landed for commercial purposes. This subdivision does not apply to commercial fishing vessel permits or licenses.
(d) The commercial fishing license, permit, or other entitlement shall be in the licensee's, permittee's, or entitled per-

son's possession, or immediately available to the licensee, permittee, or entitled person at all times when engaged in any activity for which the commercial fishing license, permit, or entitlement is required.
(e) Not more than one individual commercial fishing license, permit, or other entitlement of a single type shall be issued to an individual person and not more than one commercial vessel fishing license, permit, or other entitlement of a single type shall be issued for each vessel.
(f) Any landing of fish used to qualify for, or renew, a commercial fishing license, permit, or other entitlement shall be reported on landing receipts delivered to the Department pursuant to §8046.
(g) In addition to any other requirements in Article 7.5 (commencing with §8040), the name of the person issued the commercial fishing license, permit, or other entitlement authorizing the taking of the fish shall be included on the landing receipt for that landing.
(h) An application for a commercial fishing license, permit, or other entitlement shall be made on a form containing the information the Department may require. The commercial fishing license, permit, or other entitlement shall be signed by the holder prior to use.
(i) Any person who has had a commercial fishing license, permit, or other entitlement suspended or revoked shall not engage in that fishery, and shall not obtain any other commercial fishing license, permit, or other entitlement that authorizes engaging in that fishery, while the suspension or revocation is in effect.
(j) A commercial fishing license, permit, or other entitlement is not transferable unless otherwise expressly specified in this code.
(k) Every commercial fishing license, permit, stamp, commercial boat registration, or other entitlement issued pursuant to this part, except commercial fish business licenses issued pursuant to Article 7 (commencing with §8030), is valid from April 1 to March 31 of the next following calendar year or, if issued after the beginning of that term, for the remainder thereof.
(l) A person who holds a commercial fishing vessel permit or other entitlement authorizing the use of a vessel for commercial fishing shall also hold a valid commercial boat registration for that vessel, issued pursuant to §7881, that has not been suspended or revoked.
(m) A person who holds a commercial fishing license, permit, registration, or other entitlement, who moves or acquires a new address shall notify the Department of the old and new addresses within three months of acquiring the new address.

§7858. Commercial Permit; Conditions to Obtain; Appeals for Late Renewal Application

In addition to the conditions specified in §7857, the following conditions apply to a commercial permit to take, possess aboard a boat, or land fish for commercial purposes in a limited entry fishery, as defined in §8100:
(a) The permit shall be renewed annually.
(b) Except as otherwise provided by law, an appeal for the denial of a renewal application or for a waiver of any landing requirements shall be reviewed and decided by the Department. The appeal shall be received by the Department or, if mailed, postmarked on or before March 31 following the permit year in which the applicant last held a valid permit for that fishery. The decision of the Department may be appealed to the Commission. This section does not apply to permits issued pursuant to §8550.

§1022. Experimental Fishing Permit

(a) The commission may authorize, for research, educational, limited testing, data collection, compensation fishing, conservation engineering, or exploratory fishing, or any combination of these purposes, an EFP to be issued by the department that authorizes commercial or recreational marine fishing activity otherwise prohibited by this code or any regulation adopted pursuant to this code, subject, at a minimum, to all of the following:
(1) Activities conducted under the EFP shall be consistent with policies set forth in Section 7050 and any applicable fishery management plan.
(2) An EFP is subject to those conditions the commission deems necessary to ensure the protection of marine resources, and shall be revoked if the continued use would have an adverse impact on any resource or allocation of a resource, or other adverse impact to established fisheries or other marine living resources.
(3) (A) Except as provided in subparagraph (B), activities conducted under the EFP shall not involve engaging in bottom trawling in ocean waters of the state.
(B) Activities conducted under the EFP may involve engaging in bottom trawling if the EFP is issued to a person who holds a permit issued pursuant to Section 8494 or 8842 and the activities conducted under the EFP are limited to locations where bottom trawling is authorized under the applicable permit.
(4) An EFP exempts a permittee only from the provisions of this code and regulations adopted pursuant to this code specified in the EFP. All other applicable laws and regulations shall remain in effect.
(5) Permits shall be issued pursuant to the process established in subdivision (b).
(b) The commission shall establish by regulation an expeditious process for department review, public notice and comment, commission approval, and prompt department issuance of EFPs, that is consistent with Section 7059.
(c) Upon completion of the activities authorized in an EFP, or periodically under terms specified by the commission, a person fishing under an EFP shall submit to the commission and the department a final report summarizing the EFP research and findings, and any scientific reports or other publications created as a result of the activity.
(d) Unless otherwise specified by the commission, an EFP issued pursuant to this section is valid for a period of one year. However, the department shall not issue an EFP for the same purposes for more than four consecutive years.
(e) The department shall post, and annually update, information regarding approved EFP activities, including information on the fishery and region affected, the experimental intent, and other relevant information on its Internet Web site.
(f) On or before January 1, 2025, and every five years thereafter, the department shall complete and provide to the appropriate legislative committees a report summarizing the approved EFPs and benefits of the EFP program to the sus-

tainability of California fisheries, efficiency of fishing effort, and reduction of bycatch in California fisheries.
(g) The commission may charge a permit fee as necessary to fully recover, but not exceed, all reasonable implementation and administrative costs of the department and the commission relating to the EFP.
(h) For purposes of this section, the following terms have the following meanings:
(1) "Compensation fishing" means fishing conducted for the purpose of recovering costs associated with resource surveys and scientific studies that support the management of a fishery, or fishing that serves as an incentive for participation in those studies. Compensation fishing may include fishing before, during, or following those surveys or studies.
(2) "Conservation engineering" means the study of fish behavior and the development and testing of new gear technology and fishing techniques that promote efficient and sustainable harvest of target species or reduce collateral effects, such as bycatch and adverse effects on habitat, or both.
(3) "EFP" means an experimental fishing permit.
(4) "Exploratory fishing" means fishing to collect data or conduct other research, typically to provide information that could inform the potential opening of a new fishery or an area currently closed to fishing.

§197. Commercial Fisheries Landing Requirements.
(a) Definitions. The following definitions apply to this section:
(1) "Commercial fisherman" has the same meaning as found in Fish and Game Code Section 8040.
(2) "Dock ticket" means written documentation that is legible and in English, for landing data as described in subsection (e)(3) of these regulations, and is used when submission of the electronic fish ticket cannot be performed immediately upon landing.
(3) "Electronic fish ticket" means a web-based form that is used to send landing data pursuant to Fish and Game Code Section 8043 to the department via the Pacific States Marine Fisheries Commission. The web-based form is accessed at https://etix.psmfc.org.
(4) "Fish business" has the same meaning as found in Fish and Game Code Section 8032.
(5) "Fish receiver" has the same meaning as found in Fish and Game Code Section 8033.
(6) "Fish transportation receipt" means a paper form provided by the department for recording commercial catch that is transported from the point of first landing to a fish receiver.
(7) "Functional" means that the software and hardware requirements are met and submission to Pacific States Marine Fisheries Commission can be executed effectively by the equipment.
(8) "Land" or "Landing" means to begin transfer of fish, offloading fish, or to offload fish from any vessel. Once transfer of fish begins, all fish aboard the vessel are counted as part of the landing.
(9) "Landing receipt" means a paper form provided by the department for recording the sale or delivery of commercial catch.
(10) "Record" means the action of documenting electronic fish ticket information on a dock ticket.
(11) "Submit" means to transmit via a web-based form final electronic fish ticket information.
(b) Landing receipts; form and contents. The department prepares and issues upon request landing receipt forms.
(1) Landing receipts shall be completed at the time of the receipt, purchase, or transfer of fish, whichever occurs first and shall include the following information:
(A) Accurate weight of the species;
(B) Common name of the fish species received;
(C) Date of the receipt;
(D) Department origin block number where the fish were caught;
(E) Department registration number of the vessel and name of the vessel;
(F) Name of the fish business and fish business license identification number;
(G) Name of the fisherman and the fisherman's commercial fishing license identification number;
(H) Number of individual fish, as applicable;
(I) Price paid; and
(J) Type of gear used.
(2) Additional information the department requires includes:
(A) Port of landing;
(B) Condition of the fish, as applicable;
(C) Use of the fish, as applicable;
(D) Fishery permit number, as applicable;
(E) Note pad area that may be used by the fish receiver at their discretion; and
(F) Signatures of the fisherman and the fish receiver.
(c) Fish transportation receipts; form and contents. The department prepares and issues on request fish transportation receipt forms.
(1) A commercial fisherman or his designee shall fill out a fish transportation receipt to transport fish to a licensed fish receiver, unless he is licensed as a fish receiver or acting under the authority of a fisherman's retail license.
(2) Fish transportation receipts shall be completed at the time of the receipt, purchase, or transfer of fish, whichever occurs first, and shall contain the following information:
(A) Accurate weight of the species;
(B) Common name of the fish species received;
(C) Date of the receipt;
(D) Department origin block number where the fish were caught;
(E) Department registration number of the vessel and name of the vessel;
(F) Name of the fish business and fish business license identification number;
(G) Name of the fisherman and the fisherman's commercial fishing license identification number;
(H) Port of landing.
(I) Name of the person transporting the fish;
(J) Corresponding landing receipt number or electronic fish ticket number issued by the fish business to the commercial fisherman; and
(K) Signature of the fisherman authorizing transportation.
(3) To use a fish transportation receipt as a dock ticket, the following information shall be added to the information contained in subsection (c)(2):
(A) Fishery permit number, as applicable; and
(B) Signature of the fish receiver.
(d) Landing receipts and fish transportation receipts.

(1) All numbered landing receipts and fish transportation receipts shall be completed sequentially.
(2) Any voided landing receipt or fish transportation receipt shall have the word "VOID" written across the face of the receipt and shall be submitted to the department with all other completed landing receipts.
(3) A fisherman or fish receiver who is no longer conducting business shall return all unused landing receipts or fish transportation receipts and receipt books to the department immediately upon terminating the business.
(4) The delivery, distribution and retention of copies of landing receipts is described in Fish and Game Code Sections 8046 and 8046.1.
(5) The delivery, distribution and retention of fish transportation receipts is described in Fish and Game Code Section 8047.
(e) Electronic fish tickets; implementation and required information.
(1) Beginning on July 1, 2018 any fish receiver or fisherman with a fisherman's retail license shall record the landing information as provided herein using either a paper landing receipt or an electronic fish ticket, but not both.
(2) Beginning on July 1, 2019 electronic fish tickets shall be the sole method of submitting the information as provided herein.
(3) Electronic fish tickets or dock tickets shall be completed at the time of the receipt, purchase, or transfer of fish, whichever occurs first, and shall contain the following information:
(A) Accurate weight of the species;
(B) Common name of the fish species received;
(C) Date of the receipt;
(D) Department origin block number where the fish were caught;
(E) Department registration number of the vessel and name of the vessel;
(F) Name of the fish business and fish business license identification number;
(G) Name of the fisherman and the fisherman's commercial fishing license identification number;
(H) Number of individual fish, as applicable;
(I) Price paid;
(J) Type of gear used;
(K) Port of landing;
(L) Condition of the fish, as applicable;
(M) Use of the fish, as applicable;
(N) Fishery permit number, as applicable;
(O) Note pad area that may be used by the fish receiver at their discretion; and
(P) Signatures of the fisherman and the fish receiver; and
(Q) Transportation receipt number, as applicable.
(4) To complete and submit an electronic fish ticket a fish receiver shall meet the following hardware and software requirements:
(A) A personal computer system, tablet, mobile device, or other device that has software (e.g. web browser) capable of submitting information over the Internet, such that submission to the department via the Pacific States Marine Fisheries Commission can be executed effectively; and
(B) A printer capable of printing copies of the electronic fish tickets submitted via a personal computer system, tablet, or mobile device.
(5) The fish receiver is responsible for:
(A) Maintaining Internet access sufficient to access the web-based interface and submit completed electronic fish tickets; and
(B) Insuring that all hardware and software required under this subsection are fully operational and functional whenever they receive, purchase, or transfer fish species for which an electronic fish ticket is required.
(C) In the event of an internet outage or failure of the device it is the responsibility of the fish receiver to record the landing on a dock ticket pursuant to subsection (f)(3) of these regulations. The electronic fish ticket shall be submitted pursuant to Fish and Game Code Section 8046, except as provided in subsection (g).
(f) Electronic fish tickets; reporting and submission requirements.
(1) At the time of the landing the fish receiver shall either immediately complete an electronic fish ticket or record on a dock ticket the information that will be used to complete the electronic fish ticket for submission pursuant to Fish and Game Code Section 8046.
(2) If the landing information is entered on an electronic fish ticket the following is required prior to submittal:
(A) The information shall be reviewed by the commercial fisherman or the person who transported the fish;
(B) After review, the fish receiver and the commercial fisherman or the person who transported the fish shall sign a printed hard copy of the electronic fish ticket documenting that both have verified the accuracy of the information contained therein; and
(C) The fish receiver shall keep the original paper hard copy and provide a copy to the commercial fisherman.
(3) If the landing information is recorded on a dock ticket for later submission as an electronic fish ticket, the following is required:
(A) The electronic fish ticket number, which can be generated remotely via any device with a web browser and internet connection prior to the landing;
(B) The information shall be reviewed by the commercial fisherman or the person who transported the fish;
(C) After review, the fish receiver and the commercial fisherman or the person who transported the fish shall sign the dock ticket documenting that both have verified the accuracy of the information contained therein; and
(D) The fish receiver shall keep the original paper hard copy and provide a copy to the commercial fisherman.
(E) The electronic fish ticket shall be submitted pursuant to Fish and Game Code Section 8046.
(g) Electronic fish tickets; waiver of submission requirements.
(1) Under a temporary waiver granted by the department, a fish receiver may submit electronic fish ticket information on paper when there are circumstances beyond the control of the fish receiver resulting in their inability to submit landing data using the electronic fish ticket system.
(2) A request for a waiver has been submitted in writing to the department's Marine Region, Regional Manager, c/o Marine Fisheries Statistical Unit, 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720, or via facsimile at 562-342-7137, or via email at ElectronicFishTicket@wildlife.ca.gov. The waiver shall

include:
(A) Reason the fish receiver cannot comply with the electronic submission requirements,
(B) The name of the person making the request and their position within the company,
(C) The name of the fish business and fish business identification number,
(D) The physical address, phone number, and facsimile number or email address, as applicable, of the fish receiver, and
(E) The proposed time period for the waiver to be in effect.
(3) The department may request other related information prior to granting or denying the waiver.
(4) The waiver may include conditions such as the time period for submitting paper receipts, or any other criteria the department deems necessary.
(5) The fish receiver shall immediately make available a copy of the waiver approved by the department for inspection by the department when conducting business under the terms of the waiver.
(6) Fish receivers that have been granted a temporary waiver from the requirement to submit electronic fish tickets shall submit on paper the same data as is required on electronic fish tickets, pursuant to subsection (e)(3) of these regulations, pursuant to Fish and Game Code Section 8046, during the period that the waiver is in effect. Paper fish tickets shall be sent to the department according to the instructions provided in the waiver.
(h) Retention of electronic fish tickets and dock tickets.
(1) The commercial fisherman and the fish receiver shall keep a copy of the electronic fish ticket and dock ticket, as applicable for a period of four years and shall make them available for inspection at any time by the department.
(i) Electronic fish ticket revisions.
(1) Electronic fish tickets shall to be used for the submission of final data.
(2) In the event that a data error is found, electronic fish ticket submissions shall be revised by resubmitting the revised form electronically.

§8043. Landing Receipts – Commercial Fisherman or Receiver; Information Required

(a) Every commercial fisherman who sells or delivers fish that he or she has taken to any person who is not licensed under Article 7 (commencing with Section 8030), and every person who is required to be licensed under Article 7 (commencing with Section 8030) to conduct the activities of a fish receiver, as described in Section 8033, shall make a legible landing receipt record on a form to be furnished by the department. The landing receipt shall be completed at the time of the receipt, purchase, or transfer of fish, whichever occurs first.
(b) The landing receipt shall show all of the following:
(1) The accurate weight of the species of fish received, as designated pursuant to Section 8045. Sablefish may be reported in dressed weight, and if so reported, shall have the round weights computed, for purposes of management quotas, by multiplying 1.6 times the reported dressed weight.
(2) The name of the fisherman and the fisherman's identification number.
(3) The department registration number of the boat.
(4) The recipient's name and identification number, if applicable.
(5) The date of receipt.
(6) The price paid.
(7) The department origin block number where the fish were caught.
(8) The type of gear used.
(9) Any other information the department may prescribe.
(c) The numbered landing receipt forms in each individual landing receipt book shall be completed sequentially. A voided fish landing receipt shall have the word "VOID" plainly and noticeably written on the face of the receipt. A voided fish landing receipt shall be submitted to the department in the same manner as a completed fish landing receipt is submitted to the department. A fish receiver who is no longer conducting business as a licensed receiver shall forward all unused landing receipts and landing receipt books to the department immediately upon terminating his or her business activity.

§8046. Landing Receipt Copies; Receipt Inspection; Weighing Requirements

(a) The original signed copy of the paper landing receipt made under §8043 or 8043.1 shall be delivered to the Department on or before the 16th or last day of the month in which the fish were landed, whichever date occurs first after the landing. Landing receipt records completed and submitted electronically shall be submitted to the department within three business days of the landing. A copy of the landing receipt shall be delivered to the commercial fisherman at the time of the purchase or receipt of the fish. That copy of the landing receipt shall be retained by the commercial fisherman for a period of four years and shall be available for inspection at any time during that period by the Department. A copy of the landing receipt shall be kept by the person licensed pursuant to Article 7 (commencing with §8030) who filled out the landing receipt for a period of four years and shall be available for inspection at any time within that period by the Department.
(b) On delivery of sardines, anchovies, mackerel, squid, tuna, or bonito intended to be processed or sold as fresh fish, the person licensed pursuant to Article 7 (commencing with §8030) who filled out the landing receipt, upon request of the authorized agent described in subdivision (c), shall notify the authorized agent of the unloading and weighing of the fish and shall permit the authorized agent to be present at all times during the weighing of the fish.
(c) A copy of the landing receipt shall be delivered to an agent authorized in writing by the majority of the persons who participated in the taking of the fish, excluding the commercial fisherman receiving the original copy.
(d) For purposes of this section, "business day" means Monday to Friday, inclusive, excluding days designated as state or federal holidays.

§8046.1. Groundfish Landing Receipts; Retention Requirements

In addition to the requirements of §8046, any person landing groundfish subject to federal groundfish regulations adopted pursuant to the Magnuson Fishery Conservation and Management Act (16 U.S.C. Sec. 1801 et seq.) shall keep a copy of the landing receipt on board the fishing vessel throughout,

and for 15 days following, each period for which cumulative landings by individual vessels are limited.

§8047. Commercial Licensee Taking Own Fish; Requirements.

(a) (1) A person licensed under Article 7 (commencing with Section 8030) who takes his or her own fish shall make a legible record in the form of the landing receipt as required by Sections 8043 and 8043.1 at the time the fish are brought ashore. The original signed copy of the landing receipt shall be delivered by the licensee to the department, as provided in Section 8046. A copy of the landing receipt shall be retained by the licensee for a period of four years and shall be available for inspection at any time within that period by the department. A copy of the landing receipt shall be delivered to an agent authorized in writing by the majority of the persons who participated in the taking of the fish, excluding the commercial fisherman receiving the original copy.

(2) A person licensed under Section 8033.5 who sells his or her fish to a licensed receiver may use a transportation receipt to transport those fish only to that licensed receiver. The receiver shall complete a landing receipt for those fish. A person who sells his or her fish to the ultimate consumer shall complete a landing receipt pursuant to Sections 8043 and 8043.2. Transportation receipts shall be completed at the time the fish are transferred from the fishing vessel.

(b) Every commercial fisherman who sells fish taken from the waters of this state or brought into this state in fresh condition to persons not licensed to receive fish for commercial purposes pursuant to Article 7 (commencing with Section 8030) shall make a legible record in the form of the landing receipt required by Sections 8043 and 8043.1. Persons subject to Section 8043 shall remit the landing fee imposed by Section 8041. The person taking, purchasing, or receiving the fish, whether or not licensed under Article 7 (commencing with Section 8030), shall sign the landing receipt. The original signed copy of the landing receipt shall be delivered by the commercial fisherman to the department, as provided in Section 8046. A copy of the landing receipt shall be retained by the commercial fisherman for a period of four years and shall be available for inspection at any time within that period by the department. A copy of the landing receipt shall be retained by the person taking, purchasing, or receiving the fish until they are prepared for consumption or otherwise disposed of. A copy of the landing receipt shall be delivered to an agent authorized in writing by the majority of the persons who participated in the taking of the fish, excluding the commercial fisherman receiving the original copy.

(c) (1) Every commercial fisherman or his or her designee, who transports, causes to be transported, or delivers to another person for transportation, any fish, except herring, taken from the waters of this state or brought into this state in fresh condition, shall fill out a transportation receipt according to the instructions and on forms provided by the department at the time the fish are brought ashore.

(2) The original signed copy of the transportation receipt shall be delivered by the commercial fisherman to the department on or before the 16th day or the last day of the month in which the fish were landed, whichever date occurs first after landing. A copy of the transportation receipt shall be retained by the commercial fisherman who filled it out for a period of four years and shall be available for inspection at any time within that period by the department. A copy of the transportation receipt shall be given to and retained by the person transporting the fish until the fish are sold fresh, processed, or otherwise disposed of.

(3) The transportation receipt is required only for transit purposes.

(4) A person transporting fish from the point of first landing under a transportation receipt is not required to be licensed to conduct the activities of a fish receiver as described in Section 8033.

(5) The transportation book receipt shall be issued to an individual fisherman and is not transferable.

(d) The transportation receipt shall contain all of the following information:

(1) The name of each species of fish, pursuant to Section 8045.

(2) The date and time of the receipt.

(3) The accurate weight of the species of fish being transported. Sablefish may be reported in dressed weight, and if so reported, shall have the round weights computed, for purposes of management quotas, by multiplying 1.6 times the reported dressed weight.

(4) The name and identification number of the fisherman. The signature of the fisherman authorizing transportation.

(5) The name of the person transporting the fish.

(6) The name of the fish business, the fish business identification number, and the corresponding landing receipt number issued by the fish business to the commercial fisherman.

(7) The department registration number of the vessel and the name of the vessel.

(8) The department origin block number where the fish were caught.

(9) The port of first landing.

(10) Any other information the department may prescribe.

(e) The numbered transportation receipt forms in each individual transportation receipt book shall be completed sequentially. A voided fish transportation receipt shall have the word "VOID" plainly and noticeably written on the face of the receipt. A voided fish transportation receipt shall be submitted to the department in the same manner as a completed fish transportation receipt is submitted to the department. A commercial fisherman who is no longer conducting business as a licensed fisherman shall forward all unused transportation receipts and transportation receipt books to the department immediately upon terminating his or her business activity.

§8100. Limited Entry Fishery

"Limited entry fishery" means a fishery in which the number of persons who may participate or the number of vessels that may be used in taking a specified species of fish is limited by statute or regulation.

§8101 Eligibility to Participate

(a) Any licensed fisherman shall be eligible for inclusion during the initial year of a limited entry fishery which is established by statute that becomes operative after January 1, 1982, or by regulation that becomes operative after January 1, 1999, regardless of the prescribed conditions for entry

into the fishery, if the fisherman presents to the Department satisfactory evidence that he or she has been licensed as a California commercial fisherman for at least 20 years and has participated in the fishery for at least one of those 20 years, with qualifying participation in the fishery to be determined by the Commission based on landings or other appropriate criteria.
(b) Fishermen who have established eligibility to participate in a limited entry fishery under this section are subject to conditions of continuing eligibility established by statute or regulation if those fishermen desire to maintain their eligibility.

COMMERCIAL FISHING LICENSES

FGC Excerpts

§7850. Persons Required to Obtain License; Exceptions

(a) Excepting persons expressly exempted under this code, no person shall use or operate, or assist in using or operating, any boat, aircraft, net, trap, line, or other appliance to take fish or amphibia for commercial purposes, and no person shall cause to be brought ashore, any fish or amphibia at any point in the state for the purpose of selling them in a fresh state or shall contribute materially to the activities on board the commercial fishing vessel, unless the person holds a commercial fishing license issued by the Department.
(b) Any person not required under subdivision (a) to hold a commercial fishing license shall register his or her presence on board the commercial fishing vessel in a log maintained by the owner or operator of the vessel according to the requirements of the Department.
(c) As used in this section, "person" does not include persons who are less than 16 years of age, a partnership, corporation, or association. Any person, partnership, corporation, limited liability company, or associated may pay the fees for a license issued to any person.
(d) This article does not apply to the taking, transporting, or selling of live freshwater fish for bait by the holder of a live freshwater bait fish license issued pursuant to §8460.

§7852.27. Possession and Signature – Commercial License

At all times when engaged in any activity described in §7850 or Article 7 (commencing with §8030) for which a commercial fishing license is required, the licensee shall have in his or her possession, or immediately available to the licensee, a valid driver's license or identification card issued to him or her by the Department of Motor Vehicles or by the entity issuing driver's licenses from the licensee's state of domicile. A current passport may be used in lieu of a valid driver's license or identification card by a holder of a valid nonresident commercial fishing license issued pursuant to subdivision (b) of §7852. The licensee's driver's license, identification card or, if applicable, passport, shall be exhibited upon demand to any person authorized by the Department to enforce this code or regulations adopted pursuant thereto.

COMMERCIAL BOAT REGISTRATIONS

FGC Excerpts

§7601. Owner or Vessel Owner

"Owner" or "vessel owner" means the person or persons designated as the registered owner of a vessel on a certificate of documentation issued by the United States Coast Guard or on a copy of the vessel registration issued by the vessel registration agency of the state where the owner is a resident. For purposes of this section, the vessel registration agency in California is the Department of Motor Vehicles.

§7880. Display of Commercial Registration Number

(a) Every person owning or operating any vessel used in connection with fishing operations for profit who has been issued a commercial boat registration pursuant to §7881 shall display, for the purpose of identification, a Department of Fish and Game registration number on the vessel in a manner designated by the Department.
(b) The method of displaying the registration number on the vessel shall be determined by the Department after consultation with the Department of Boating and Waterways, taking into consideration the responsibilities and duties of the Department of Boating and Waterways as prescribed in the Harbors and Navigation Code.
(c) The registration number is not transferable, and it is a permanent fixture upon the vessel for which it is originally issued.

§7881. Registration of Commercial Fishing Vessel

(a) Every person who owns or operates a vessel in public waters in connection with fishing operations for profit in this state, or who brings fish into this state, or who, for profit, permits persons to fish therefrom, shall submit an application for Commercial boat registration on forms provided by the Department and shall be issued a registration number.
(b) A commercial boat registration may be issued to any resident owner or operator of a vessel upon payment of a base fee of two hundred fifty dollars ($250). The commercial boat registration shall be carried aboard the vessel at all times, and shall be posted in a conspicuous place.
(c) A commercial boat registration may be issued to any non–resident owner or operator of a vessel upon payment of a base fee of seven hundred fifty dollars ($750). The commercial boat registration shall be carried aboard the vessel at all times and shall be posted in a conspicuous place.
(d) If a registered vessel is lost, destroyed, or sold, the owner of the vessel shall immediately report the loss, destruction, or sale to the Department.
(e) This section does not apply to any person required to be licensed as a guide pursuant to §2536.
(f) The base fees specified in this section are applicable to the 2004 license year, and shall be adjusted annually thereafter pursuant to §713.
(g) The commission shall adjust the amount of the fees specified in subdivision (f), as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses.

COMMERCIAL PASSENGER FISHING VESSEL LICENSES

FGC Excerpts

§7920. Persons Required to Procure License

The owner of any boat or vessel who, for profit, permits any person to fish therefrom, shall procure a commercial passenger fishing boat license.

This article applies only to a boat or vessel whose owner or his employee or other representative is with it when it is used for fishing.

A person operating a guide boat, as defined in §46, is not required to obtain a commercial passenger fishing boat license.

§7925. Commercial Salmon Stamps; Quantity Needed

(a) If a vessel is licensed under this article and is used to take salmon or has salmon aboard in ocean waters north of Point Arguello, there shall be on board that vessel, a total number of commercial fishing salmon stamps sufficient to have at least one for the operator and one for each crewmember required by United States Coast Guard regulations, excepting an operator or a crewmember who is exempt from the requirement under subdivision (b) of Section 7860. The commercial fishing salmon stamps shall be affixed to either the commercial fishing licenses of the operator and the crewmembers or, pursuant to subdivision (b), to the commercial passenger fishing license. No person shall operate, or cause to be operated, any vessel licensed under this article in violation of this subdivision. Vessels permitted as commercial salmon fishing vessels pursuant to Section 8234 are exempt from the requirements of this subdivision.

(b) Notwithstanding Section 1053, the department may issue to the owner or operator of a vessel licensed pursuant to this article, upon application and payment of the fees prescribed in subdivision (c) of Section 7860, one commercial fishing salmon stamp for the operator and not more than one additional commercial salmon stamp for each crewmember required by the United States Coast Guard regulations. The commercial fishing salmon stamps issued under this subdivision shall be affixed to the vessel's commercial passenger fishing boat license issued pursuant to this article.

Title 14 Excerpts

§105.5. Cooperation with State and Federal Fishery Observers.

(a) Owners or operators of commercial fishing vessels permitted under regulations of the Commission, and commercial passenger fishing vessels licensed pursuant to Fish and Game Code §7920, will, as a condition of permit or license issuance, cooperate with Department or Federal fishery observers, or observers collecting data for the Department, when asked to carry and accommodate an observer on fishing trips at no charge to the sponsoring agency.

(b) If observer coverage of a trip is denied by the owner or operator of a vessel, the Department may require an explanation in writing from the owner or operator. This explanation shall be received by the Department within 15 days of written request by the Department for an explanation.

(c) The Department may request revocation of fishing permits or licenses to the Commission for denials that it deems to be uncooperative in nature, after first allowing the owner or operator to meet with the Manager of Marine Region, or his representative, to provide an explanation for the denial.

(d) The Department or federal agency requesting cooperation under subsection (a) shall not require the vessel operator or owner to provide an observer with meals or a subsistence allowance on observed fishing trips, but shall accommodate the observer with regard to reasonable eating and working conditions and access to pertinent fishing information and fishery data while aboard the vessel.

(e) Failure to provide reasonable eating and working conditions or access to pertinent fishing information or fishery data to observers, or actions taken by a vessel owner or operator against an observer that is prohibited pursuant to subsection (f), on observed fishing trips may lead to revocation of the vessel's fishing permits or licenses issued under regulations of the Commission following the procedure outlined in subsections (b) and (c) above.

(f) To ensure that observer objectives may be reasonably and safely achieved, consistent with federal groundfish observer rules, it is unlawful for any person to do any of the following:

(1) forcibly assault, resist, oppose, impede, intimidate, sexually harass, bribe, or interfere with an observer,

(2) interfere with or bias the sampling procedure employed by an observer, including physical, mechanical, or other sorting or discarding of any catch before sampling,

(3) tamper with, destroy, or discard an observer's collected samples, equipment, or personal gear, without the express consent of the observer,

(4) prohibit or bar by command, impediment, threat, coercion, or refusal of reasonable assistance, an observer collecting samples, making observations, or otherwise performing the observers duties,

(5) harass an observer by conduct that has sexual connotations, has the purpose or effect of interfering with the observer's work performance, or otherwise creates an intimidating, hostile, or offensive environment,

(6) require, pressure, coerce, or threaten an observer to perform duties normally performed by crew members.

§195. Report of Fish Taken To Be Made by Owner of Barge or Vessel for Hire, and Boat Limits.

(a) Pursuant to Section 190 the owner/operator of a commercial passenger fishing vessel shall keep a logbook of fishing activities.

(1) The form entitled Commercial Passenger Fishing Vessel Log, Central and Northern California, DFW 195A (Rev 01/16), incorporated by reference herein, shall be used when the vessel is engaged in fishing north of Point Conception.

(2) The form entitled Commercial Passenger Fishing Vessel Log, Southern California, DFW 195B (Rev 01/16), incorporated by reference herein, shall be used when the vessel is engaged in fishing south of Point Conception.

(b) The owner(s) and/or operator(s) of each vessel required to obtain a license under Section 7920 of the Fish and Game Code shall post a notice in a prominent place on the vessel giving information to fishermen on license requirements,

bag limits, and other pertinent information. This notice shall be furnished by the department.
(c) Both the vessel owner(s) and/or operator(s) shall be responsible for keeping accurate records and insuring the vessel is in compliance with subsections (a) and (b) above.
(d) All fishing activity records are confidential pursuant to Fish and Game Code Sections 7923 and 8022 and Government Code Sections 6276 and 6276.10.
(e) Boat Limits: When two or more persons licensed or otherwise authorized to sport fish in ocean waters off California or in the San Francisco Bay District, as defined in Section 27.00, are angling for finfish in these waters aboard a vessel licensed under Section 7920, fishing by these persons (to include vessel operator(s) and crew members where licensed to sportfish under their own individual limits) may continue until the passenger's boat limits of those finfish are taken and possessed aboard the vessel as authorized under this section.
(1) For purposes of this section, the vessel operator(s) and crew members are not passengers and may not take fish towards obtaining boat limits for passengers except for casting, setting trolling gear, gaffing or netting fish, but may take fish during a fishing trip for their personal use only. Vessel operator(s) and crew members may assist passengers in other activities including, but not limited to, obtaining bait, chumming, baiting and untangling hooks and lines, identifying, dispatching, filleting, counting, bagging and otherwise handling fish taken by passengers. Upon completion of a fishing trip, the vessel operator(s) and crew members may only possess fish that are part of their own personal bag limit not to exceed authorized sportfishing daily bag and possession limits.
(2) Fish taken by operator(s) and crew members for personal use pursuant to (e)(1) above must be separated from fish taken under a boat limit and labeled in a manner that they can be identified as an individual operator's or crew member's fish. Operator(s) and crew members are also prohibited from giving all or part of their individual limit to any passenger during or after a trip.
(3) The authorization for boat limits aboard a vessel does not apply to fishing trips originating in California where fish are taken in other jurisdictions.
(4) A boat limit for a species or species group is equal to the number of passengers aboard the vessel that are licensed or otherwise authorized to sport fish in ocean waters off California or in the San Francisco Bay District multiplied by the individual daily bag limit authorized for a species or species group. For purposes of this section, the number of passengers shall not include the vessel operator(s) and crew members. It is unlawful to exceed the boat limit at any time.
(5) Prior to the departure on a fishing trip of a vessel that is licensed under Fish and Game Code Section 7920, the number of fishers, to include passengers, guests, operators and crew who will be fishing, shall be recorded under "number of fishers" on the logbook for that trip. In addition, the number of vessel operator(s) and crew members who will fish for that trip shall be recorded in the space to the right of the operator's signature on the logbook.
(6) Upon completion of a sport fishing trip aboard a vessel reporting under this section, each licensed or otherwise authorized angler may not possess more than the daily bag and possession limits. For the purposes of this section, a fishing trip is completed at the time a person disembarks from the vessel and individual possession limits apply.
(7) Species for which no daily bag limit exists are not included in the boat limit.
(f) Where boat limits are provided for in this section, the vessel operator(s) and crew members may be cited for violations occurring aboard the vessel, including but not limited to violations of the following:
(1) Overlimits
(2) Possession of prohibited species
(3) Minimum size limits
(4) Fish taken out of season or in closed areas
(g) Boat limits are not authorized for sturgeon fishing and shall not apply to the take, possession or retention of sturgeon.

FISHING ACTIVITY RECORDS (LOGBOOKS)

Bay shrimp, halibut trawl, lobster, market squid, pink shrimp, sardine for bait, sea cucumber, sea urchin, shrimp/prawn trawl, tanner crab, all other trawl fisheries except federal groundfish trawl, general gill net except federal highly migratory species using large mesh drift gill net, and commercial passenger fishing vessel owners or operators are subject to the provisions of §190, Title 14.

Title 14 Excerpts

§ 176. Trawl Fishing Activity Records.

Pursuant to Section 190 of these regulations, the master or his designee of any vessel operating any trawl net in the public waters under the jurisdiction of the state, or taking fish by such net without the state and bringing them into the state, shall complete and submit an accurate record of fishing activities on a form (Trawl Trip Log, DFG 176 (10/89), see Appendix A) provided by the department.

§190. Fishing Activity Records.

(a) Pursuant to sections 7923 and 8026, Fish and Game Code, the owner and operator of a commercial fishing vessel or the holder of a commercial fishing license or permit participating in specified fisheries, and the owner and license holder of a commercial passenger fishing vessel shall keep and submit a complete and accurate record of fishing activities.
(b) Fishing activity records shall be kept on paper forms provided by the department or on the electronic version on the department web site at https://apps.wildlife.ca.gov/marinelogs, hereafter referred to as logbook(s) for purposes of this section.
(c) Logbooks shall be kept on the vessel while it is engaged in, or returning from, fishing operations and shall be immediately surrendered upon demand to a peace officer of the department. Unless otherwise specified in Title 14, CCR, logbooks shall be completed immediately with all available information when any of the following first occurs:
(1) prior to passengers or crew disembarking from the vessel, or
(2) at the time of receipt, purchase, or transfer of fish, or
(3) at the end of the calendar day (24 hour clock) during fishing activity through the night.

(d) If the logbook is kept on paper it shall be delivered to the department at 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720, or such other department office as may be specified in regulation on or before the 10th day of each month following the month to which the records pertain. Logbooks that are mailed shall be postmarked on or before the 10th day of each month following the month to which the records pertain.
(e) Failure to keep and submit required logbooks may result in revocation or suspension (including non-renewal) of the license or permit for the taking of all fish or for the particular species for which the records are required, by the department, for a period not to exceed one year. Any revocation, suspension or nonrenewal may be appealed to the commission.

COMMERCIAL AIRCRAFT REGISTRATIONS

FGC Excerpts

§7892. Aircraft Registration - Commercial Fishing; Fee

The Department shall issue to any person owning or operating an aircraft used in connection with commercial fishing operations in this state an aircraft registration for that aircraft. The registration shall be carried aboard the aircraft at all times when the aircraft is used in connection with commercial fishing operations. The fee for a commercial aircraft registration shall be two hundred dollars ($200).

ABALONE

Subject to the provisions of §§100 and 671, Title 14, and FGC §5521, abalone may not be taken, possessed or landed for commercial purposes from California waters nor may any non–native abalone be imported, transported, or possessed alive except under a permit issued by the Department.

ANCHOVY

FGC Excerpts

§8180. Take for Human Consumption South of Pt. Mugu; Limitations, etc.

In any district or part of a district lying south of a line drawn east and west through Point Mugu, anchovies may be taken in any quantity for bait or for human consumption in a fresh state, or, by contract with the Department, for hatchery food, not to exceed 500 tons per year.

§8181. Take in other Designated Waters

Anchovies taken south of that line in waters not less than three nautical miles from the nearest point of land on the mainland shore, and anchovies taken north of that line in any waters, may be possessed, transported, sold, or otherwise dealt with in any district or part of a district south of that line.

§8182. Display of Registration When South of Line

The operator of any boat engaged in taking anchovies in waters south of the line described in §8180 shall at all times while operating such boat identify it by displaying on an exposed part of the superstructure, amidships on each side on top of the house visible from the air, the Department of Fish and Wildlife registration number of the boat, in 14–inch black numerals on white background.

§8183. Taking in Humboldt Bay; Exceptions

(a) No anchovies may be taken for any purpose in Humboldt Bay, except under the following conditions:

(1) Anchovies may be taken between May 1 and December 1.

(2) Not more than 60 tons of anchovies may be taken between May 1 and December 1 of each year.

(3) Only bait nets, as defined in Section 8780, shall be used to take anchovy.

(4) Any game fish caught incidentally in bait nets shall be released by use of a hand scoop net or by dipping the cork line.

(b) An accurate record of all fishing operations shall be kept and is subject to inspection by the department.

(c) The commission may adopt regulations it determines are necessary to protect anchovy in Humboldt Bay, including, if applicable and based on credible science, a regulation that changes the permitted take amount established pursuant to paragraph (2) of subdivision (a).

ROUND–HAUL, BAIT AND DIP NETS

§8750. Round Haul Nets

As used in this article, "round haul nets" are circle seines, and include purse seines and ring or half ring, and lampara nets.

§8751. Possess Net on Boat in Districts 1, 2, and 3; Exception

In Districts 1, 2, and 3, round haul nets may not be possessed on any boat, except in that part of District 3 lying within the boundaries of the Moss Landing Harbor District, where round haul or any other type of nets may be possessed on any boat, and except in that part of District 2 lying within Marin County.

§8752. Districts Where Round Haul Net Use Allowed

In Districts 6, 7, 8, 9, 10, and 11, purse and round haul nets may be used.

§8754. Districts Where Purse and Round Haul Nets Allowed and Prohibited

In Districts 16, 17, 18, and 19, purse and round haul nets may be used, except that purse seines or ring nets may not be used in that portion of District 19 lying within three miles offshore from the line of the high–water mark along the coast of Orange County from sunrise Saturday to sunset Sunday from May 1 to September 10, inclusive.
Purse seine or ring nets may not be used from May 1 to September 10, inclusive, in the following portions of District 19:
(a) Within a two–mile radius of Dana Point.
(b) Within a two–mile radius of San Mateo Point.
(c) Within two miles offshore from the line of the high–water mark along that portion of the coast of Orange County lying

between the northernmost bank of the mouth of the Santa Ana River and a point on that coast six miles south therefrom.

§8755. Use of Nets in Districts 20A and 21
In Districts 20A and 21, purse and round haul nets may be used.
(a) Purse and round haul nets may be used, except:
(1) from sunrise Saturday to sunset Sunday, in that portion of District 20 from a line extending three nautical miles east magnetically from the extreme easterly end of Santa Catalina Island southwesterly and northerly to a line extending three nautical miles southwest magnetically from the most southerly promontory of China Point and (2) at any time during the period commencing on June 1 and ending on September 10 in each year, in that portion of District 20 from a line extending three nautical miles east magnetically from the extreme easterly end of Santa Catalina Island southerly to a line extending three nautical miles southeasterly magnetically from the United States government light on the southeasterly end of Santa Catalina Island.
(b) Subdivision (a) shall not be construed as restricting the right to use the waters therein specified for anchorage of vessels at any time.

§8757. Restrictions on Use of Nets in Districts 19 and 20
Notwithstanding Section 8661, and in addition to Sections 8754, 8755, and 8780, round haul nets may be used to take fish in those portions of Districts 19 and 20 that are closed to the use of round haul nets by Sections 8754 and 8755 and in Districts 19A and 19B, but only for use or sale of those fish for live bait and subject to the following restrictions:
(a) In Districts 19A and 19B, round haul nets may not be used within 750 feet of any public pier.
(b) It is unlawful to buy, sell, or possess in any place of business where fish are bought, sold, or processed, any dead fish taken under the authority of this section.

§8780. Bait Net; Use in Districts Specified
(a) As used in this chapter, the term "bait net" means a lampara or round haul type net, the mesh of which is constructed of twine not exceeding Standard No. 9 medium cotton seine twine or synthetic twine of equivalent size or strength. Notwithstanding Section 8757, except for drum seines and other round haul nets authorized under a permit issued by the department pursuant to this section, the nets may not have rings along the lead line or any method of pursing the bottom of the net.
(b) Bait nets may be used to take fish for bait in Districts 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 19A, 19B, 20A, 21, 118, and 118.5.
(c) In District 19A, bait nets may be used only to take anchovies, queenfish, white croakers, sardines, mackerel, squid, and smelt for live bait purposes only. Bait nets may not be used within 750 feet of Seal Beach Pier or Belmont Pier.
(d) No other species of fish may be taken on any boat carrying a bait net in District 19A, except that loads or lots of fish may contain not more than 18 percent by weight of the fish, of other bait fish species taken incidentally to other fishing operations and which are mixed with other fish in the load or lot.

§8870. Restrictions for Use
Dip nets may be used subject to the following restrictions:
(a) In Districts 1, 1 1/2, 2, 3, and 4, dip nets may not be baited, and may not measure more than six feet in greatest breadth.
(b) In District 19, hand–held dip nets 30 feet or less in greatest breadth may be used. In that district dip nets may not be used within 750 feet of any pier, wharf, jetty, or breakwater, except to take anchovies, squids, and sardines for bait, and to take smelt.
(c) In District 20, hand–held dip nets 30 feet or less in greatest breadth may be used.

CALIFORNIA HALIBUT

California Halibut Hook-and-Line
See the General Fishing Lines section (page 61) and FGC excerpts: §9025.5, §9026, §9027, §9027.5, and §9028.

California Halibut Gill and Trammel Nets
See the General Gill and Trammel Net section (page 62).

California Halibut Minimum Size Limit and Season
See the Season, Bag and Size Limits By Species/SALTWATER AND ANADROMOUS FISH section (page 20) and the Calendar of Commercial Fishing Open Seasons (page 23).

Location of the California Halibut Trawl Grounds
See map in the California Halibut Trawl Grounds section (page 175).

California Halibut Bottom Trawl Vessel Permits
Required for the owner of a commercial fishing vessel using bottom trawl gear to take California halibut.
Renewal Requirements:
The owner must possess a valid: a) 2020-2021 commercial fishing license (resident or non–resident); b) 2020-2021 commercial boat registration (resident or non–resident) for the qualified vessel; and c) have possessed a valid 2019-2020 halibut bottom trawl vessel permit. The vessel owner must purchase a commercial fishing license even if he/she does not intend to commercially fish during the 2020-2021 license year (FGC §§7857(a), 8280.(2)(e)).
A non-transferable Halibut Bottom Trawl Vessel Permit becomes null and void upon the death of the permittee.

California Halibut Bottom Trawl Vessel Permit Transfer Application
https://nrm.dfg.ca.gov/FileHandler.x?DocumentID=42089&inline=1

Logbook Requirement: Trawl Log

FGC Excerpts
§8494. Halibut Bottom Trawl Permits Required.
(a) Any vessel using bottom trawl gear in state–managed halibut fisheries, as described in subdivision (a) of §8841, shall possess a valid California halibut bottom trawl vessel permit that has not been suspended or revoked and that is issued by the Department authorizing the use of trawl gear by that vessel for the take of California halibut.

(b) A California halibut bottom trawl vessel permit shall be issued annually, commencing with the 2006 permit year, and an applicant shall have been issued a California halibut bottom trawl vessel permit in the immediately preceding permit year.
(c) Permits issued pursuant this section may be transferred only if at least one of the following occur:
(1) The Commission adopts a restricted access program for the fishery that is consistent with the Commission's policies regarding restricted access to commercial fisheries.
(2)(A) Prior to the implementation of a halibut trawl restricted access program, (d) The Commission shall establish California halibut bottom trawl vessel permit fees based on the recommendations of the Department and utilizing the guidelines outlined in subdivision (b) of §711 to cover the costs of administering this section. Prior to the adoption of a restricted access program pursuant to subdivision (c), fees may not exceed one thousand dollars ($1,000) per permit.
(e) Individuals holding a federal groundfish trawl permit may retain and land up to 150 pounds of California halibut per trip without a California halibut trawl permit in accordance with federal and state regulations, including, but not limited to, regulations developed under a halibut fishery management plan.
(f) This section shall become inoperative upon the adoption by the Commission of a halibut fishery management plan in accordance with the requirements of Part 1.7 (commencing with §7050).
(g) The Commission may adopt regulations to implement this section.

§8495. Designated Area.
(a) The following areas are designated as the California halibut trawl grounds:
(1) The ocean waters lying between one and three nautical miles from the mainland shore lying south and east of a line running due west (270° true) from Point Arguello and north and west of a line running due south (180° true) from Point Mugu.
(2) The ocean waters of Monterey Bay delineated by straight lines connecting the following points in the following order and excluding federal waters as defined by the order entered by the United States Supreme Court in the case of United States of America v. State of California, 135 S.Ct. 563 (2014):
Latitude/Longitude
36° 54.146′ N 122° 4.244′W
36° 52.910′ N 122° 4.225′ W
36° 52.024′ N 122° 2.117′ W
36° 51.680′ N 121° 59.321′ W
36° 52.230′ N 121° 57.810′ W
36° 48.974′ N 121° 52.474′ W
36° 49.835′ N 121° 51.840′ W
36° 54.250′ N 121° 54.883′ W
36° 54.287′ N 121° 58.062′ W
36° 53.956′ N 122° 2.117′ W
(3) The ocean waters offshore of Port San Luis lying between one and three nautical miles from the mainland shore, as described by an area circumscribed by a line connecting the following points in clockwise order, with the line connecting the last two points approximately parallel to the lines connecting the preceding points:
Latitude/Longitude
35° 08′ N 120° 46′W
35° 08′ N 120° 40.1′W
35° 06.6′ N 120° 39.2′W
35° 02.2′ N 120° 39.3′W
34° 57′ N 120° 40.7′W
34° 57′ N 120° 43.5′W
35° 06.4′ N 120° 46′W
(b) Notwithstanding subdivision (a), the use of trawl gear for the take of fish is prohibited in the following areas of the California halibut trawl grounds:
(1) Around Point Arguello. The area from a line extending from Point Arguello true west (270°) and out three miles, to a line extending from Rocky Point true south (180°) and out three miles.
(2) Around Point Conception. From a point on land approximately one-half mile north of Point Conception at latitude 34° 27.5´ extending seaward true west (270°) from one to three miles, to a point on land approximately one-half mile east of Point Conception at longitude 120° 27.5´ extending seaward true south (180°) from one to three miles.
(3) In the Hueneme Canyon in that portion demarked by the IMO Vessel Traffic safety zone on NOAA/NOS Chart 18725 and from one mile to the three mile limit of state waters.
(4) In Mugu Canyon, from Laguna Point, a line extending true south (180°) and out three miles, to Point Mugu, a line extending true south (180°) and from one to three miles.
(c) (1) Notwithstanding subdivision (a), commencing April 1, 2008, the following areas in the California halibut trawl grounds shall be closed to trawling, unless the commission finds that a bottom trawl fishery for halibut minimizes bycatch, is likely not damaging sea floor habitat, is not adversely affecting ecosystem health, and is not impeding reasonable restoration of kelp, coral, or other biogenic habitats:
(A) The ocean waters lying between one and three nautical miles from the mainland shore from a point east of a line extending seaward true south (180°) from a point on land approximately one-half mile east of Point Conception at longitude 120° 27.5´ to a line extending due south from Gaviota.
(B) The ocean waters lying between one and two nautical miles from the mainland shore lying east of a line extending due south from Santa Barbara Point (180°) and west of a line extending due south from Pitas Point (180°).
(C) Except as provided in subdivision (b), the ocean waters lying between one and three nautical miles from the mainland shore lying south and east of a line running due west (270° true) from Point Arguello to a line extending seaward true south (180°) from a point on land approximately 1/2 mile east of Point Conception at longitude 120° 27.5´, and from the western border of the IMO Vessel Traffic safety zone on NOAA/NOS Chart 18725 in Hueneme Canyon running south and east to a line running due south (180° true) from Point Mugu.
(2) In making the finding described in paragraph (1), the commission shall pay special attention to areas where kelp and other biogenic habitats existed and where restoring those habitats is reasonably feasible, and to hard bottom areas and other substrate that may be particularly sensitive to bottom trawl impacts.

(d) Notwithstanding subdivision (a), the areas of the halibut trawl grounds identified in paragraphs (2) and (3) of subdivision (a) shall remain closed to trawling until the commission determines that trawling in those areas is consistent with the provisions of this section. At the commission's discretion, a determination pursuant to this subdivision may be made through the review required pursuant to subdivision (e).
(e) Commencing January 1, 2008, the commission shall review information every three years from the federal groundfish observer program and other available research and monitoring information it determines relevant, and shall close any areas in the California halibut trawl grounds where it finds that the use of trawl gear does not minimize bycatch, is likely damaging sea floor habitat, is adversely affecting ecosystem health, or impedes reasonable restoration of kelp, coral, or other biogenic habitats. The commission shall pay special attention to areas where kelp and other biogenic habitats existed and where restoring those habitats is reasonably feasible, and to hard bottom areas and other substrate that may be particularly sensitive to bottom trawl impacts in making that finding.
(f) Notwithstanding any other law, the commission shall determine the size, weight, and configuration of all parts of the trawl gear, including, but not limited to, net, mesh, doors, appurtenances, and towing equipment as it determines is necessary to ensure trawl gear is used in a sustainable manner within the California halibut trawl grounds.

§8496. Trawl Nets; Season, Taking Requirements

(a) Unless otherwise specified by the commission pursuant subdivision (b), within the California halibut trawl grounds the following requirements shall apply to the use of trawl nets:
(1) Open season and hours of operation shall be as follows:
(A) Open season shall be June 16 to March 14, inclusive.
(B) In the designated halibut trawl grounds within Monterey Bay and offshore of Port San Luis, trawl fishing gear may only be deployed to capture fish between sunrise and sunset.
(2) California halibut shall only be taken pursuant to Section 8392.
(3) Not more than 500 pounds of fish other than California halibut may be possessed, except that any amount of sea cucumbers may be possessed by a person who holds a valid sea cucumber permit and who meets any conditions adopted by the commission pursuant to Section 8405.3, and any amount of sharks, skates, or rays for which the take or possession of that species is not otherwise prohibited by this code may be taken or possessed.
(4) It is unlawful to operate a trawl net in a way that damages or destroys other types of fishing gear that is buoyed or otherwise visibly marked.
(5) Sections 8833 and 8836 do not apply to trawl nets when used or possessed on California halibut trawl grounds.
(6) Trawl nets described in Section 8843 shall only be used within the halibut trawl grounds.
(7) Single bags and cod-ends or double bags and cod-ends may be used within the halibut trawl grounds and may be possessed while a vessel is in transit directly to the halibut trawl grounds or returning directly to port. Double bags shall be hung and tied to each rib line so that the knots of each layer coincide, knot for knot, for the full length of the double layers. The double mesh section shall not measure over 25 meshes or 12 feet in length, whichever is greater. The individual meshes in the double section shall measure not less than seven and one-half inches in length.
(8) No net, whose cod-end meshes are less than prescribed in this section, may be possessed on any vessel that is operating under the authority of this section.
(b) The commission may reduce the length of the open season or hours of operation, or either of those, specified in paragraph (1) of subdivision (a). The commission may also modify any of the requirements of paragraphs (2) to (8), inclusive, of subdivision (a) to make those requirements more restrictive.

Title 14 Excerpts
§124. Halibut Trawling

(a) Areas. Section 8495 of the Fish and Game Code designates the California Halibut Trawl Grounds as certain state waters along the mainland shore between Point Arguello and Point Mugu and specifies that this area is open to trawling when the season is open. Subdivision 8495(c) specifies four sub-areas within the California Halibut Trawl Grounds that will close to trawling commencing April 1, 2008, unless the commission makes findings as defined in that subdivision.
(1) Open Areas. Because the commission has made the requisite findings for three of the aforementioned four sub-areas within the California Halibut Trawl Grounds, the commission authorizes the following waters to remain open to trawling commencing June 16, 2008, and thereafter when the season is open, notwithstanding subdivision 8495(c) of the Fish and Game Code:
(A) Rocky Point (near Point Arguello) to Point Conception: From a line extending from Rocky Point true south (180°) and out three miles, the ocean waters extending south and east lying between one and three nautical miles from the mainland shore to a line extending true west (270°) from a point on land approximately one-half mile north of Point Conception at latitude 34° 27.5′.
(B) Santa Barbara Point to Pitas Point: The ocean waters lying between one and two nautical miles from the mainland shore lying east of a line extending true south (180°) from Santa Barbara Point and west of a line extending true south (180°) from Pitas Point.
(C) Hueneme Canyon to Laguna Point: From the eastern border of the IMO Vessel Traffic safety zone on NOAA/NOS Chart 18725 in Hueneme Canyon, the ocean waters extending south and east lying between one and three nautical miles from the mainland shore to a line extending true south (180°) from Laguna Point.
(2) Closed Areas. The waters permanently closed to trawling within the California Halibut Trawl Grounds are those specified in subdivision 8495(b) of the Fish and Game Code, and the following sub-area identified in subdivision 8495(c) of the Fish and Game Code:
(A) Point Conception to Gaviota: The ocean waters between one and three nautical miles from the mainland shore lying east of a line extending true south (180°) from a point on land approximately 1/2 mile east of Point Conception at longitude 120° 27.5′, and west of a line extending due south from Gaviota.

(b) Gears. Special gear requirements apply while trawling for California halibut in the California Halibut Trawl grounds. Each trawl net, including trawl doors and footrope chain, shall meet the following requirements:
(1) Each trawl net shall have a headrope not exceeding 90 feet in length. The headrope is defined as a chain, rope, or wire attached to the trawl webbing forming the leading edge of the top panel of the trawl net. Headrope shall be measured from where it intersects the bridle on the left side of the net to where it intersects the bridle on the right side of the net.
(2) The thickness of the webbing of any portion of the trawl net shall not exceed 7 millimeters in diameter.
(3) Each trawl door shall not exceed 500 pounds in weight.
(4) Any chain attached to the footrope shall not exceed one quarter inch in diameter of the link material. The footrope is defined as a rope or wire attached to the trawl webbing forming the leading edge of the bottom panel of the trawl net.
(5) The trawl shall have no rollers or bobbins on any part of the net or footrope. Rollers or bobbins are devices made of wood, steel, rubber, plastic, or other hard material that encircle the trawl footrope. These devices are commonly used to either bounce or pivot over seabed obstructions, in order to prevent the trawl footrope and net from snagging on the seabed.

§124.1 California Halibut Bottom Trawl Vessel Permits

(a) California Halibut Bottom Trawl Vessel Permits shall be issued pursuant to Section 8494 of the Fish and Game Code.
(b) Renewal. Beginning April 1, 2009, and thereafter, applications and fees specified in Section 705 for renewal of California Halibut Bottom Trawl Vessel Permits shall be received by the department, or if mailed, postmarked, on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

COASTAL PELAGIC SPECIES (CPS)

For up to date information on federal regulations and management quotas, see www.fisheries.noaa.gov/species/coastal-pelagic-species

Title 14 Excerpts

§159. Commercial Fishing for Coastal Pelagic Species

(a) General provisions. No person shall engage in commercial fishing for coastal pelagic species (CPS) except as provided by the Fish and Game Code and regulations provided herein. Applicable regulations adopted by the U.S. Secretary of Commerce pursuant to the Magnuson Fishery Conservation and Management Act and published in Title 50, Code of Federal Regulations (CFR), Parts 600 and 660 are hereby incorporated and made a part of these regulations. Federal regulations shall be made available upon request from the Department of Fish and Wildlife, Marine Region, 1416 Ninth Street, Box 944209, Sacramento, CA 94244-2090, phone number 916-653-6281.
(b) General Definitions. For purposes of these regulations, the following definitions shall apply:
(1) Actively managed species (AMS). Those CPS for which the Secretary has determined that harvest guidelines or quotas are needed by federal management according to the provision of the federal CPS Fishery Management Plan.
(2) Advisory Subpanel (AP). The Coastal Pelagic Species Advisory Subpanel that comprises members of the fishing industry and public appointed by the Council to review proposed actions for managing the coastal pelagic fisheries.
(3) Biomass. The estimated amount, by weight, of a coastal pelagic species population. The term biomass means total biomass (age 1 and above) unless stated otherwise.
(4) Closure. Taking and retaining, possessing, or landing the particular species or species group is prohibited. Unless otherwise announced in the Federal Register, offloading must begin before the time the fishery closes.
(5) Coastal pelagic species (CPS). Includes northern anchovy (*Engraulis mordax*), Pacific mackerel (*Scomber japonicus*), Pacific sardine (*Sardinops sagax*), jack mackerel (*Trachurus symmetricus*), and market squid (*Loligo opalescens*).
(6) Coastal Pelagic Species Management Team (CPSMT). The individuals appointed by the Council to review, analyze, and develop management measures for the CPS fishery.
(7) Council. The Pacific Fishery Management Council, including its CPSMT, AP, Scientific and Statistical Committee (SSC), and any other committee established by the Council.
(8) Federally Designated Routine Management Measures. Routine Management Measures, identified as catch restrictions intended to keep landings within the harvest levels announced by the U.S. Secretary of Commerce and noticed in the Federal Register by the National Marine Fisheries Service, are hereby incorporated and made a part of these regulations. Should any federal management measures conflict with existing statutes, including Fish and Game Code Sections 8496 and 8842(b), or regulations of the Commission, the provisions in the statutes or regulations which conflict with the federal management measures are made inoperative.
(9) Finfish. For the purpose of this section only, finfish includes northern anchovy, Pacific mackerel, Pacific sardine, and jack mackerel, but excludes market squid.
(10) Fishery Management Area. The EEZ off the coasts of Washington, Oregon, and California between 3 and 200 nautical miles offshore, bounded in the north by the Provisional International Boundary between the United States and Canada, and bounded in the south by the International Boundary between the United States and Mexico.
(11) Fishing trip. A period of time between landings when fishing is conducted.
(12) Harvest guideline. A specified numerical harvest objective that is not a quota. Attainment of a harvest guideline does not require complete closure of a fishery.
(13) Harvesting vessel. A vessel involved in the attempt or actual catching, taking or harvesting of fish, or any activity that can reasonably be expected to result in the catching, taking, or harvesting of fish.
(14) Land or Landing. To begin transfer of fish from a fishing vessel. Once transfer begins all fish onboard the vessel are counted as part of the landing.
(15) Limited entry fishery. The commercial fishery consisting of vessels fishing for CPS in the CPS Management Zone under limited entry permits issued under §660.512.
(16) Live bait fishery. Fishing for CPS for use as live bait in oth-

er fisheries.
(17) Monitored species (MS). Those CPS the Secretary has determined not to need management by harvest guidelines or quotas according to the provisions of the FMP.
(18) Nonreduction fishery. Fishing for CPS for use as dead bait or for processing for direct human consumption.
(19) Owner. A person who is identified as the current owner in the Certificate of Documentation (CG–1270) issued by the U.S. Coast Guard for a documented vessel, or in a registration certificate issued by a state or the U.S. Coast Guard for an undocumented vessel.
(20) Person. Any individual, corporation, partnership, association or other entity (whether or not organized or existing under the laws of any state), and any federal, state, or local government, or any entity of any such government that is eligible to own a documented vessel under the terms of 46 U.S.C. 12102(a).
(21) Processing or to process. Preparing or packaging coastal pelagic species to render the fish suitable for human consumption, pet food, industrial uses or long–term storage, including, but not limited to, cooking, canning, smoking, salting, drying, filleting, freezing, or rendering into meal or oil, but does not mean heading and gutting unless there is additional preparation.
(22) Prohibited Species. All species of trout and salmon (Salmonidae) and Pacific Halibut (Hippoglossus stenolepis).
(23) Quota. A specified numerical harvest objective for a single species of CPS, the attainment (or expected attainment) of which causes the complete closure of the fishery for that species.
(24) Reduction fishery. Fishing for CPS for the purposes of conversion into fish flour, fish meal, fish scrap, fertilizer, fish oil, other fishery products, or byproducts for purposes other than direct human consumption.
(25) Regional Administrator. The Regional Administrator, West Coast Region, NMFS, 7600 Sand Point Way Northeast, Seattle, WA 98115-6349, or a designee.
(26) Reserve. A portion of the harvest guideline or quota set aside at the beginning of the year for specific purposes, such as for individual harvesting groups to ensure equitable distribution of the resource or to allow for uncertainties in preseason estimates of DAP and JVP.
(27) Secretary. The Federal Secretary of Commerce.
(28) Sustainable Fisheries Division (SFD). The Assistant Regional Administrator for Sustainable Fisheries, Southwest Region, NMFS, or a designee.
(29) Totally lost. The vessel being replaced no longer exists in specie, or is absolutely and irretrievably sunk or otherwise beyond the possible control of the owner, or the costs of repair (including recovery) would exceed the repaired value of the vessel.
(30) Trip limit. The total allowable amount of a CPS species by weight or by percentage of weight of fish on board the vessel that may be taken and retained, possessed, or landed from a single fishing trip by a vessel that harvests CPS.

COONSTRIPE SHRIMP

Coonstripe shrimp permit holders are subject to §§180, 180.2 and 180.5, Title 14, which are located under Trap Permits.

Title 14 Excerpts

§180.15. Coonstripe Shrimp (*Pandalus danae*) Fishing.
(a) No person shall use a vessel to take, possess or land coonstripe shrimp for commercial purposes unless the owner of that vessel has been issued a coonstripe shrimp vessel trap permit for that vessel that has not been suspended or revoked.
(b) The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.
(c) Coonstripe shrimp may only be taken for commercial purposes by traps pursuant to this section and sections 180, 180.2, 180.5, Title 14, CCR.
(1) Coonstripe shrimp may not be taken from November 1 through April 30.
(2) All coonstripe shrimp taken during the closed season shall immediately be returned to the water. No coonstripe shrimp shall be possessed or landed aboard any commercial fishing vessel during the closed season.
(3) Coonstripe shrimp traps may be set and baited no earlier than noon on April 30.
(4) All traps must be removed from the water prior to November 1, weather and sea conditions permitting. In the event that a permittee is unable to comply with this subsection, then the permittee must notify an officer from the Department's Enforcement Branch in the nearest Department office via telephone or fax not later than noon on October 31. The permittee must state the reason for the delay and the anticipated date of removal. Notification does not relieve the permittee of the responsibility for complying with this subsection unless approved by the Department.
(d) A control date of November 1, 2001, is established for the purpose of considering a future restricted access coonstripe shrimp trap fishery. Landings on or after this date may not apply toward a permit in a future restricted access program for the coonstripe shrimp trap fishery if one is developed.

DRIFT GILL NET SHARK/SWORDFISH

Drift gill net permit holders also subject to the provisions of §190, Title 14, CCR
Drift gill net permit holders who target shark and swordfish are also subject to the provisions of federal regulations for Highly Migratory Species, including logbook requirements. For up to date information regarding federal regulations, www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-highly-migratory-species
Click on the Logbooks link on the right for more information about federal logbooks for sharks and swordfish.

Drift Gill Net (Shark and Swordfish) Permit

Required for the operator of a vessel using large-mesh (>=14") drift gill nets to take shark and swordfish. At least one person aboard each commercial fishing vessel shall have a valid drift gill net permit when engaged in operations authorized by the permit.

Renewal Requirements:
Applicant must: a) have possessed a valid 2019-2020 Drift Gill Net Permit (shark and swordfish); and b) possess a valid 2019-2020 General Gill/Trammel Net Permit.

Logbook Requirement: Federal requirement for Highly Migratory Species

SWORDFISH/THRESHER SHARK DRIFT GILLNET REGULATIONS

To reduce marine mammal bycatch in the fishery to sustainable levels, NMFS requires training for operators as well as equipment and gear modifications for vessels participating in the California drift gillnet fishery targeting thresher shark and swordfish. Specifically, the regulations require:

All vessel operators to attend skipper education workshops if requested by NMFS;

All extenders to be 36 feet in length or greater; and

Functioning acoustic deterrent devices ("pingers") to be deployed on the net during every set.

Pingers must be attached within 30 feet (9.14 meters) of the floatline and 36 feet (10.97 meters) of the leadline and staggered such that the horizontal distance between them is no more than 150 feet (45.5 meters). While at sea, operators of drift gillnet vessels with gillnets aboard must carry enough pingers on the vessel to meet the pinger configuration requirements.

Please contact the NMFS at (562) 980–4001, http://www.nmfs.noaa.gov/, 501 W Ocean Blvd., #4200, Long Beach, CA 90802 if you need more information about these requirements.

FGC Excerpts

§7704. Deterioration or Waste of Fish - Cause or Permit; Exceptions

(a) It is unlawful to cause or permit any deterioration or waste of any fish taken in the waters of this state, or brought into this state, or to take, receive or agree to receive more fish than can be used without deterioration, waste, or spoilage.
(b) Except as permitted by this code, it is unlawful to use any fish, or part thereof, except fish offal, in a reduction plant or by a reduction process.
(c) Except as permitted by this code or by regulation of the Commission, it is unlawful to sell, purchase, deliver for commercial purposes, or possess on any commercial fishing vessel registered pursuant to §7881 any shark fin or shark tail or portion thereof that has been removed from the carcass. However, thresher shark tails and fins that have been removed from the carcass and whose original shape remain unaltered may be possessed on a registered commercial fishing vessel if the corresponding carcass is in possession for each tail and fin.

§8561. Permit Required to Take with Drift Gill Nets

(a) Notwithstanding §8394, shark and swordfish shall not be taken for commercial purposes with drift gill nets except under a valid drift gill net shark and swordfish permit issued to that person that has not been suspended or revoked and is issued to at least one person aboard the boat.
(b) A drift gill net shark and swordfish permit shall not be required for the taking of sharks with drift gill nets with a mesh size smaller than eight inches in stretched mesh and twine size no. 18 or the equivalent of this twine size or smaller.
(c) Notwithstanding Section 8102 or any other law, a permit issued pursuant to this section shall be surrendered or revoked as of January 31 of the fourth year following the department's notification to the Legislature pursuant to paragraph (2) of subdivision (b) of Section 8583.

§8561.5. Transferring Permits; Requirements

(a) Notwithstanding Section 8102 or any other law, a permit issued pursuant to Section 8561 may not be transferred.
(b) This section shall become operative on March 31, 2019.

§8563. Presence of Permittee Required During Operations; Exceptions

(a) Except as provided in subdivision (b), the permittee shall be aboard the vessel and shall be in possession of a valid drift gill net shark and swordfish permit when engaged in operations authorized by the permit.
(b) A permittee may have a person serve in the permittee's place on the permittee's vessel and engage in fishing under the permittee's drift gill net shark and swordfish permit for not more than 15 days in a calendar year, except that a longer period may be allowed in the event of serious illness. A permittee shall notify the department's Long Beach office of a substitution of 15 days or less per calendar year, by certified letter or telegram at least 24 hours before the commencement of the trip. Written authorization for a substitution of greater than 15 days shall be obtained from the director and shall be given only on the director's finding that the permittee will not be available to engage in the activity due to serious illness, supported by medical evidence. An application for a substitution of greater than 15 days shall be made to the department's headquarters office in Sacramento, and shall contain any information the director requires. A denial of the substitution may be appealed to the commission.

§8564. Vessel Must be Specified; Transferring Permit to Another Vessel

When the permittee applies for a drift gill net shark and swordfish permit, the permittee shall specify the vessel he or she will use in operations authorized by the permit. Transfer to another vessel shall be authorized by the Department upon receipt of a written request from the permittee, accompanied by a transfer fee of one hundred thirty dollars ($130), as follows:
(a) One transfer requested between February 1 and April 30 shall be made by the Department upon request and payment of the fee.
(b) Any transfer, except as provided in subdivision (a), shall be authorized by the Department only after receipt of proof of a compelling reason, which shall be submitted with the request for transfer, such as the sinking of the vessel specified for use in operations authorized by the permit.

§8568. Qualifications to Obtain Permit

Drift gill net shark and swordfish permits shall be issued to any prior permittee who possesses a valid drift gill net shark and swordfish permit issued pursuant to this section, but only

if the permittee meets both of the following requirements:
(a) Possesses a valid permit for the use of gill nets authorized pursuant to §8681.
(b) Possessed a valid drift gill net shark and swordfish permit during the preceding season and that permit was not subsequently revoked.

§8569. Prior Permittee Qualifications

The Commission may establish conditions for the issuance of a permit if the person's drift gill net shark and swordfish permit was revoked during a preceding season or if the person possessed a valid permit during the preceding season but did not apply for renewal of his or her permit on or before April 30. The applicant for a permit under this section may appeal to the director for the issuance of the permit under those conditions.

§8573. Drift Gill Nets; Dates and Times; Size; Definitions

Drift gill nets may be used to take shark and swordfish under the permit provided in this article subject to §8610.3 and all of the following restrictions:
(a) From June 1 to November 15, inclusive, shark or swordfish gill nets shall not be in the water from two hours after sunrise to two hours before sunset east of a line described as follows: From a point beginning at Las Pitas Point to San Pedro Point on Santa Cruz Island, thence to Gull Island Light, thence to the northeast extremity of San Nicolas Island, thence along the high water mark on the west side of San Nicolas Island to the southeast extremity of San Nicolas Island, thence to the northwest extremity of San Clemente Island, thence along the high water mark on the west side of San Clemente Island to the southeast extremity of San Clemente Island, thence along a line running 150° true from the southeast extremity of San Clemente Island to the westerly extension of the boundary line between the Republic of Mexico and San Diego County.
(b)(1) The total maximum length of a shark or swordfish gill net on the net reel on a vessel, on the deck of the vessel, and in the water at any time shall not exceed 6,000 feet in float line length. The float line length shall be determined by measuring the float line, as tied, of all the net panels, combined with any other netted lines. The existence of holes, tears, or gaps in the net shall have no bearing on the measurement of the float line. The float line of any net panels with holes, tears, or gaps shall be included in the total float line measurement.
(2) Any shark or swordfish gill net on the reel shall have the float lines of the adjacent panels tied together, the lead lines of the adjacent panels tied together, and the web of the adjacent panels laced together. No quick disconnect device may be used unless the total maximum length of all shark and swordfish gill nets, including all spare gill nets or net panels on the vessel and all gill nets or net panels on the net reels of the vessel, on the deck of the vessel, stored aboard the vessel, and in the water, does not exceed 6,000 feet in float line length as determined under paragraph (1).
(3) Spare shark or swordfish gill net aboard the vessel shall not exceed 250 fathoms (1,500 feet) in total length, and the spare net shall be in separated panels not to exceed 100 fathoms (600 feet) in float line length for each panel, with the float lines and leadlines attached to each panel separately gathered and tied, and the spare net panels stowed in lockers, wells, or other storage space.
(4) If a torn panel is replaced in a working shark or swordfish gill net, the torn panel shall be removed from the working net before the replacement panel is attached to the working net.
(c) Any end of a shark or swordfish gill net not attached to the permittee's vessel shall be marked by a pole with a radar reflector. The reflector shall be a least six feet above the surface of the ocean and not less than 10 inches in any dimension except thickness. The permittee's permit number shall be permanently affixed to at least one buoy or float that is attached to the radar reflector staff. The permit number shall be at least one and one–half inches in height and all markings shall be at least one–quarter inch in width.
(d) For the purposes of this article, "shark or swordfish gill net" means a drift gill net of 14–inch or greater mesh size.

§8574. Net Mesh Size

(a) Drift gill nets with mesh size less than 14 inches in stretched mesh shall not be used to take shark and swordfish by permittees operating under a drift gill net shark and swordfish permit, and the permittee shall not have aboard the vessel or in the water a drift gill net with mesh size less than 14 inches and more than 8 inches in stretched mesh.
(b) No permittee shall deploy a drift gill net of less than 14–inch mesh size at the time that the permittee has a shark or swordfish gill net deployed.

§8575. Net Use Restrictions

Drift gill nets, used to take shark and swordfish under the permit provided in this article, shall not be used under the following circumstances:
(a) From May 1 through July 31, within six nautical miles westerly, northerly, and easterly of the shoreline of San Miguel Island between a line extending six nautical miles west magnetically from Point Bennett and a line extending six nautical miles east magnetically from Cardwell Point and within six nautical miles westerly, northerly, and easterly of the shoreline of Santa Rosa Island between a line extending six nautical miles west magnetically from Sandy Point and a line extending six nautical miles east magnetically from Skunk Point.
(b) From May 1 through July 31, within 10 nautical miles westerly, southerly, and easterly of the shoreline of San Miguel Island between a line extending 10 nautical miles west magnetically from Point Bennett and a line extending 10 nautical miles east magnetically from Cardwell Point and within 10 nautical miles westerly, southerly, and easterly of the shoreline of Santa Rosa Island between a line extending 10 nautical miles west magnetically from Sandy Point and a line extending 10 nautical miles east magnetically from Skunk Point.
(c) From May 1 through July 31, within a radius of 10 nautical miles of the west end of San Nicolas Island.
(d) From August 15 through September 30, in ocean waters bounded as follows: beginning at Dana Point, Orange County, in a direct line to Church Rock, Catalina Island; thence in a direct line to Point La Jolla, San Diego County; and thence northwesterly along the mainland shore to Dana Point.
(e) From August 15 through September 30, in ocean waters within six nautical miles of the coastline on the northerly and

easterly side of San Clemente Island, lying between a line extending six nautical miles west magnetically from the extreme northerly end of San Clemente Island to a line extending six nautical miles east magnetically from Pyramid Head.
(f) From December 15 through January 31, in ocean waters within 25 nautical miles of the mainland coastline.

§8575.5. Net Use Restrictions

Drift gill nets used to take shark and swordfish under the permit provided in this article shall not be used in the following areas:
(a) Within 12 nautical miles from the nearest point on the mainland shore north of a line extending due west from Point Arguello.
(b) East of a line running from Point Reyes to Noonday Rock to the westernmost point of southeast Farallon Island to Pillar Point.

§8576. Net Use; Restrictions - Seasons and Locations; Exceptions, etc.

(a) Drift gill nets shall not be used to take shark or swordfish from Feb.1 to Apr. 30, inclusive.
(b) Drift gill nets shall not be used to take shark or swordfish in ocean waters within 75 nautical miles from the mainland coastline between the westerly extension of the California–Oregon boundary line and the westerly extension of the United States–Republic of Mexico boundary line from May 1 to August 14, inclusive.
(c) Subdivisions (a) and (b) apply to any drift gill net used pursuant to a permit issued under §8561 or 8681, except that drift gill nets with a mesh size smaller than eight inches in stretched mesh and twine size number 18, or the equivalent of this twine size, or smaller, used pursuant to a permit issued under §8681, may be used to take species of sharks other than thresher shark, shortfin mako shark, and white shark during the periods specified in subdivisions (a) and (b). However, during the periods of time specified in subdivisions (a) and (b), not more than two thresher sharks and two shortfin mako sharks may be possessed and sold if taken incidentally in drift gill nets while fishing for barracuda or white seabass and if at least 10 barracuda or five white seabass are possessed and landed at the same time as the incidentally taken thresher or shortfin mako shark. No thresher shark or shortfin mako shark taken pursuant to this subdivision shall be transferred to another vessel before landing the fish. Any vessel possessing thresher or shortfin mako sharks pursuant to this section shall not have any gill or trammel net aboard that is constructed with a mesh size greater than eight inches in stretched mesh and twine size greater than number 18, or the equivalent of a twine size greater than number 18.
(d) Notwithstanding the closure from May 1 to August 14, inclusive, provided by subdivision (b), a permittee may land swordfish or thresher shark taken in ocean waters more than 75 nautical miles from the mainland coastline in that period if, for each landing during that closed period, the permittee signs a written declaration under penalty of perjury that the fish landed were taken more than 75 nautical miles from the mainland coastline. The declaration shall be completed and signed before arrival at any port in this state. Within 72 hours of the time of arrival, the permittee shall deliver the declaration to the department.
(e) If any person is convicted of falsely swearing a declaration under subdivision (d), in addition to any other penalty prescribed by law, the following penalties shall be imposed:
(1) The fish landed shall be forfeited, or, if sold, the proceeds from the sale shall be forfeited, pursuant to Sections 12159, 12160, 12161, and 12162.
(2) All shark or swordfish gill nets possessed by the permittee shall be seized and forfeited pursuant to §8630 or 12157.
(f) From August 15 of the year of issue to January 31, inclusive, of the following year, swordfish may be taken under a permit issued pursuant to this article.

§8576.5. Thresher Shark Taken with Net - Pelvic Fin Removal

Thresher shark taken with drift gill nets shall not have the pelvic fin severed from the carcass until after the shark is brought ashore.

§8577. Closure of Fisheries

Notwithstanding §8394, the director may close the drift gill net shark and swordfish fishery, the swordfish harpoon fishery, or any area where either or both fisheries are conducted, if, after a public hearing, the director determines the action is necessary to protect the swordfish or thresher shark and bonito (mako) shark resources.

The director shall reopen a fishery or any fishing areas previously closed pursuant to this section if the director determines that the conditions which necessitated the closure no longer exist.

§8579. When Permittee Subject to Article Provisions

(a) A permittee shall be subject to the provisions of this article whenever the permittee is using a drift gill net, unless the permittee has surrendered his or her permit to the department.

§8580. Swordfish - Sale Prohibited

It is unlawful for any permittee to sell swordfish taken by him or her to other than the persons described in Sections 8032 or 8033.

§8581. Fish Business Licenses - Revocation or Suspension for Violations

Any license issued pursuant to Sections 8032 to 8036, inclusive, may be revoked or suspended by the Commission, when requested by the Department, upon a conviction for a violation of §8043 for failure to report, or for inaccurately reporting, shark or swordfish landings by fishermen operating under permits issued pursuant to §8394 or 8561.

§8582. Marlin Taking for Commercial Purposes - Legislative Finding

(a) The Legislature finds and declares that the intent of this article is not to permit or encourage the taking of marlin for commercial purposes.
(b) It shall be a misdemeanor for any person operating under a permit pursuant to this article to sell or possess for sale or personal use any marlin. In the event a marlin is taken inci-

dentally in a drift gill net, the permittee shall notify the Department immediately that the fish is on the boat. No marlin may be removed from the boat except for delivery to the Department.

§8583. Drift Gill Net Transition Program

(a) By March 31, 2020, the department shall establish a program to transition the holders of drift gill net permits issued pursuant to Section 8561 out of the drift gill net fishery that includes the following conditions:

(1) A permittee who chooses to participate in the transition program shall indicate his or her intention to the department to participate by submitting a notarized form provided by the department on or before January 1, 2020.

(2) A permittee who has landed swordfish or thresher shark with a shark or swordfish gill net or with a federal deep set buoy gear exempted fishing permit between April 1, 2012, and March 31, 2018, inclusive, and who voluntarily surrenders his or her drift gill net permit issued pursuant to Section 8561 and shark or swordfish gill net or nets shall receive, to the extent that funds for the transition program are available, the following amounts:

(A) Ten thousand dollars ($10,000) to surrender the permit.

(B) One hundred thousand dollars ($100,000) to surrender the net or nets.

(3) A permittee who has not landed swordfish or thresher shark on or after April 1, 2012, and who voluntarily surrenders his or her drift gill net permit issued pursuant to Section 8561 and shark or swordfish gill net or nets shall receive, to the extent that funds for the transition program are available, ten thousand dollars ($10,000).

(4) The department shall inform a permittee who submits a notarized form pursuant to paragraph (1) whether the permittee meets the requirements of paragraph (2) or (3) and the department shall submit this information to the fiscal agent.

(5) Any permittee who participates in the transition program by surrendering his or her permit pursuant to paragraph (2) or (3) shall be prohibited from obtaining a new California drift gill net shark and swordfish permit, shall agree not to fish under a federal drift gill net permit, shall agree not to transfer or renew a federal drift gill net permit, and shall surrender his or her shark or swordfish gill net or nets to an entity approved by the department for the purpose of destroying the nets.

Title 14 Excerpts

§106. Permits To Commercially Take Shark and Swordfish Using Drift Gill Nets.

(a) Permit Required.

(1) The owner or operator of a vessel using drift gill nets to take shark and swordfish pursuant to sections 8561-8569 of the Fish and Game Code shall have obtained a valid drift gill net shark and swordfish permit and shall be a permittee in possession of said permit when engaged in such activities.

(2) To Whom Issued. The department shall issue permits to the owner or operator of a currently registered vessel who has qualified for said permit pursuant to sections 8561-8569 of the Fish and Game Code.

(b) Limitations of Permit. Except as provided in section 8564 of the Fish and Game Code, no permit shall be valid for more than one vessel at one time.

(c) Cost of Permit. See section 8567 of the Fish and Game Code.

(d) Notification Procedure. The department shall notify permittees if the director, pursuant to section 8577 of the Fish and Game Code, closes the drift gill net shark and swordfish fishery or any area where the fishery is conducted. The department shall notify a permittee if his permit is suspended pursuant to section 8576 of Fish and Game Code. In either case, the department shall notify permittees by certified mail and by public announcement on VHF/Channel 16 between 0800 hours and 1000 hours during normal business days. Radio transmissions shall commence 48 hours prior to the effective date of a closure or permit suspension and shall continue for 24 hours after the effective date of such action. It shall be the responsibility of the permittee to daily monitor the named radio channel during the specified hours.

(e) A permittee may have any person serve in his place on the permittee's vessel and engage in fishing under his drift gill net shark and swordfish permit for not more than 15 calendar days in any one year, except as otherwise provided in subdivision (b) of section 8563 of the Fish and Game Code. A permittee shall notify the department's Los Alamitos office of such a substitution by certified letter to be received at the Los Alamitos office during normal business hours at least 24 hours prior to the commencement of the trip. Any notice sent in this regard shall include, but is not limited to:

(1) Name of the vessel;

(2) Name and commercial fishing license number of the substitute;

(3) Departure date and port for the trip;

(4) Termination date and port for the trip. Conviction of a substitute permittee for a willful violation of any provision of Article 16 (commencing with section 8560) of chapter 2 or article 1 (commencing with section 8601), or article 5 (commencing with section 8680) of chapter 3, part 3, division 6 of the Fish and Game Code or any regulation adopted pursuant thereto, while operating under the substitute permit, shall be cause to revoke or suspend the permit issued pursuant to sections 8560-8583 of the Fish and Game Code.

(f) Conditions of Permit. Permittees, their agents, servants, employees or those acting under their direction or control, shall comply with all applicable provisions of the Fish and Game Code relating to commercial fish and any regulations adopted pursuant thereto.

(g) Revocation of Permits. Any permit may be revoked or suspended by the commission, when requested by the department, upon a conviction for a willful violation of any provision of article 16 (commencing with section 8560) of chapter 2 or article 1 (commencing with section 8601) or article 5 (commencing with section 8680) of chapter 3, part 3, division 6 of the Fish and Game Code, or violation of any condition of the permit by the permittee or the permittee's agent, servant, employee or person acting under the permittee's direction or control.

(h) All permits issued pursuant to this section shall be surrendered or revoked and this section shall be repealed as of January 31 of the fourth year following the department's notification to the Legislature pursuant to paragraph (2) of subdivision (b) of section 8583 of the Fish and Game Code.

§ 106.5. Drift Gill Net Shark and Swordfish Permit Transition Program

(a) Drift gill net shark and swordfish permittees with valid permits issued pursuant to Section 106 of these regulations who choose to participate in the transition program shall submit a completed and notarized department form, Declaration of Intent to Participate in Drift Gill Net Transition Program (DFW 1083, NEW 08/31/19), herein incorporated by reference. All Declarations of Intent to Participate in Drift Gill Net Transition Program must be postmarked on or before January 1, 2020.

(b) When funds are available, the department shall notify in writing a permittee who submits form DFW 1083 in the order received whether the permittee meets the requirements of Section 8583 of the Fish and Game Code.

(c) Any permittee who meets the requirements of Section 8583 of the Fish and Game Code and voluntarily participates in the transition program shall indicate on form DFW 1083 agreement to:

(1) Upon notification of eligibility in the program pursuant to subsection (b) above, surrender their permit to the department by March 31, 2021.

(2) Upon notification of eligibility in the program pursuant to subsection (b) above, surrender all large mesh (greater than or equal to 14 inch) drift gill nets to an entity approved by the department for the purpose of destroying the nets as defined in subsection (f) of this Section, and provide the department valid receipt of net relinquishment, by March 31, 2021.

(3) Be prohibited from obtaining a new California drift gill net shark and swordfish permit.

(4) Upon receipt of payment, not fish under, transfer, or renew a federal drift gill net permit.

(d) A permittee who the department has determined meets the requirements of Section 8583 of the Fish and Game Code, who complies with subsection (c) of this Section by March 31, 2021, and who submits a completed state form STD 204, Payee Data Record (Rev. 5/2018, incorporated by reference herein) shall be compensated pursuant to subdivision (a) of Section 8583 of the Fish and Game Code.

(e) Any permittee who has completed the steps outlined in subsections (a) or (b) of this Section may withdraw their intent to participate in the Transition Program prior to receipt of compensation outlined in subsection (d) of this Section by submitting written notice postmarked on or before January 1, 2021 to the department's License and Revenue Branch.

(f) The department shall approve entities upon written request for the purpose of destroying large mesh drift gill nets pursuant to the transition program. Destroy means modification of the nets to the point they may no longer be used for the purpose of drift gill net fishing, and may include recycling net components for non-drift gill net purposes.

(1) Written requests shall be submitted to the department at CPSHMS@wildlife.ca.gov.

(2) Written requests shall document how the entity meets the following criteria:

(A) Be a legal entity, with experience in receiving and destroying commercial fishing gear.

(B) Be able to receive drift gill nets, including attached floats, buoys, and lead lines, from transition program participants, and able to properly deconstruct the nets to prepare all components for destruction.

(C) Be able to provide transition program participants with evidence of receipt of surrendered nets identifying the transition program participant and number of nets surrendered.

(D) Be able to provide a physical location or locations in the ports of San Diego, Los Angeles, Ventura, or Santa Barbara between January 1, 2020 and March 31, 2021 to receive drift gill nets from transition program participants.

(E) Be able to transport surrendered drift gill nets designated for destruction.

(F) Be able to trace surrendered drift gill nets from collection to destruction and provide the department with evidence of net destruction upon request.

DUNGENESS CRAB

Dungeness crab vessel permit holders are subject to the provisions of FGC §§8275-8281, 8283, 8284, and §§ 132.1 - 132.7, Title 14. They are also subject to FGC §§ 9000, 9002-9008, 9011-9012 and §§ 126 and 180.2, Title 14, which are located under Trap Permits. Commercial take of Dungeness crab by trawl net is subject to the provisions of FGC §§8604, 8834 and 8834.5.

Dungeness Crab Vessel Permit (Resident and Non–resident)

Required for an owner of a registered commercial fishing vessel using Dungeness crab traps to take Dungeness crab for commercial purposes.

Renewal Requirements:

The owner must possess a valid: a) 2020-2021 commercial fishing license (resident or non–resident); b) 2020-2021 commercial boat registration (resident or non–resident) for the qualified vessel; and c) have possessed a valid 2019-2020 Dungeness crab vessel permit. The vessel owner must purchase a commercial fishing license even if he/she does not intend to commercially fish during the 2020-2021 license year (FGC §§7857(a), 8280(2)(e)).

A non-transferable Dungeness Crab Vessel Permit becomes null and void upon the death of the permittee.

Other Requirements:

Permits may ONLY be issued to the owner of the permitted vessel (as designated on U.S. Coast Guard Certificate of Documentation or the Department of Motor Vehicles vessel registration).

Permit Transfers: Refer to FGC §8280.3

Other Restrictions:

Only male crabs 6¼ inches or more in breadth may be taken in ocean waters between December 1 and July 15, in Districts 6, 7, 8, and 9 and between November 15 and June 30 in all other districts, except that crabs may not be taken commercially from the estuary of the Eel River, Humboldt Bay, or from the ocean within a one–mile radius of their mouths, or from Crescent City Harbor, Trinidad Bay, or Bodega Lagoon (FGC §§8276, 8278, 8279). Every crab trap must have two 4¼ inch

diameter escape openings. If side openings are used, one of such openings shall be located so that at least one–half of the opening is in the upper–half of the trap (FGC §9011). Not more than one percent in number of any load or lot of crabs may be less than 6¼ inches but not less than 5 3/4 inches in breadth (FGC §8278).

All Dungeness crab traps must be marked with buoys bearing the commercial fishing license number issued to the trap operator. In districts 6, 7, 8, and 9, no Dungeness crab trap may be attached to another trap or traps by a common line. Rock crab may be taken incidentally with a Dungeness crab trap provided that the incidental take is compliant with current regulations for the take of both species (FGC §8275–8278, 8284, 9003–9006, 9011-9012).

FGC Excerpts

§5523. Closure of Waters Due to Human Health Risk

(a) (1) If the Director of Environmental Health Hazard Assessment, in consultation with the State Public Health Officer, determines, based on thorough and adequate scientific evidence, that any species or subspecies of fish is likely to pose a human health risk from high levels of toxic substances, the Director of Fish and Wildlife may order the closure of any waters or otherwise restrict the taking in state waters of that species.

(2) After the Director of Fish and Wildlife orders the closure of any waters or restricts the taking of any species of fish pursuant to paragraph (1), he or she shall notify the commission and request that the commission schedule a public discussion of the closure or restriction at its next scheduled full commission meeting.

(b) (1) When the Director of Environmental Health Hazard Assessment, in consultation with the State Public Health Officer, determines that a health risk no longer exists, the Director of Environmental Health Hazard Assessment shall notify the Director of Fish and Wildlife and shall request that any waters closed pursuant to subdivision (a) be reopened for fishing and any restrictions imposed pursuant to subdivision (a) be lifted.

(2) Upon receiving the notification and request pursuant to paragraph (1), the Director of Fish and Wildlife shall open any waters closed pursuant to subdivision (a) and lift any restrictions imposed pursuant to subdivision (a) in a manner that promotes a fair and orderly fishery.

(c) It is unlawful to take any fish from any closed waters or to otherwise violate any restriction on take imposed pursuant to this section.

(d) If there is a delay in the opening of any waters for Dungeness crab season pursuant to this section, the Director of Fish and Wildlife may further delay opening those waters in order to provide 72-hours notice before a gear setting period. If, with 72-hours notice, the gear setting period would begin on a federal holiday, a state holiday, the day before Thanksgiving Day, December 24, or December 31, the director may delay opening those waters for the additional time that is necessary to begin the gear setting period on the next day that is not one of those days.

(e) Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to actions taken pursuant to this section.

§8275. Dungeness Crab; Market Crab; Owner; Reconstruction; Rock Crab; Under Construction

Unless the provision or context otherwise requires, the definitions in this section govern the construction of this article.

(a) "Dungeness crab" or "market crab" means crab of the species *Cancer magister*.

(b) "Reconstruction" means major work on the hull of a vessel to make that vessel operable in the California crab fishery if that work may reasonably be expected to be of a duration that will preclude operation of that vessel in the crab fishery for the length of the crab season or longer.

(c) "Rock crab" means any crab of the genus *Cancer* other than Dungeness crab and includes rock crab (*Cancer* antennarius), red crab (*Cancer* productus), and yellow crab (*Cancer* anthonyi).

(d) "Under construction" means having plans and materials and proceeding with work toward the completion of an operational Dungeness crab fishing vessel.

§8276. Take Dungeness Crab in Certain Districts; Authorizations and Restrictions Except as Provided in Section 8276.2:

Except as provided in Section 8276.2 or 8277: (a) Dungeness crab may be taken for commercial purposes in Districts 6, 7, 8, and 9 only between December 1 and July 15.

(b) Dungeness crab may be taken for commercial purposes in all other districts only between November 15 and June 30.

(c) Dungeness crab may not be taken for commercial purposes in any district, or part of a district, lying within the portions of Crescent City Harbor between the south sand barrier and the breakwater.

(d) All Dungeness crab traps shall be removed from state waters by 11:59 p.m. on the last day of the applicable Dungeness crab season.

§8276.1. Definitions; Adoption of Regulations; Restriction on Take; Taking in Violation of Regulations Prohibited; Section Repeals 11-1-2020

(a) For purposes of this section, the following definitions apply:

(1) "California Dungeness Crab Fishing Gear Working Group" means the California Dungeness Crab Fishing Gear Working Group established by the department, in partnership with the Ocean Protection Council and the National Marine Fisheries Service, on September 21, 2015, and as defined by its most recent charter as it may be amended from time to time.

(2) "Risk assessment and mitigation program" means the program developed by the California Dungeness Crab Fishing Gear Working Group, as that program may be amended from time to time until the regulations are adopted pursuant to subdivision (b), to identify and assess elevated levels of entanglement risk and determine the need for management options to reduce the risk of entanglement.

(b) On or before November 1, 2020, the department, in consultation with the California Dungeness Crab Fishing Gear Working Group and other stakeholders, shall adopt regulations establishing criteria and protocols to evaluate and respond to the potential risk of marine life entanglement. The regulations shall include, but are not limited to, the risk assessment and mitigation program. Upon the effective date of

the regulations, the director may restrict the take of Dungeness crab pursuant to the protocols and criteria.
(c) (1) Until the regulations adopted pursuant to subdivision (b) become effective or until November 1, 2020, whichever occurs first, if the director, in consultation with the California Dungeness Crab Fishing Gear Working Group, determines that the California Dungeness crab fishery is being conducted in a manner that poses a significant risk of marine life entanglement, the director may restrict the take of Dungeness crab in those areas where that risk has been determined to exist, including through time or area closures, or both.
(2) The authority of the director provided pursuant to paragraph (1) shall be temporary and shall expire upon the effective date of the regulations described in subdivision (b) or upon the expiration of that authority pursuant to subdivision (e), whichever occurs first.
(3) The director shall evaluate the following factors to determine if there is a significant risk of marine life entanglement and the appropriate management response:
(A) The conditions inherent to the fishery, such as safety of life at sea, weather, vessel operations, and other related issues.
(B) The duration of any delays in the normal start of the fishery.
(C) Indications of anomalous ocean or forage conditions, or both, in the current season.
(D) The known location of marine life of concern.
(E) The known location and intensity of fishing effort.
(F) The number of confirmed marine life entanglements documented in advance of or during the current fishing season.
(G) The existence and prevalence of factors that may result in significant risk of marine life entanglement.
(H) The likelihood of exceeding the potential biological removal level of a marine life species.
(I) The socioeconomic impacts of any management response to fishery stakeholders.
(4) (A) After making a preliminary determination pursuant to paragraph (1) that a significant risk of marine life entanglement exists, the director shall provide 48 hours' notice to the California Dungeness Crab Fishing Gear Working Group and other stakeholders before taking any action to close the fishery or otherwise restrict the take of Dungeness crab.
(B) The notice shall provide the information supporting the director's determination of a significant risk of marine life entanglement as well as the anticipated management response.
(C) The director shall consider any recommendations or new information provided by the California Dungeness Crab Fishing Gear Working Group or any member of the public within the 48-hour notice period in advance of enacting any management measures pursuant to this subdivision.
(5) Any time or area closures, or both, implemented pursuant to this subdivision shall, while providing for adequate reduction of risk to marine life, be minimized in duration and extent.
(6) The director shall expeditiously lift any restriction in waters pursuant to this subdivision if the director determines, in consultation with the California Dungeness Crab Fishing Gear Working Group, that the significant risk of marine life entanglement in those waters has abated.
(7) Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to actions taken pursuant to this subdivision.
(d) It is unlawful to take or possess Dungeness crab from any waters closed, or otherwise violate any restriction on take imposed, pursuant to this section.
(e) If the department has not developed the regulations pursuant to subdivision (b) by November 1, 2020, the power of the director to exercise the authority described in subdivision (c) shall become inoperative on November 1, 2020.
(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

§8276.2. Quality Control Testing of Dungeness Crabs
[Inoperative 4-1-2029; Repeals 1-1-2030]
(a) The director may order a delay in the opening of the Dungeness crab fishery after December 1 in Districts 6, 7, 8, and 9 in any year. The delay in the opening shall not be later than January 15 of any year.
(b) (1) On or about November 1 of each year, the director may authorize one or more operators of commercial fishing vessels to take and land a limited number of Dungeness crab for the purpose of quality testing according to a testing program conducted by, or on behalf of, the Pacific States Marine Fisheries Commission or an entity approved by the department.
(2) (A) The meat extracted from Dungeness crab tested pursuant to paragraph (1) may be sold by the entity approved by the department and revenues from that sale may be used for purposes of managing the testing program. Revenues shall be deposited in an account managed and overseen by the Pacific States Marine Fisheries Commission.
(B) For purposes of the testing program, the department shall develop guidelines after consulting with representatives of the California Dungeness crab industry, which shall include California delegates to the Tri-State Dungeness Crab Commission or members of the California Dungeness Crab Task Force, or both. The guidelines shall include the following:
(i) Suggested guidelines for the management of the funds received from, but not limited to, the sale of the crab meat pursuant to subparagraph (A), including the suggested guideline that funds in excess of the program costs may be donated for charitable purposes.
(ii) Guidelines for the testing program.
(iii) Guidelines that establish measures to track crab caught for purposes of the testing program, including, but not limited to, the guideline that all crab caught and sold for the testing program shall be canned.
(c) The director shall order the opening of the Dungeness crab season in Districts 6, 7, 8, and 9 on December 1 if the quality tests authorized in subdivision (b) indicate the Dungeness crabs are not soft-shelled or low quality. The entity authorized to conduct the approved testing program may test, or cause to be tested, crabs taken for quality and soft shells pursuant to the approved testing program. If the tests are conducted on or about November 1 and result in a finding that Dungeness crabs are soft-shelled or low quality, the director shall authorize a second test to be conducted on or about November 15 pursuant to the approved testing program. If the second test results in a finding that Dungeness crabs are soft-shelled or low quality, the director may order the season opening delayed for a period of 15 days and may authorize a third test to be conducted on or about December

1. If the third test results in a finding that Dungeness crabs remain soft-shelled or of low quality, the director may order the season opening delayed for a period of an additional 15 days and authorize a fourth test to be conducted. This procedure may continue to be followed, except that tests shall not be conducted after January 5 for that season, and the season opening shall not be delayed by the director later than January 15.
(d) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8276.3. Delays in Crab Fishery and Opening Season

[Inoperative 4-1-2029; Repeals 1-1-2030]
(a) If there is any delay ordered by the director pursuant to Section 8276.2 in the opening of the Dungeness crab fishery in Districts 6, 7, 8, and 9, a vessel shall not take or land crab within Districts 6, 7, 8, and 9 during any closure.
(b) If there is any delay in the opening of the Dungeness crab season pursuant to Section 8276.2, the opening date in Districts 6, 7, 8, and 9 shall be preceded by a 64-hour gear setting period, as ordered by the director.
(c) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8276.4 Dungeness Crab Task Force; Composition; Duties

[Inoperative 4-1-2029; Repeals 1-1-2030]
(a) The Ocean Protection Council shall make a grant, upon appropriation of funding by the Legislature, for the development and administration of a Dungeness crab task force. The membership of the Dungeness crab task force shall be comprised of all of the following:
(1) Two nonvoting members representing the department, appointed by the department.
(2) One nonvoting representative of the University of California Sea Grant, appointed by the University of California Sea Grant.
(3) Seven members appointed by the Chair of the Ocean Protection Council following a public solicitation for nominations, as follows:
(A) One voting and one nonvoting member representing sport fishing interests.
(B) Two voting members representing crab processing interests.
(C) One voting member representing commercial passenger fishing vessel interests.
(D) Two nonvoting members representing nongovernmental organization interests.
(4) Seventeen voting members representing commercial fishery interests, elected by licensed persons possessing valid Dungeness crab permits in their respective ports and production levels, as follows:
(A) Three members from Crescent City.
(B) One member from Trinidad.
(C) Two members from Eureka.
(D) Two members from Fort Bragg.
(E) Two members from Bodega Bay.
(F) Two members from San Francisco.
(G) Two members from Half Moon Bay.
(H) Two members from ports south of Half Moon Bay.
(I) One member who has a valid California nonresident crab permit.
(b) (1) Elected members in each port shall represent the following production levels:
(A) For ports with one elected member, the member shall represent both the upper and lower production levels.
(B) For ports with two elected members, one member shall represent the upper production level and one member shall represent the lower production level.
(C) For ports with three elected members, one member shall represent the upper production level, one member shall represent the lower production level, and one member shall represent both the upper and lower production levels.
(2) Upper and lower production levels shall be determined in relation to the average landing, during the five-year period before the beginning of an election cycle, of valid crab permitholders who landed a minimum of 25,000 pounds of crab during that period.
(c) Elections shall be held every three years in each port, on a staggered basis across ports, in coordination with the department or the Ocean Protection Council and with support from an administrative team of the Dungeness crab task force. In an election year, all elected members in a port shall be subject to reelection. There is no limit on the number of terms that may be served by any person.
(d) (1) Each member appointed pursuant to paragraph (1), (2), or (3) of subdivision (a) shall select an alternate to serve and, if applicable, vote in the member's place in case of the member's absence from, or disqualification from participating in, a meeting of the task force. If the position of a member appointed pursuant to one of those paragraphs becomes vacant, the alternate member shall serve until the position is filled as required pursuant to that paragraph.
(2) Each elected member shall select an alternate in the same port and production level to serve and vote in the member's place in case of the member's absence from, or disqualification from participating in, a meeting of the task force. If the position of the member becomes vacant, the alternate shall serve and vote in the member's place until the next election is held in the port pursuant to subdivision (c).
(e) The Dungeness crab task force shall do all of the following:
(1) Review and evaluate the commercial Dungeness crab management measures described in Section 8276.5, and make recommendations to the Joint Committee on Fisheries and Aquaculture, the department, and the commission, no later than January 15, 2022, and by January 15 of every third year thereafter through 2028.
(2) Make recommendations by the dates specified in paragraph (1) on all of the following: the need for a permanent Dungeness crab advisory committee, the economic impact of the program described in Section 8276.5 on permitholders of different tiers and the economies of different ports, the cost of the program to the department, including enforcement costs, the viability of a buyout program for the permitholders

described in subparagraph (G) of paragraph (1) of subdivision (a) of Section 8276.5, refining commercial Dungeness crab management, and the need for statutory changes to accomplish task force objectives.
(3) In considering commercial Dungeness crab management options, prioritize the review of pot limit restriction options, current and future commercial fishery effort, season modifications, essential fishery information needs, and short- and long-term objectives for improved management.
(f) The task force may establish subcommittees of specific user groups from the task force membership to focus on issues specific to commercial harvest or crab processing. The subcommittees shall report their recommendations, if any, to the task force.
(g) The Ocean Protection Council may include in a grant funding to cover department staffing costs, as well as travel costs for task force participants as specified in paragraph (1) of subdivision (a).
(h) Except as otherwise provided in Section 8276.5, a recommendation shall be forwarded to the Joint Committee on Fisheries and Aquaculture, the department, and the commission upon an affirmative vote of at least two-thirds of the task force members.
(i) Eligibility to take crab in state waters and offshore for commercial purposes may be subject to restrictions, including, but not limited to, restrictions on the number of traps utilized by that person, if either of the following occurs:
(1) A person holds a California Dungeness crab permit with California landings of less than 5,000 pounds between November 15, 2003, and July 15, 2008, inclusive, as reported in California landings receipts.
(2) A person has purchased a Dungeness crab permit on or after July 15, 2008, from a permitholder whose California landings were less than 5,000 pounds between November 15, 2003, and July 15, 2008, inclusive, as reported in California landings receipts.
(j) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8276.5 Dungeness Crab Trap Limits; Requirements; Penalties

[Inoperative 4-1-2029; Repeals 1-1-2030]
(a) In consultation with the Dungeness crab task force, or its appointed representatives, the director shall adopt a program, by March 31, 2013, for Dungeness crab trap limits for all California permits. Unless the director finds that there is consensus in the Dungeness crab industry that modifications to the following requirements are more desirable, with evidence of consensus, including, but not limited to, the record of the Dungeness crab task force, the program shall include all of the following requirements:
(1) The program shall contain seven tiers of Dungeness crab trap limits based on California landings receipts under California permits between November 15, 2003, and July 15, 2008, as follows:
(A) The 55 California permits with the highest California landings shall receive a maximum allocation of 500 trap tags.
(B) The 55 California permits with the next highest California landings to those in subparagraph (A) shall receive a maximum allocation of 450 trap tags.
(C) The 55 California permits with the next highest California landings to those in subparagraph (B) shall receive a maximum allocation of 400 trap tags.
(D) The 55 California permits with the next highest California landings to those in subparagraph (C) shall receive a maximum allocation of 350 trap tags.
(E) The 55 California permits with the next highest California landings to those in subparagraph (D) shall receive a maximum allocation of 300 trap tags.
(F) The remaining California permits with the next highest California landings to those in subparagraph (E), which are not described in paragraph (1) or (2) of subdivision (i) of Section 8276.4, shall receive a maximum allocation of 250 trap tags.
(G) The California permits described in paragraphs (1) and (2) of subdivision (i) of Section 8276.4 shall receive a maximum allocation of 175 tags. The tags in this tier shall not be transferable for the first two years of the program.
(2) Notwithstanding paragraph (1), the director shall not remove a permitholder from a tier described in paragraph (1), *if*, after an allocation is made pursuant to paragraph (*1*) an appeal pursuant to paragraph (8) places a permitholder in a tier different than the original allocation.
(3) Participants in the program shall meet all of the following requirements:
(A) Unless a participant receives a waiver pursuant to paragraph (4), pay a biennial fee for each trap tag issued pursuant to this section to pay the pro rata share of costs of the program, including, but not limited to, informing permitholders of the program, collecting fees, acquiring and sending trap tags to permitholders, paying for a portion of enforcement costs, and monitoring the results of the program. The fee shall not exceed five dollars ($5) per trap, per two-year period. All of the trap tags allocated to each permit pursuant to subdivision (a) shall be purchased by the permitholder or the permit shall be void.
(B) Purchase a biennial crab trap limit permit of not more than one thousand dollars ($1,000) per two-year period to pay for the department's reasonable regulatory costs.
(C) Not lease a crab trap tag, and transfer a tag only as part of a transaction to purchase a California permitted crab vessel.
(D) A Dungeness crab trap that is fished shall contain a trap tag that is fastened to the main buoy, and an additional tag provided by the permitholder attached to the trap. The department shall mandate the information that is required to appear on both buoy and trap tags.
(4) The department shall issue a participant a waiver from the biennial fee for each trap tag described in subparagraph (A) of paragraph (3) if the participant is unable to fish due to mandatory military service and the participant submits a request for a waiver to the department at the same time that the participant renews the permit issued pursuant to subparagraph (B) of paragraph (3). A participant who receives a waiver pursuant to this paragraph shall not apply to the department to fish for Dungeness crab during the first year of the waiver, but may apply to fish for Dungeness crab during the second year of the waiver if the participant pays the full cost of the bien-

nial fee for each trap tag. The department shall not limit the number of times a participant may request a waiver.
(5) Notwithstanding subparagraph (D) of paragraph (3), a vessel may transit state waters with Dungeness crab traps that are not tagged pursuant to subparagraph (D) of paragraph (3) if the traps contain either a valid Oregon or Washington trap tag, no crab species are onboard the vessel, and the traps are not deployed in state waters.
(6) The department shall annually provide an accounting of all costs associated with the crab trap limit program. The department shall use excess funds collected to reduce the cost of the crab trap limit permit fee or tag fee in subsequent years of the program.
(7) Permitholders may replace lost tags by application to the department and payment of a fee not to exceed the reasonable costs incurred by the department. The department may waive or reduce a fee in the case of catastrophic loss of tags.
(8) Any Dungeness crab permitholder may submit to the director an appeal of a trap tag allocation received pursuant to this section, by March 31, 2014, on a permit-by-permit basis for the purpose of revising upward or downward any trap tag allocation. Any appeal to revise upward a trap tag allocation shall be based on evidence that a permit's California landings during the period between November 15, 2003, and July 15, 2008, inclusive, were reduced as a result of unusual circumstances and that these circumstances constitute an unfair hardship, taking into account the overall California landings history as indicated by landing receipts associated with the permit. The director shall initiate the appeal process within 12 months of receiving an appeal request. The appeal shall be heard and decided by an administrative law judge of the Office of Administrative Hearings, whose decision shall constitute the final administrative decision. Except as provided in subparagraph (B), any Dungeness crab permitholder requesting an appeal to revise upward the permitholder's trap tag allocation shall pay all expenses, including a nonrefundable filing fee, as determined by the department, to pay for the department's reasonable costs associated with the appeal process described in this paragraph.
(b) (1) In addition to criminal penalties authorized by law, a violation of the requirements of the program created pursuant to this section shall be subject to the following civil penalties:
(A) Conviction of a first offense shall result in a fine of not less than two hundred fifty dollars ($250) and not more than one thousand dollars ($1,000) per illegal trap or fraudulent tag.
(B) Conviction of a second offense shall result in a fine of not less than five hundred dollars ($500) and not more than two thousand five hundred dollars ($2,500) per illegal trap or fraudulent tag, and the permit may be suspended for one year.
(C) Conviction of a third offense shall result in a fine of not less than one thousand dollars ($1,000) and not more than five thousand dollars ($5,000) per illegal trap or fraudulent tag, and the permit may be permanently revoked.
(2) The severity of a penalty within the ranges described in this subdivision shall be based on a determination whether the violation was willful or negligent and other factors.
(3) The portion of monetary judgments for noncompliance that are paid to the department shall be deposited in the Dungeness Crab Account created pursuant to subdivision (e).
(c) For the purposes of this section, a proposed recommendation that receives an affirmative vote of at least 15 of the nonex officio members of the Dungeness crab task force may be transmitted to the director or the Legislature as a recommendation, shall be considered to be the consensus of the task force, and shall be considered to be evidence of consensus in the Dungeness crab industry. Any proposed recommendation that does not receive a vote sufficient to authorize transmittal to the director or Legislature as a recommendation shall be evidence of a lack of consensus by the Dungeness crab task force, and shall be considered to be evidence of a lack of consensus in the crab industry.
(d) The director may modify the program, adopted pursuant to subdivision (a), if consistent with the requirements of this section, after consultation with the Dungeness crab task force or its representatives and after the task force has had 60 days or more to review the proposed modifications and recommend any proposed changes. The director may implement the modifications earlier than 60 days after it is sent to the Dungeness crab task force for review, if recommended by the task force.
(e) The Dungeness Crab Account is hereby established in the Fish and Game Preservation Fund and the fees collected pursuant to this section shall be deposited in that account. The money in the account shall be used as follows:
(1) By the department, upon appropriation by the Legislature, for administering and enforcing the program.
(2) In each fiscal year through the 2029 fiscal year, upon appropriation by the Legislature, of the amount remaining in the account after an allocation pursuant to paragraph (1), the sum of one hundred fifty thousand dollars ($150,000), if available, shall be allocated to the council to support the administration and facilitation of the Dungeness crab task force.
(f) For purposes of meeting the necessary expenses of initial organization and operation of the program until fees may be collected, or other funding sources may be received, the department may borrow money as needed for these expenses from the council. The borrowed money shall be repaid within one year from the fees collected or other funding sources received. The council shall give high priority to providing funds or services to the department, in addition to loans, to assist in the development of the program, including, but not limited to, the costs of convening the Dungeness crab task force, environmental review, and the department's costs of attending meetings with task force members.
(g) (1) It is the intent of the Legislature that the department, the council, and the Dungeness crab task force work with the Pacific States Marine Fisheries Commission and the Tri-State Dungeness Crab Commission to resolve any issues pertaining to moving the fair start line south to the border of California and Mexico.
(2) For purposes of this subdivision, the resolution of issues pertaining to the fair start line shall be limited to assessing the positive and negative implications of including District 10 in the tri-state agreement, including working with the Tri-State Dungeness Crab Commission to amend Oregon and Washington laws to include District 10 in the regular season fair start clause, and discussion of providing different rules for District 10 with regard to preseason quality testing.
(h) For purposes of this section, "council" means the Ocean

Protection Council established pursuant to Section 35600 of the Public Resources Code.
(i) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8278. Minimum Size of Taking; How to Measure

a) Except as otherwise provided, no Dungeness crab less than six and one–quarter (6¼) inches in breadth, and no female Dungeness crab, may be taken, possessed, bought, or sold, except that not more than 1 percent in number of any load or lot of Dungeness crabs may be less than six and one–quarter (6¼) inches in breadth but not less than five and three–quarter (5¾) inches in breadth.
b) Dungeness crab shall be measured by the shortest distance through the body from edge of shell to edge of shell directly from front of points (lateral spines).

§8279. Sales of Crabs from Specified Waters Unlawful

It is unlawful to sell any Dungeness crab taken in any of the following waters:
(a) The Eel River and its tributaries between the Pacific Ocean and the west line of Sec. 35, T. 3 N., R. 1 W., H. B. & M.
(b) The Pacific Ocean within a radius of one mile from the mouth of the Eel River.
(c) Humboldt Bay, including the entrance of that bay, and the Pacific Ocean within a radius of one mile from the extreme western point of the north jetty at the entrance of the bay and for a radius of one mile from the extreme western point of the south jetty at the entrance of the bay.
(d) Trinidad Bay, that bay being the body of water within the area enclosed by a line running southeasterly from the westernmost point of Trinidad Head to the mouth of Luftenholtz Creek.
(e) Bodega Lagoon.

§8279.1. Taking of Crab from District 6, 7, 8 or 9; Other Limits

[Inoperative 4-1-2029; Repeals 1-1-2030]
(a) A person shall not take, possess onboard, or land Dungeness crab for commercial purposes from a vessel in ocean waters for 30 days after the opening of those waters for the commercial Dungeness crab fishing season, if both of the following events have occurred:
(1) The opening of the season has been delayed in those waters.
(2) The same vessel was used to take, possess onboard, or land Dungeness crab for commercial purposes, from ocean waters outside of the delayed waters, before the opening of the delayed waters for the season.
(b) For purposes of this section, a delay in the opening of ocean waters for the commercial Dungeness crab fishing season has occurred in either of the following circumstances:
(1) The opening of those waters for the season has been delayed pursuant to Section 5523 or 8276.2.
(2) The opening of those waters for the season has been delayed in Oregon or Washington due to the tri-state quality testing program or by a closure to prevent a risk to human health.
(c) A violation of this section does not constitute a misdemeanor. Pursuant to Section 7857, the commission shall revoke the Dungeness crab vessel permit that was issued for use on the vessel that was used in violation of this section.
(d) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

8280. Permit Required to Take Dungeness Crab

(a) The Legislature finds and declares that the Dungeness crab fishery is important to the state because it provides a valuable food product, employment for those persons engaged in the fishery, and economic benefits to the coastal communities of the state.
(b) The Legislature further finds that, in order to protect the Dungeness crab fishery, it is necessary to limit the number of vessels participating in that fishery to take Dungeness crab and it may be necessary to limit the quantity and capacity of the fishing gear used on each vessel to take Dungeness crab.
(c) The Legislature further finds and declares that to limit the number of vessels in the Dungeness crab fishery, it is necessary to require that the owner of each vessel participating in the fishery obtain and possess a permit for that vessel and that the initial issuance of permits shall be limited to those persons owning vessels qualifying under Section 8280.1, as that section read on August 1, 2018, or any prior version of that section .

§8280.1. Dungeness Crab Vessel Permit - Recipients

[Inoperative 4-1-2029; Repeals 1-1-2030]
(a) A person shall not use a vessel to take, possess, or land Dungeness crab for commercial purposes using Dungeness crab traps authorized pursuant to Section 9011, unless the owner of that vessel has a Dungeness crab vessel permit for that vessel that has not been suspended or revoked.
(b) A person shall not be issued a new, original Dungeness crab vessel permit. A Dungeness crab vessel permit may be issued only pursuant to a renewal or transfer of an existing permit as provided in Section 8280.2 or 8280.3.
(c) A permit issued pursuant to paragraph (3) of subdivision (b) of this section, as this section read on August 1, 2018, or any prior version of that paragraph, shall become immediately null and void upon the death of the permittee.
(d) In addition to criminal penalties authorized by law, a person who fishes without a Dungeness crab vessel permit, or who uses a Dungeness crab vessel permit to fish illegally on another vessel other than the permitted one, shall be subject to a fine not more than twenty thousand dollars ($20,000) and, at the discretion of the department, revocation of the person's fishing license for a period not to exceed five years and revocation of the commercial boat registration license for a period not to exceed five years.
(e) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8280.2. Owners of Dungeness Crab Vessels - Permits

[Inoperative 4-1-2029; Repeals 1-1-2030]

(a) The owner of a Dungeness crab vessel, for purposes of this section, may include a person with a bona fide contract for the purchase of a vessel who otherwise meets all other qualifications for a Dungeness crab vessel permit. If a contract is found to be fraudulent or written or entered into for the purposes of circumventing qualification criteria for the issuance of a permit, the applicant shall be permanently ineligible for a Dungeness crab vessel permit.

(b) A Dungeness crab vessel permit shall be issued only to the person owning the vessel at the time of application for that permit. A person shall not be issued more than one permit for each vessel owned by that person and qualifying for a permit pursuant to this article.

(c) A Dungeness crab vessel permit shall be issued only to the owner of a vessel taking crab by traps. A permit shall not be issued to the owner of a vessel using trawl or other nets unless the owner of that vessel qualifies for a permit pursuant to paragraph (1) of subdivision (b) of Section 8280.1, as that section read on August 1, 2018, or any prior version of that paragraph. A trawl or other net vessel authorized under this code to take Dungeness crab incidental to the taking of fish in trawl or other nets shall not be required to possess a Dungeness crab vessel permit.

(d) Dungeness crab vessel permits shall not be combined or otherwise aggregated for the purpose of replacing smaller vessels in the fishery with a larger vessel, and a permit shall not be divided or otherwise separated for the purpose of replacing a vessel in the fishery with two or more smaller vessels.

(e) Applications for renewal of all Dungeness crab vessel permits shall be received by the department, or, if mailed, postmarked, by April 30 of each year. In order for a vessel to retain eligibility, a permit shall be obtained each year subsequent to the initial permit year and the vessel shall be registered pursuant to Section 7881. The vessel owner shall have a valid commercial fishing license issued to that person pursuant to Section 7852 that has not been suspended or revoked. Minimum landings of Dungeness crab shall not be required annually to be eligible for a Dungeness crab vessel permit.

(f) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8280.3. Transfer of Crab Vessel Permit

[Inoperative 4-1-2029; Repeals 1-1-2030]

(a) For purposes of this section, the term "length overall" means the horizontal distance between the forward-most and after-most points on the hull of a vessel. The length overall of a vessel does not include attachments fixed to the stern and bow.

(b) Notwithstanding Article 9 (commencing with Section 8100) of Chapter 1 and except as provided in this section, a Dungeness crab vessel permit shall not be transferred.

(c)(1) The owner of a vessel to whom a Dungeness crab vessel permit has been issued shall transfer the permit for the use of that vessel upon the sale of the vessel by the permitholder to the person purchasing the vessel, except that the permit shall not be transferred if the vessel is more than five feet longer in length overall, as determined by a licensed marine surveyor, than the baseline length on the permit. Thereafter, upon notice to the department, the person purchasing the vessel may use the vessel for the taking and landing of Dungeness crab for any and all of the unexpired portion of the permit year, and that person is eligible for a permit pursuant to this article for the use of that vessel in subsequent years. The person purchasing the vessel shall not transfer the permit for use of that vessel in the Dungeness crab fishery to another replacement vessel during the same permit year.

(2) A permit described in subdivision (c) of Section 8280.1 shall not be transferred pursuant to this subdivision.

(d) The owner of a vessel to whom the Dungeness crab vessel permit has been issued may transfer the permit to a replacement vessel of equivalent capacity, except as specified in this section. Thereafter, upon notice to the department and payment of the transfer fee specified in Section 8280.6, the replacement vessel may be used for the taking and landing of Dungeness crab for any and all of the unexpired portion of the permit year and that person is eligible for a permit pursuant to this article for the use of that replacement vessel in subsequent years.

(e)(1)The owner of a permitted vessel may transfer the permit to a vessel of greater capacity as follows:

(A) If the person the permit is to be transferred to purchased the vessel of greater capacity on or before November 15, 1995, the vessel of greater capacity may not be more than 10 feet longer in length overall than the baseline length of the permit.

(B) If the person the permit is to be transferred to purchased the vessel of greater capacity after November 15, 1995, the vessel of greater capacity may not be more than five feet longer in length overall than the baseline length of the permit.

(2) A permit described in subdivision (c) of Section 8280.1 shall not be transferred pursuant to this subdivision.

(f)(1) The department may authorize the owner of a permitted vessel to transfer the permit to a replacement vessel that was owned by that person the permit is to be transferred to on or before April 1, 1996, that does not fish with trawl nets that is greater than five feet longer in length overall than the baseline length on the permit, if all of the following conditions are satisfied:

(A) A vessel of a larger size is essential to the proposed permitholder for participation in another fishery other than a trawl net fishery.

(B) The owner of the permitted vessel held a permit on or before January 1, 1995, for the fishery for which a larger vessel is needed and has participated in that fishery.

(C) The permit for the vessel from which the permit is to be transferred qualified pursuant to paragraph (1) of subdivision (b) of Section 8280.1, as that section read on August 1, 2018, or any prior version of that paragraph.

(D) The vessel to which the permit is to be transferred does not exceed 20 feet longer in length overall than the baseline length on the permit and the vessel to which the permit is to be transferred does not exceed 60 feet in length overall.

(E) A permit was not previously transferred to the same re-

placement vessel.
(2) A permit described in subdivision (c) of Section 8280.1 shall not be transferred pursuant to this subdivision.
(g) A transfer of a permit to a larger vessel shall not be allowed more than one time. If a permit is transferred to a larger vessel, any Dungeness crab vessel permit for that permit year or any subsequent permit years for that larger vessel shall not be transferred to another larger vessel. The department shall not thereafter issue a Dungeness crab vessel permit for the use of the original vessel from which the permit was transferred, except that the original vessel may be used to take or land Dungeness crab after that transfer if its use is authorized pursuant to another Dungeness crab vessel permit subsequently transferred to that vessel pursuant to subdivision (d), (e), or (f).
(h) (1) Upon the written approval of the department, the owner of a vessel to whom the Dungeness crab vessel permit has been issued, which has California Dungeness crab landings made with trap gear documented on department landing receipts and which has had California Dungeness crab landings amounting to not less than 5,000 pounds cumulative for the past two Dungeness crab seasons, may temporarily transfer the permit to a replacement vessel for which use in the Dungeness crab fishery is not permitted pursuant to this article that is of equivalent size and capacity of the originally permitted vessel, no greater than 10 feet longer in length overall than the vessel from which the permit is transferred, for a period of not more than six months during the current permit year if the vessel for which the permit was issued is seriously damaged, suffers major mechanical breakdown, or is lost or destroyed, as determined by the department, upon approval of the director. The owner of the vessel shall submit proof that the department may reasonably require to establish the existence of the conditions of this paragraph. Only the permittee at the time of the loss, theft, damage, breakdown, or destruction of the vessel may apply for the transfer of the vessel permit. Proof of loss or destruction shall be documented by submission of a copy of the report filed with the United States Coast Guard or any other law enforcement or fire agency that investigated the loss. In the case of mechanical breakdown, the request shall include an estimate of the costs to repair the vessel from a marine surveyor or boat repair yard. The department shall not issue a permit for a replacement vessel pursuant to this subdivision if the permitted vessel was reported lost, stolen, mechanically broken down, destroyed, or damaged for fraudulent purposes. Upon approval by the director, the owner of a vessel granted a six-month temporary transfer under this section may be granted an additional six-month extension of the temporary transfer.
(2) Notwithstanding subdivision (e) of Section 8280.2, in the event of loss or destruction of a vessel for which a Dungeness crab vessel permit was issued, or serious damage that renders the vessel inoperable, and upon written approval of the department, the owner of the vessel to whom the permit was issued may retain the permit and may transfer the permit to another vessel of equivalent size and capacity of the vessel that was lost or damaged during the period of two years after the loss or damage of the vessel for which the permit was originally issued. The owner of the lost or damaged vessel shall submit proof that the department may reasonably require to establish the loss or damage of the vessel. Only the permittee at the time of the loss, theft, damage, or destruction of the vessel may apply for the transfer of the vessel permit. Proof of loss or destruction shall be documented by submission of a copy of the report filed with the United States Coast Guard or any other law enforcement or fire agency that investigated the loss. In the case of mechanical breakdown, the request shall include an estimate of the costs to repair the vessel from a marine surveyor or boat repair yard. The department shall not issue a permit for a replacement vessel pursuant to this paragraph if the lost or damaged vessel was reported lost, stolen, destroyed, mechanically broken down, or damaged for fraudulent purposes. The department shall only transfer a permit pursuant to this paragraph if the lost or damaged vessel has a current permit and the owner of the lost or damaged vessel makes assurances in the application that any renewal of the permit that becomes due during the application processing period will be made. If the permit is not permanently transferred to another vessel owned by the person to whom the vessel permit was originally issued within two years of the loss or damage, the permit shall become void by operation of law.
(i) Upon written approval of the department, the owner of a vessel to whom the Dungeness crab vessel permit has been issued may retain that permit upon the sale of that permitted vessel for the purpose of transferring the permit to another vessel to be purchased by that individual within one year of the time of sale of the vessel for which the permit was originally issued if the requirements of this section are satisfied, including the payment of transfer fees. If the permit is not transferred to a new vessel owned by the person to whom the vessel permit was originally issued within one year of the sale of the vessel for which it was originally issued, or if the person does not retain ownership of the new vessel to which the permit is transferred for a period of not less than one year, the permit shall become void by operation of law.
(j) Except at provided in subdivision (c) of Section 8280.1, in the event of the death or incapacity of a permitholder, the permit shall be transferred, upon application, to the heirs or assigns, or to the working partner, of the permitholder, together with the transfer of the vessel for which the permit was issued, and the new owner may continue to operate the vessel under the permit, renew the permit, or transfer the permit upon sale of the vessel pursuant to subdivision (b). The estate of the holder of a transferable Dungeness crab vessel permit may renew that permit as provided for in statute if needed to keep it valid. The estate of the decedent may transfer that permit pursuant to these regulations no later than two years from the date of death of the permitholder as listed on the death certificate.
(k) (1) For purposes of this section, the baseline length on a Dungeness crab vessel permit shall be equal to the length overall of the vessel for which the permit was originally issued, as originally documented on the permit, unless updated pursuant to paragraph (2).
(2) (A) If, on or before March 31, 2020, the owner of a vessel to whom a Dungeness crab vessel permit has been issued submits to the department a survey reflecting a current length overall of the vessel that is greater than the length overall described in paragraph (1), the baseline length on the permit

shall be equal to that current length overall.
(B) A survey submitted pursuant to subparagraph (A) shall be conducted by a licensed marine surveyor.
(l) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8280.4. Violation of Terms of Permit; Revocation as Punishment
[Inoperative 4-1-2029; Repeals 1-1-2030]
(a) The commission may revoke the commercial fishing license issued pursuant to Section 7852 of any person owning a fishing vessel engaging in the taking or landing of Dungeness crab by traps for which that person has not obtained a Dungeness crab vessel permit, and the commission may revoke the registration, issued pursuant to Section 7881, for that vessel.
(b) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8280.5 Repealed

§8280.6 Dungeness Crab Vessel Permit Fees for Resident and Nonresidents
[Inoperative 4-1-2029; Repeals 1-1-2030]
(a) The department shall charge a fee for each Dungeness crab vessel permit of two hundred dollars ($200) for a resident of California and four hundred dollars ($400) for a nonresident of California, for the reasonable regulatory costs of the department.
(b) The department shall charge a nonrefundable fee of two hundred dollars ($200) for each transfer of a permit authorized pursuant to Section 8280.3, for the reasonable regulatory costs of the department.
(c) A vessel owner shall sign an application for transfer and certify that the information included in the application is true to the best of his or her information and belief.
(d) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§8280.7. Contracting Unpermitted Vessel for Deployment of Traps
Notwithstanding §8280.1, the owner of a vessel, who has a Dungeness crab vessel permit for that vessel that has not been suspended or revoked, may contract for the use of a vessel that is registered pursuant to §7881 and for which a Dungeness crab vessel permit has not been issued for the purpose of assisting the crew of the permitted vessel in the deployment of Dungeness crab traps. An unpermitted vessel used for the purpose of assisting in the deployment of Dungeness crab traps pursuant to this section shall not have on board any equipment for the retrieval of Dungeness crab traps and shall not have on board at any time any Dungeness crab.

§8280.9. Dungeness Crab Vessel Permits - Areas Where Valid
Dungeness crab vessel permits are valid only in state waters and in the Pacific Ocean in federal waters south of the border with Oregon.

§8281. Possession and Transportation of Crab Meat, etc.
Crab meat and frozen crab taken during the open season, may be possessed, transported, and sold at any time, subject to the regulations of the Commission. The cost of inspection and marking, under the regulations of the Commission, shall be paid by the owner or seller of the crab or crab meat.

§8283. Trap Setting in Advance of Season
(a) Crab traps may be set and baited 64 hours prior to the opening date of the Dungeness crab season in Fish and Game Districts 6, 7, 8, and 9. Crab traps may be set and baited in advance of that opening date in those districts if no other attempt is made to take or possess Dungeness crab in those districts.
(b) Except in Fish and Game Districts 6, 7, 8, and 9, crab traps may be set and baited 18 hours in advance of the opening date of the Dungeness crab season, if no other attempt is made to take or possess Dungeness crab.

§8284. Taking with Traps; Species to be Released if Taken Incidentally
(a) Subject to this article and Article 1 (commencing with Section 9000) of Chapter 4, crab traps, as described in Section 9011, may be used to take Dungeness crab for commercial purposes. Any fish may be taken incidentally in crab traps being used to take Dungeness crab.
(b) Except as provided in Section 9011 or subdivision (c), any other species taken incidentally in a crab trap being used to take rock crab, shall be immediately released back to the water.
(c) The following species may be taken incidentally in crab traps being used to take rock crab under a permit issued pursuant to Section 9001 in Districts 19 and 118.5:
(1) Kellet's whelk.
(2) Octopus.
(3) Crabs other than of the genus *Cancer*, except as provided in Section 9011.

§8604. Injure Net, Trap, etc.
It is unlawful willfully to disturb or injure any net, trap, or other apparatus to take fish which is being legally used in the waters of this state.
This section does not apply to employees of the Department while they are engaged in the performance of their official duties. *(see also FGC §9002 in Trap Permit Section)*

§8834. Crab Limit
It is unlawful to take or possess more than 500 pounds of crabs on any boat on which any type of trawl or drag net is carried or operated.

§8834.5. Crab; Take or Possess on Vessel With Trawl Nets

South of a line extending due west, true, from Point Reyes, it is unlawful for any person on a vessel on which any type of trawl or drag net is carried or operated to take or possess Dungeness crab, as defined in §8275, or to transfer Dungeness crab to another vessel.

§9012. Take Crab Commercially and for Sport on Same Day From Vessel Prohibited; Restrictions on Use in Districts 6, 7, 8 and 9

(a) No vessel may be used to take and land crab for both commercial and sport purposes in the same day.
(b) In Districts 6, 7, 8, and 9, no trap shall be used to take Dungeness crab if that trap is attached to another trap or other traps by a common line.

Title 14 Excerpts

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

(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.
(b) Dungeness Crab Biennial Buoy Tags. As required by Section 9005 of the Fish and Game Code, every Dungeness crab trap placed in waters of the state to take Dungeness crab for commercial purposes shall be marked with a buoy. Each Dungeness crab trap on board or fished from a permitted Dungeness crab vessel is required to have a biennial buoy tag affixed to the main buoy, known hereafter as buoy tag, pursuant to the provisions of Section 8276.5(a)(1)(D) of the Fish and Game Code. The buoy tag shall contain the department-assigned Dungeness crab vessel permit number and trap tier number. All of the buoy tags allocated to each Dungeness crab vessel permit as described in this Section and Section 8276.5(a)(1) of the Fish and Game Code shall be purchased by the permitholder biennially at the same time a Dungeness crab vessel permit is purchased or the permit shall be void pursuant to Section 8276.5(a)(3)(A) of the Fish and Game Code. The nonrefundable fee for each buoy tag is $5.00.
(1) Buoy tags shall not be leased and shall be transferred to another person only as part of a transaction authorized under Section 8280.3 of the Fish and Game Code.
(2) A Dungeness crab trap used in compliance with this section shall only be used for the commercial take of Dungeness crab.
(A) Any person with a valid northern or southern rock crab permit aboard a permitted Dungeness crab vessel shall not fish with rock crab traps 30 days prior to the pre-soak period prescribed in Section 8283 of the Fish and Game Code or commercial Dungeness crab season opener, whichever comes first.
(B) Notwithstanding Section 9012 of the Fish and Game Code, vessels with both a valid commercial passenger fishing vessel license and a valid Dungeness crab vessel permit may only fish for Dungeness crab during the commercial Dungeness crab season. In Districts 6 and 7, after the close of the commercial Dungeness crab season, vessels with both a valid commercial passenger fishing vessel license and a valid Dungeness crab vessel permit may fish only under the provisions of their commercial passenger fishing vessel license until the close of the recreational season.
(c) Dungeness Crab Trap Buoy Tag Allocations.
(1) Pursuant to Section 8276.5(a)(1) of the Fish and Game Code, the Dungeness crab trap limit program shall contain seven tiers of Dungeness crab trap limits based on California landings. Landings shall be documented by fish landing receipts submitted to the department in the vessel's name and identification number pursuant to Section 8046 of the Fish and Game Code under valid California Dungeness crab vessel permits between November 15, 2003, and July 15, 2008, inclusive, as follows:
(A) Tier 1 shall be the 55 California permits with the highest California landings of Dungeness crab made with trap gear, and each permitholder shall receive a maximum allocation of 500 buoy tags.
(B) Tier 2 shall be the 55 California permits with the next highest California landings of Dungeness crab made with trap gear to those in subdivision (A), and each permitholder shall receive a maximum allocation of 450 buoy tags.
(C) Tier 3 shall be the 55 California permits with the next highest California landings of Dungeness crab made with trap gear to those in subdivision (B), and each permitholder shall receive a maximum allocation of 400 buoy tags.
(D) Tier 4 shall be the 55 California permits with the next highest California landings of Dungeness crab made with trap gear to those in subdivision (C), and each permitholder shall receive a maximum allocation of 350 buoy tags.
(E) Tier 5 shall be the 55 California permits with the next highest California landings of Dungeness crab made with trap gear to those in subdivision (D), and each permitholder shall receive a maximum allocation of 300 buoy tags.
(F) Tier 6 shall be the remaining California permits with the next highest California landings of Dungeness crab made with trap gear to those in subdivision (E), which are not described in paragraph (1) or (2) of subdivision (g) of Section 8276.4 of the Fish and Game Code, and each permitholder shall receive a maximum allocation of 250 buoy tags.
(G) Tier 7 shall be the California permits described in paragraphs (1) and (2) of subdivision (g) of Section 8276.4 of the Fish and Game Code, and each permitholder shall receive a maximum allocation of 175 buoy tags. Tags in this tier shall not be transferable for the first two years of the program pursuant to Section 8276.5(a)(1)(G) of the Fish and Game Code.
(2) The original trap and buoy tag allocation and any modification to this allocation as a result of the appeal process shall remain in effect for the duration of the Dungeness crab trap limit program.
(3) A permitted Dungeness crab vessel shall not fish more

Dungeness crab traps than the number of traps and buoy tags allocated to the Dungeness crab vessel permit pursuant to subdivisions (A)-(G) above and Section 8276.5(a)(1) of the Fish and Game Code.

§132.2. Waiver for a Vessel to Retrieve a Permitted Dungeness Crab Vessel's Dungeness Crab Traps

(a) Permitted Dungeness crab vessels shall not 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 another permitted Dungeness crab vessel's commercial Dungeness crab trap that is lost, damaged, abandoned, or otherwise derelict, provided that:

(A) No more than six (6) derelict commercial Dungeness crab traps may be retrieved per fishing trip.

(B) The retrieving vessel shall return to the ocean waters immediately any crab found in a retrieved commercial Dungeness crab trap.

(C) Immediately upon retrieval of a commercial Dungeness crab trap, the retrieving vessel operator shall document in the retrieving vessel's log the date and time of the trap retrieval, number of retrieved Dungeness crab traps, the location of the retrieval, and any tag information or buoy markings present on the retrieved trap.

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

(E) Notwithstanding subsection (a)(2)(A), from July 16 through October 31, an unlimited number of commercial Dungeness crab traps may be retrieved per fishing trip and transported to shore during the same fishing trip.

(b) Waiver

(1) Any vessel may retrieve to shore commercial Dungeness crab traps without a buoy tag assigned to that vessel if;

(A) The holder of the Dungeness crab vessel permit to which the traps are assigned cannot retrieve the traps because the permitted vessel is incapacitated due to a major mechanical failure or destroyed due to fire, capsizing, or sinking, or due to undue hardship resulting from circumstances beyond the control of the permit holder.

(B) The permit holder makes a request for a waiver in writing to the department's License and Revenue Branch.

(C) The department approves the waiver request.

(2) A copy of the waiver approved by the department shall be on board the retrieving vessel.

(3) The waiver may include conditions such as time restrictions, landing prohibitions, or any other conditions the department deems necessary.

(c) Notwithstanding this section, any vessel may retrieve lost or abandoned gear under Section 132.7 of these regulations.

§132.3. Biennial Dungeness Crab Trap Limit Permit.

(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.

(b) Fee. A biennial Dungeness Crab Trap Limit Permit may be issued to any person who has a valid Dungeness crab vessel permit that has not been suspended or revoked. The fee for a Dungeness Crab Trap Limit Permit shall be $1,000.00.

§132.4. Replacement Procedures for Lost Dungeness Crab Buoy Tags.

Dungeness crab buoy tags shall be replaced under the following conditions:

(a) In-Season Replacement Buoy Tags

(1) Starting 30 days after the season opener in the California management area where the Dungeness crab permitholder began the Dungeness crab season, a maximum number of replacement buoy tags may be issued as follows:

Tier	Buoy Tag Allocation	Maximum Replacement Buoy Tags
1	500	50
2	450	45
3	400	40
4	350	35
5	300	30
6	250	25
7	175	18

(2) The permitholder shall submit an In-Season Replacement Dungeness Crab Buoy Tag Affidavit (FG1303, rev. 1/13), signed under penalty of perjury by the Dungeness crab permitholder, to the department's License and Revenue Branch. The affidavit shall include:

(A) The number of replacement buoy tags requested; and

(B) Payment of the nonrefundable replacement tag fee for each in-season replacement buoy tag. The fee for each tag shall be $1.00.

(b) Between-Season Replacement Buoy Tags

(1) Before the start of the next season all in-season replacement buoy tags shall be returned to the department's License and Revenue Branch. All lost buoy tags may be replaced with new buoy tags. The permitholder shall submit a Between-season Replacement Dungeness Crab Buoy Tag Affidavit (FG1302, rev. 1/13), signed under penalty of perjury by the Dungeness crab permitholder, to the department's License and Revenue Branch on or before August 15th each year. Replacement tags shall not be issued unless the in-season replacement tags have been returned to the department. The affidavit shall include:

(A) A statement confirming that the originally-issued buoy tags cannot be recovered;

(B) A statement describing the factual circumstances surrounding the loss of the buoy tags;

(C) The location and date where lost buoy tags were last observed;

(D) The quantity of buoy tags to be replaced;

(E) The tag number of each lost buoy tag to be replaced; and

(F) Payment of the nonrefundable fee for each buoy tag. The fee for each tag shall be $1.00.

(G) Any lost buoy tags that are recovered shall be invalid and not used for the remainder of the season.
(2) Based on the information provided in the written affidavit, the department shall only issue the number of replacement buoy tags that were reported as lost.
(c) Catastrophic Loss
(1) The department may waive the replacement fee and the limit on the maximum allocation of in-season replacement buoy tags when the buoy tags are lost or destroyed due to circumstances beyond the control of the permitholder.
(2) The permitholder shall submit a written request, signed under penalty of perjury by the permitholder, to the department's License and Revenue Branch. The statement shall include the following information:
(A) A description of the factual circumstances surrounding the loss of the buoy tags.
(B) A statement confirming that the originally-issued buoy tags cannot be recovered.
(C) The location and date where lost buoy tags were last observed.
(D) Documentation including, but not limited to, a report filed by the US Coast Guard, a law enforcement agency, an insurance company, or other written documentation to substantiate the loss or destruction of the buoy tags.

§ 132.5. Appeal of Dungeness Crab Trap and Buoy Tag Allocations and Deadlines

(a) Appeal.
(1) A permitholder may request an appeal of their Dungeness crab trap and buoy tag allocation by submitting the request to the department's License and Revenue Branch, 1740 N. Market Blvd., Sacramento, CA 95834. The request for an appeal shall be postmarked no later than March 31, 2014. The department shall not accept a request for an appeal that is postmarked after this date.
(A) An appeal to revise upward a Dungeness crab trap and buoy tag allocation shall be submitted to the department in the form of a notarized letter, and shall include the nonrefundable filing fee of $3,044.00. The appeal shall include a statement from the permitholder that identifies the tier to which the permitholder wants to be transferred and that the permitholder's decision is permanent and shall not be revoked or canceled. The appeal shall include evidence to document the circumstances for appeal, including evidence that a permit's California landings during the period between November 15, 2003, and July 15, 2008, inclusive, were reduced as a result of unusual circumstances and that these circumstances constitute an unfair hardship, taking into account the overall California landings history as indicated by landing receipts associated with the permit. Within 12 months of the postmarked date on a request for an appeal the department shall submit a written request to the Office of Administrative Hearings (OAH) to set a hearing. A party may request judicial review by filing a petition for writ of mandate in accordance with Section 1094.5 of the Code of Civil Procedure within 30 days from the date of service (postmark) of the decision.
(B) An appeal to revise downward a Dungeness crab trap and buoy tag allocation shall be submitted to the department in the form of a notarized letter and shall include the nonrefundable filing fee of $250.00. The appeal shall include a statement from the permitholder that identifies the tier to which the permitholder wants to be transferred and that the permitholder's decision is permanent and shall not be revoked or canceled. An appeal to revise downward shall be decided by the department within 12 months of the postmarked date on a request for an appeal to revise downward.
(C) Any Dungeness crab permitholder requesting an appeal may apply to the administrative law judge for a waiver of the appeal fees. In making the determination, the administrative law judge may only consider medical hardship or military service occurring during the tier qualifying window period of November 15, 2003, through July 15, 2008.

§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 two trailer buoys.
(2) 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 distance between the front end of the main buoy to the tail end of the last trailer buoy 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.

§ 132.7. Lost or Abandoned Dungeness Crab Trap Gear Retrieval Program

(a) Commercial Dungeness crab trap gear left in the ocean after the close of the commercial Dungeness crab season is declared to be lost or abandoned and subject to retrieval under the terms of this Section.
(b) Lost or Abandoned Dungeness Crab Trap Gear Retrieval Permit Required. Pursuant to Section 9002.5 of the Fish and Game Code, the department may grant a Lost or Abandoned Commercial Dungeness Crab Trap Gear Retrieval Permit ("Retrieval Permit") to aid in the retrieval of lost or abandoned traps after the close of the commercial Dungeness crab season under the requirements of the Trap Gear Retrieval Program set forth herein. For the purposes of this Section, trap gear is defined as the trap and any attached lines or buoys. Retrieval Permits shall expire each year on December 31st.
(c) Retrieval Permit Application. Lost or Abandoned Commercial Dungeness Crab Trap Gear Retrieval Permit Application (DFW 1078; New 08/14/19), incorporated herein by reference, and Lost or Abandoned Commercial Dungeness Crab Trap Gear Retrieval Permit Amendment (DFW 1078a; New 08/14/19), a form allowing for its amendment, incorporated

herein by reference, shall be made available online at www.wildlife.ca.gov.
(1) An applicant for a Retrieval Permit shall only be:
(A) a charitable organization as defined by 26 U.S.C. § 501 (c)(3);
(B) a sport or commercial fisherman association with a written charter or a governing board; or,
(C) a "Local agency" within the meaning of Government Code Section 5001, or a "District" within the meaning of Harbors and Navigation Code Section 6002 or 6200.
(2) At the time of filing form DFW 1078, the applicant shall submit a nonrefundable Lost or Abandoned Commercial Dungeness Crab Trap Gear Retrieval Permit Application Fee, as specified in Section 705.
(3) At the time of filing form DFW 1078a, the applicant shall submit a nonrefundable Lost or Abandoned Commercial Dungeness Crab Trap Gear Retrieval Permit Amendment Fee, as specified in Section 705.
(d) Lost or abandoned trap gear may only be retrieved by individuals ("Designated Retrievers") using a vessel identified on a Retrieval Permit, as modified by any subsequent Retrieval Permit Amendment of that Retrieval Permit. A holder of a Retrieval Permit ("Retrieval Permittee") shall ensure the following:
(1) Every Designated Retriever under its Retrieval Permit is a commercial fishing license holder who has not had a commercial license or permit revoked or suspended and is not awaiting final resolution of any pending criminal, civil, and/or administrative action that could affect the status of the commercial license or permit.
(2) Every Designated Retriever under its Retrieval Permit has landed or has participated in landing in a commercial trap fishery in any of the previous three calendar years.
(3) Every Designated Retriever under its Retrieval Permit has access to use a commercial pump to help dislodge traps that are silted in place.
(4) No more than 10 Designated Retrievers, and 10 associated vessels, may operate under a given Retrieval Permit. A Retrieval Permittee may amend its list of Designated Retrievers and its list of vessels by submitting a Retrieval Permit Amendment to the department.
(e) Trap Gear Retrieval Logbooks. A Retrieval Permittee shall ensure that each Designated Retriever complete an accurate record of the trap gear retrieval on a Trap Gear Retrieval Logbook (DFW 1059; New 08/14/19), incorporated herein by reference, which contains instructions regarding submission to the department. Trap Gear Retrieval Logbooks shall be kept on the vessel while it is engaged in, or returning from, trap gear retrieval operations.
(f) Trap Gear Retrieval Permit Operations.
A Designated Retriever may retrieve lost or abandoned trap gear in an area starting 15 calendar days after the commercial Dungeness crab fishing season closes in that area pursuant to Fish and Game Code Section 8276 and until September 30 of that year. At no time may retrieval operations occur in an area open to commercial Dungeness crab fishing or during a designated pre-season gear setting period. Only trap gear with a Dungeness crab buoy tag issued by the department pursuant to Section 8276.5 of the Fish and Game Code may be retrieved. To the extent practicable, any lines or buoys attached to the trap shall also be retrieved.
(1) Each Designated Retriever shall keep in his/her possession a legible copy of the Retrieval Permit he/she is operating under that identifies the Designated Retriever and their associated vessel while conducting retrieval operations. At least one person aboard the vessel needs to be a Designated Retriever.
(2) Retrieved trap gear shall be stored at a secure location until collected by the Responsible Vessel Permitholder or disposed of by the Retrieval Permittee pursuant to subsection (h).
(3) Designated Retrievers and Retrieval Permittees shall, to the extent possible, prevent any additional physical damage to retrieved trap gear. Buoy tags, crab trap tags, and any other markings may not be removed from the gear until it has been documented in the Trap Gear Retrieval Logbook and processed pursuant to subsection (h).
(4) The department may enter and conduct unannounced visits to inspect facilities and vessels of a Retrieval Permittee or a Designated Retriever used as part of the trap retrieval operation. The department may also inspect, audit, or copy at any time any permit, license, book, or record required to be kept under these regulations.
(5) A Designated Retriever who observes lost or abandoned commercial Dungeness crab trap gear located in an area where take of Dungeness crab by trap is prohibited shall inform the department Law Enforcement Division through the CalTIP Program at 1-888-334-CalTIP (888-334-2258). A Designated Retriever may not retrieve such trap gear without written or verbal authorization from the department Law Enforcement Division.
(g) A Retrieval Permit may be suspended or revoked by the department for the violation of any provision of any California regulation, California Code, local ordinance, federal regulation, federal code, or the terms of the Retrieval Permit by the Retrieval Permittee or any of its Designated Retrievers. An entity whose Retrieval Permit has been suspended or revoked must turn over all records produced and all traps retrieved under the terms of this program pursuant to the Department's direction.
(h) A Dungeness crab vessel permitholder ("Responsible Vessel Permitholder") shall be liable to pay a Retriever Trap Fee on a per trap basis for each retrieved trap identified by a buoy tag, a buoy marked pursuant to Section 9006 of the Fish and Game Code, or a trap tag required by Section 132.1, Title 14, CCR as associated with his/her vessel permit.
(1) Retrieval Permittees and Responsible Vessel Permitholders may freely negotiate the amount of the Retriever Trap Fee.
(2) A Retrieval Permittee shall contact the Responsible Vessel Permitholder associated with retrieved trap gear via text, email or certified letter within one week of the trap gear being retrieved. The text, email or certified letter shall include contact information for the Retrieval Permittee, the number of traps retrieved, the date the traps were retrieved, and that the traps were retrieved under this Section. Retrieval Permittee shall maintain record of the text or email, or a copy of the letter and the certified mail receipt for at least one calendar year.
(3) A Retrieval Permittee shall contact all Responsible Vessel Permitholders with outstanding Retriever Trap Fees via cer-

tified letter postmarked no later than October 6. The certified letter shall include contact information for the Retrieval Permittee, all traps whose Retriever Trap Fee is outstanding, the date the traps were retrieved, and that the traps were retrieved under this Section. Retrieval Permittee shall maintain record of the certified letter and the certified mail receipt for at least one calendar year.
(4) The title of retrieved trap gear shall be transferred to the Responsible Vessel Permitholder once the Retriever Trap Fee for that trap gear has been paid and the Responsible Vessel Permitholder takes physical possession of the trap gear. The Retrieval Permittee shall produce two copies of a receipt detailing the time, date, and the fee paid when the Responsible Vessel Permittee takes possession of the trap gear; the Retrieval Permittee and the Responsible Vessel Permittee shall each keep a copy of the receipt for at least one calendar year.
(5) Retrieval Permittee may freely dispose of retrieved trap gear only if the trap gear has not been picked up by the Responsible Vessel Permitholder or the Retriever Trap Fee owed has not been paid by the October 21 following the trap's retrieval. Retrieval Permittee must return associated buoy tags to the Department with the logbook documenting that trap's retrieval.
(i) Reimbursement. The Department shall reimburse a Retrieval Permittee $125 for each trap that has been identified on a completed and submitted Retrieval Logbook as requiring Department Reimbursement.
(j) Notification and Deadline of Department Trap Fee and Non-Renewal of Dungeness crab vessel permit. A Trap Gear Retrieval Logbook shall identify the nonpayment of a Retriever Trap Fee by any Responsible Vessel Permitholder that would require the department to pursue a Lost or Abandoned Department Trap Fee on a per trap basis as specified in subsection 705(c) ("Department Trap Fee").
(1) All Responsible Vessel Permitholders shall pay the Department Trap Fee.
(2) By January 15 following the date of trap retrieval, any outstanding Department Trap Fee is considered late for a Responsible Vessel Permitholder and the department shall suspend the renewal and transferability of the associated Dungeness crab vessel permit. The suspension shall remain in effect until all outstanding Department Trap Fees have been paid by the Responsible Vessel Permitholder, consistent with Fish and Game Code Section 7852.2.

GENERAL FISHING LINES: FGC EXCERPTS

§9025.5. Troll Lines and Handlines; Definition; Districts Allowed

(a) Troll lines or handlines having not more than two hooks (plugs excepted) may be used in any district, and troll lines with more than two hooks may be used in Fish and Game Districts 6, 7, 10, 16, 17, 18, 19, and 19A, and that portion of Fish and Game District 11 west of the Golden Gate Bridge.
(b) "Troll line" means a line with one or more hooks towed by a vessel underway and making way.
(c) Notwithstanding subdivision (a), in that portion of Fish and Game District 10 in Tomales Bay south of a line extending 252 degrees magnetic from the western tip of Toms Point to the opposite shore, in that portion of Fish and Game District 11 east of the Golden Gate Bridge, and in Fish and Game Districts 12 and 13, commercial fishermen shall not use more than four troll lines or handlines at any time with not more than two hooks attached to each line, and when more than one commercial fisherman is aboard a vessel, not more than six lines with a maximum of two hooks per line may be fished aboard that vessel.

§9026. Set Line; Districts Allowed; Regulations

Set lines may be used in Districts 6, 7, 10, 17, 18, and 19. It is unlawful to use set lines with hooks more than 100 feet above the anchor or ocean bottom.

§9027. Use of Hooks and Lines on Vessel to Take Fish for Commercial Purposes

(a)(1) Notwithstanding Section 9026, 9028, or 9029, in the area described in subdivision (b), it is unlawful to use more than 150 hooks on a vessel to take a fish for commercial purposes when using fishing lines authorized pursuant to this article.
(2) In the area described in subdivision (b), not more than 15 hooks shall be attached to any one fishing line, and no fishing line shall be attached to another fishing line, while those lines are being used for commercial fishing pursuant to this article except that a single troll line with not more than 30 hooks may be used to take California halibut.
(3) Each fishing line used pursuant to this article that is not attached to a vessel fishing in the area described in subdivision (b) shall be buoyed and the commercial fishing license identification number issued pursuant to Section 7850 to the permittee who is using the fishing line shall be marked on, and visible on the upper one-half of each buoy, in numbers at least two inches high.
(b) This section applies only to waters within one mile of shore within Fish and Game Districts 6, 7, and 10, but not including ocean waters in Fish and Game District 7 between a line extending 203 degrees magnetic from Gitchell Creek and a line extending 252 degrees magnetic from False Cape in Humboldt County and not including ocean waters in Fish and Game District 10 between a line extending 245 degrees magnetic from the most westerly point of the west point of the Point Reyes headlands in Marin County and a line extending due west magnetic from Point Bolinas in Marin County.

§9027.5. Use of Hooks and Lines District 17, 18, 19

(a)(1) Notwithstanding Section 9026, 9028, or 9029 in the area described in subdivision (b), it is unlawful to use more than 150 hooks on a vessel to take fish for commercial purposes when using fishing lines authorized pursuant to this article.
(2) In the area described in subdivision (b), not more than 15 hooks shall be attached to any one fishing line, and no fishing line shall be attached to another fishing line, while those lines are being used for commercial fishing pursuant to this article.
(3) Each fishing line used pursuant to this article that is not attached to a vessel fishing in the area described in subdivision (b) shall be buoyed and the commercial fishing license identification number issued pursuant to Section 7852 to the permittee who is using the fishing line shall be marked on, and visible on the upper one-half of each buoy, in numbers not less than two inches in height.

(b) This section applies only to waters within one mile of the mainland shore in Fish and Game Districts 17, 18, and 19.
(c) Subdivision (a) does not apply to persons who are fishing south of a line extending due west from Point Conception and who are fishing for halibut, white sea bass, sharks, skates, or rays. The exemption in this subdivision does not apply if all of the fish possessed by persons aboard the vessel does not consist of at least 80 percent by number of halibut, white sea bass, sharks, skates, and rays.

§9028. Fishing Lines over 900 Feet in Length Prohibited; Exception

Notwithstanding Sections 8603 and 9025.5, it is unlawful to use fishing lines, including, but not limited to, troll lines and handlines more than 900 feet in length unless they are used as set lines pursuant to Sections 8601 and 9026 or they are used as part of deep-set buoy gear authorized under federal law.

§9029. Fishing Line Use in Districts 6, 7, 10, 17, 18, and 19

(a) Notwithstanding Section 9028, a fishing line which is anchored to the ocean bottom at one end and attached at the surface to a fishing vessel or a buoy may be used in Districts 6, 7, 10, 17, 18, and 19.
(b) A fishing line otherwise permitted pursuant to subdivision (a), may not be used under any of the following circumstances:
(1) To take shortfin mako (bonito) sharks, thresher sharks, swordfish, or marlin.
(2) If the fishing line exceeds 3,000 feet in length from the anchor to the surface vessel or buoy.
(3) If any hooks are attached to the upper one-third of the line.
(c) A buoy attached to the surface end of a fishing line used pursuant to subdivision (a) shall display above its waterline, in numerals at least two inches high, the fisherman's identification number. For purposes of this section and Section 8601.5, "fisherman's identification number" means the number of the person's commercial fishing license issued pursuant to Section 7850.

§9029.5. Use of Set Lines, Vertical Fishing Lines or Troll Lines Prohibited, District 7 or 10

Notwithstanding Sections 9025.5, 9026, and 9029, it is unlawful to use set lines, vertical fishing lines, or troll lines to take fish for commercial purposes within one mile of the nearest point of land on the mainland shore in Fish and Game District 7 or 10 from sunset on Friday to sunset on the following Sunday or from sunset of the day before a state recognized legal holiday until sunset on that holiday. For the purposes of this subdivision, a "set line" is a fishing line that is anchored to the bottom on each end and is not free to drift with the tide or current and a "vertical fishing line" is a fishing line that is anchored to the ocean bottom at one end and attached at the other end on the surface to a fishing vessel or a buoy. This section does not apply to the taking of salmon or California halibut for commercial purposes.

GENERAL GILL AND TRAMMEL NET

General gill permit holders are also subject to the provisions of §190, Title 14.General Gill/Trammel Net Permit

Required for the owner or operator of a currently registered commercial fishing vessel to use a gill or trammel net. At least one person aboard each commercial fishing vessel shall have a valid general gill net permit when engaged in operations authorized by the permit.

Renewal Requirements:
To qualify for a 2020-2021 General Gill/Trammel Net Permit, an applicant must have possessed a valid 2019-2020 General Gill/Trammel Net Permit.

Logbook Requirement: Gill and Trammel Net Log

Permit Transfers: Refer to FGC §8681.5

Other Restrictions
Any net or line that is anchored to the bottom on each end and is not free to drift with the tide or current is a set net or set line. Fyke, shrimp, or crab nets are not set nets (FGC §8601). Yellowtail and barracuda may be taken by gill nets with 3 1/2 inch mesh or greater, but may not be taken or possessed on boats carrying purse seine or round haul nets. (See Title 14 for fish taken in Mexican waters and brought into California under Commission regulations FGC §8623. §§28.25, 109, Title 14, of the CCR).

White seabass may be taken by gill or trammel nets with meshes of a minimum length of six inches, however, during the period from June 16 to March 14, inclusive, not more than 20 percent by number of a load of fish may be white seabass 28 inches or more in total length, up to a maximum of 10 white seabass per load, if taken in gill nets or trammel nets with meshes from 3 1/2 to 6 inches in length (FGC §8623).

FGC Excerpts

§8388. Angel shark; Size; Taking Requirements

(a) No female angel shark measuring less than 42 inches in total length or 15 ¼ inches in alternate length and no male angel shark measuring less than 40 inches in total length or 14 ½ inches in alternate length may be possessed, sold, or purchased, except that 10 percent of the angel sharks in any load may measure not more than ½ inch less than the minimum size specified herein.
(b) Angel shark total length shall be measured from the anterior end of the head to the tip of the tail while the fish is lying in a position of natural repose. When measuring total length, or alternate length, the tip of the tail may be laid flat against the surface of the measuring device. Angel shark alternate length shall be measured from the point where the leading edge of the first dorsal fin meets the back to the tip of the tail. Angel sharks may be constrained from lateral movement during measurement by restraining devices approved by the Department.
(c) Angel sharks taken in gill or trammel nets shall be landed (brought ashore) with at least one intact pelvic fin and the tail fin attached.

(d) Angel sharks taken in gill or trammel nets shall not be transferred to or from another vessel, except that angel sharks may be transferred to or from vessels with a Department observer on board. An observer shall observe and make a written record of that transfer.

§ 8599. White Shark Taking Restrictions

(a) It is unlawful to take any white shark (*Carcharodon carcharias*) for commercial purposes, except under permits issued pursuant to Section 1002 for scientific or educational purposes or pursuant to subdivision (b) for scientific or live display purposes.

(b) Notwithstanding subdivision (a), white sharks may be taken incidentally by commercial fishing operations using set gill nets, drift gill nets, or roundhaul nets. White shark taken pursuant to this subdivision shall not have the pelvic fin severed from the carcass until after the white shark is brought ashore. White shark taken pursuant to this subdivision, if landed alive, may be sold for scientific or live display purposes.

(c) Any white shark killed or injured by any person in self-defense may not be landed.

§8601. Set Net; Set Line

Any net or line used to take fish that is anchored to the bottom on each end and is not free to drift with the tide or current is a set net or set line. Any net so placed that it will catch or impound fish within a bight, bay, or estuary, or against the shore upon the receding of the tide is a set net. Fyke nets, shrimp nets, or crab nets are not set nets.

§8601.5. Set Net and Line Markers; Requirements

(a) Set nets and set lines shall be marked at both ends with buoys displaying above their waterlines, in numerals at least 2 inches high, the fisherman's identification number.

(b) Each piece or panel of a set net shall be marked along the corkline of the net, in a manner determined by the Department to adequately identify the net, with the fisherman's identification number. The distance between the markings shall not exceed 45 fathoms. If the lost or abandoned net is recovered by the Department or persons designated by the Department, the Commission may require the owner of the lost or abandoned net to pay for all recovery costs. The Commission may revoke the owner's set net permit issued pursuant to §8681 for failure to comply with this subdivision.

(c) If a person is unable to recover a set net or portion of a set net, the person shall contact one of the Department offices located in the City of Belmont, Monterey, Los Alamitos, or San Diego, not later than 72 hours after returning to port following the loss and shall report all of the following information:

(1) The date and time when the set net was lost.

(2) The location, including depth, where the net was lost.

(3) A description of the lost net, including the mesh size, length, height, and target species, and whether the anchors remain attached to the net.

(4) The name and fisherman's identification number of the person owning the net.

(5) The name and fisherman's number of the person fishing with the net, if different from paragraph (4).

(6) The name and California Fish and Game number of the vessel from which the lost net was being fished.

§8601.6. Footrope (Leadline) - Breaking Strength

(a) The footrope (leadline) of any set net shall have a breaking strength of at least 50 pounds less than the combined breaking strength of the headrope and corkline.

§8602. Mesh Lengths - Determining

The length of the meshes of any net shall be determined by taking at least four meshes and measuring them inside the knots or, in the case of knotless nets, inside the points at which the meshes are joined while they are simultaneously drawn closely together.

§8603. Taking Devices - Use Restrictions

It is unlawful to use or operate or assist in using or operating any net, trap, line, spear, or appliance, other than in connection with angling, in taking fish, except as provided in this chapter or Chapter 4 of this part.

§8604. Injure, Net, Trap, etc.

It is unlawful willfully to disturb or injure any net, trap, or other apparatus to take fish which is being legally used in the waters of this state.

This section does not apply to employees of the Department while they are engaged in the performance of their official duties.

§8607. Federal Groundfish Regulations - Persons and Equipment Subject To

It is unlawful for any person possessing or operating any type of net, trap, or line that is subject to federal groundfish regulations adopted pursuant to the Magnuson Fishery Conservation and Management Act (16 U.S.C., Sec 1801 et seq.) to possess or land any load of fish in violation of those federal groundfish regulations.

§8608. Restrictions for Use of Nets Near Piers, Wharfs, Jettys, Breakwaters, or Docks

Notwithstanding Sections 8660, 8665, 8724, and 8780, the Commission may, after a public hearing, when it determines that it is in the best interests of the state's marine resources and fisheries, adopt regulations, authorizing the use of nets not less than 75 feet from any private pier, wharf, jetty, breakwater, or dock, and restricting the use of the nets within 750 feet of any public pier. However, nothing in this section authorizes the Commission to adopt regulations which would extend beyond the maximum of 750 feet the area in which the use of nets is prohibited, as specified in Sections 8660, 8665, 8724, and 8780, or which would prohibit the use of any nets within 75 feet of any private pier, wharf, jetty, breakwater, or dock if that use of the net is permitted by law.

§8610.1. Purpose of Article

The Marine Resources Protection Act of 1990 (Art. XB, Cal. Const.) was adopted as an initiative constitutional amendment at the November 6, 1990, general election. This article codifies and implements that initiative constitutional amendment.

§8610.2. District; References to Sections, Article, Chapters, Parts, and Divisions; Ocean Waters; Zone

(a) "District" for the purposes of this article and of Article XB of the California Constitution means a Fish and Wildlife district as defined in this Code by statute on January 1, 1990.
(b) Except as specifically provided in this article, all references to sections, articles, chapters, parts, and divisions of this code are defined as those statutes in effect on January 1, 1990.
(c) "Ocean waters" means the waters of the Pacific Ocean regulated by the state.
(d) "Zone" means the Marine Resources Protection Zone established pursuant to this article. The zone consists of the following:
(1) In waters less than 70 fathoms or within one mile, whichever is less, around the Channel Islands, consisting of the Islands of San Miguel, Santa Rosa, Santa Cruz, Anacapa, San Nicolas, Santa Barbara, Santa Catalina, and San Clemente.
(2) The area within three nautical miles offshore of the mainland coast, and the area within three nautical miles off any manmade breakwater, between a line extending due west from Point Arguello and a line extending due west from Mexican border.
(3) In waters less than 35 fathoms between a line running 180 degrees true from Point Fermin and a line running 270 degrees true from the south jetty of Newport Harbor.

§8610.3. Gill and Trammel Nets - Time of Use in Zone

(a) From January 1, 1991, to December 31, 1993, inclusive, gill nets or trammel nets may only be used in the zone pursuant to a non–transferable permit issued by the Department of Fish and Wildlife pursuant to §8610.5.
(b) On and after January 1, 1994, gill nets and trammel nets shall not be used in the zone.

§8610.4. Gill and Trammel Nets - Other Zone Restrictions

(a) Notwithstanding any other provision of law, gill nets and trammel nets may not be used to take any species of rockfish.
(b) In ocean waters north of Point Arguello on and after November 7, 1990, the use of gill nets and trammel nets shall be regulated by the provisions of Article 4 (commencing with §8660), Article 5 (commencing with §8680) and Article 6 (commencing with §8720) of Chapter 3 of Part 3 of Division 6, or any regulation or order issued pursuant to these articles, in effect on January 1, 1990, except that as to §8680, 8681, 8681.7, and 8682, and subdivisions (a) through (f), inclusive of §8681.5, or any regulation or order issued pursuant to these sections, the provisions in effect on January 1, 1989, shall control where not in conflict with other provisions of this article, and shall be applicable to all ocean waters. Notwithstanding the provisions of this section, the Legislature shall not be precluded from imposing more restrictions on the use and/or possession of gill nets or trammel nets. The director shall not authorize the use of gill nets or trammel nets in any area where the use is not permitted even if the director makes specified findings.

§8610.11. Fish Obtained in Violation of this Article

It is unlawful for any person to take, possess, receive, transport, purchase, sell, barter, or process any fish obtained in violation of this article.

§8625. Net Mesh Sizes for Taking Halibut

(a) Except as otherwise provided in this code, set gill nets and trammel nets with mesh size of not less than 8 ½ inches may be used to take California halibut.
(b) Except as provided in subdivision (c), not more than 1,500 fathoms (9,000 feet) of gill net or trammel net shall be fished in combination each day for California halibut from any vessel in ocean waters.
(c) Not more than 1,000 fathoms (6,000 feet) of gill net or trammel net shall be fished in combination each day for California halibut from any vessel in ocean waters between a line extending due west magnetic from Point Arguello in Santa Barbara County and a line extending 172° magnetic from Rincon Point in Santa Barbara County to San Pedro Point at the east end of Santa Cruz Island in Santa Barbara County, then extending southwesterly 188° magnetic from San Pedro Point on Santa Cruz Island.
(d) This section shall become operative on August 15, 1989.

§8630. Public Nuisances; Net or Trap Used in Violation of this Code; Forfeiture

Any net or trap used for taking fish in violation of the provisions of this code is a public nuisance. It is the duty of every person authorized to make an arrest for such a violation to seize and keep the net and report the seizure to the Department.
The Department may commence proceedings in the superior court of the county or city and county in which the seizure is made by petitioning the court for a judgment forfeiting the net. Upon the filing of the petition, the clerk of the court shall fix a time for a hearing and cause notices to be posted for 14 days in at least three public places in the place where the court is held, setting forth the substance of the petition and the time and place fixed for its hearing. At that time, the court shall hear and determine the proceeding and, upon proof that the net was used in violation of this code shall order it forfeited. Any net so forfeited shall be sold or destroyed by the Department. The proceeds from all those sales shall be paid into the Fish and Wildlife Preservation Fund.

§8660. Use Within 750 Feet of Pier, Wharf, Jetty, or Breakwater; Exception

Nothing in this chapter authorizing the use of nets in District 19 or l9A shall authorize the use of any net within 750 feet of any pier, wharf, jetty, or breakwater, except that dip nets may be used subject to the provisions of §8870.

§8661. Districts 19A and 20; Restrictions for Vessels Carrying Nets

Vessels may carry nets across Districts l9A and 20 to open water outside those districts. Vessels carrying nets may enter harbors in Districts l9A and 20 only in cases of distress or emergency.

§8663. Nets Restrictions and Types

No gill net, trammel net, or fyke net may be possessed on any boat in the waters of any district lying upstream from a line drawn between Antioch Point and the westerly tip of Kimball Island and from a line drawn from Point Sacramento across the stream and touching the most easterly point on Montezuma Island.

§8664. Districts 6 and 7; Net Violations

Except in Districts 6 and 7, any net found in, or within 500 feet of the Klamath, Smith, Eel, Mad, Van Dusen, or Mattole Rivers, or their tributaries, is prima facie evidence that the owner or person in possession of the nets is or has been using it unlawfully.

The provisions of this section do not apply to trawl or drag nets being transported.

§8664.5. Gill and Trammel Net Prohibitions, etc.

(a) Notwithstanding Sections 8693 and 8724, gill nets and trammel nets shall not be used in those portions of District 17 between a line extending 220° magnetic from the mouth of Waddell Creek in Santa Cruz County and a line extending 252° magnetic from Yankee Point, Carmel Highlands, in Monterey County in waters 30 fathoms or less in depth at mean lower low water.

(b) Notwithstanding Sections 8693 and 8724, gill nets and trammel nets shall not be used in that portion of District 18 north of a line extending due west from Point Sal in Santa Barbara County in waters 30 fathoms or less in depth at mean lower low water.

(c) Notwithstanding Sections 8693 and 8724, any person using gill or trammel nets in those portions of Districts 17 and 18 from a line extending 220° magnetic from the mouth of Waddell Creek in Santa Cruz County to a line extending due west from Point Sal in Santa Barbara County in waters between 30 fathoms and 40 fathoms in depth at mean lower low water shall comply with all of the following requirements in order to ensure adequate monitoring of fishing effort to protect marine mammals:

(1) Prior to the use, the person shall notify the Department that gill nets or trammel nets will be set in the area.

(2) The person shall give adequate notification, as determined by the Department, to the Department at its office in Monterey or Morro Bay at least 24 hours prior to each fishing trip to ensure full compliance and cooperation with the monitoring program. The Department may require that an authorized monitor be on board the vessel. The Department shall determine whether on board, at sea, or shoreside monitoring is appropriate. If the authorized monitor is not on board the fishing vessel, the fishing vessel operator and the authorized monitor shall make every effort to remain in radio contact if the radio equipment is made available to the monitor.

(3) To ensure the effectiveness of the monitoring program, gill nets, and trammel nets may be set or pulled only between one–half hour after sunrise and one–half hour before sunset.

(4) A permit may be revoked and canceled pursuant to §8681 for failure to comply with the Department's notification and monitoring requirements.

(d) If the director determines that the use of gill or trammel nets is having an adverse impact on any population of any species of seabird, marine mammal, or fish, the director shall issue an order prohibiting or restricting the use, method of use, size, or materials used in the construction of either or both types of those nets in all or any part of District 10 or 17, or in all or any part of District 18 north of a line extending due west from Point Conception in Santa Barbara County for a specified period. The order shall take effect no later than 48 hours after its issuance. The director shall hold a properly noticed public hearing in a place convenient to the affected area within one week of the effective date of the order to describe the action taken and shall take testimony as to the effect of the order and determine whether any modification of the order is necessary.

(e) For purposes of this section, "adverse impact" means either of the following:

(1) The danger of irreparable injury to, or mortality in, any population of any species of seabird, marine mammal, or fish which is occurring at a rate that threatens the viability of the population as a direct result of the use of gill nets or trammel nets.

(2) The impairment of the recovery of a species listed as an endangered species or threatened species pursuant to the federal Endangered Species Act (16 U.S.C. Sec. 1531 et seq.) or the California Endangered Species Act [Chapter 1.5 (commencing with §2050) of Division 3] or a species of seabird, marine mammal, or fish designated as fully protected under this code, as a direct result of the use of gill nets or trammel nets.

(f) This section does not apply to any gill net with meshes 3½ inches or less in length in any portion of District 18 between Yankee Point in Monterey County and Point Sal in Santa Barbara County.

(g) The Legislature finds and declares that this section, as amended by Chapter 884 of the Statutes of 1990, and as amended by the act that amended this section during the 1992 portion of the 1991–92 Regular Session, is more restrictive on the use and possession of gill nets and trammel nets than the version of this section in effect on January 1, 1990, and therefore complies with §8610.4, and §4 of Article XB of the California Constitution.

§8664.7. Effective Period of Order Issued Pursuant to Section 8664.5(c)

The initial period of effectiveness of an order issued pursuant to subdivision (c) of §8664.5 shall not exceed 120 days. After a further public hearing, the director may, on the basis of a report prepared by the Department on the condition of the local population of any species of seabird, marine mammal, or fish, extend the order for a further specified period or reissue the order for a further specified period.

§8664.8. Where Nets are Prohibited

(a) Notwithstanding sections 8685, 8687, 8696, and 8724, and except as provided in subdivisions (c) and (d), set or drift gill or trammel nets shall not be used in ocean waters between a line extending 245° magnetic from the most westerly point of the west point of the Point Reyes headlands in Marin County and the westerly extension of the California–Oregon boundary.

(b)(1) Notwithstanding sections 8664.5, 8687, 8696, and 8724, set or drift gill or trammel nets shall not be used in waters which are 40 fathoms or less in depth at mean lower low water between a line extending 245° magnetic from the most westerly point of the west point of the Point Reyes headlands in Marin County and a line extending 225° magnetic from Pillar Point at Half Moon Bay in San Mateo County.

(2) Notwithstanding sections 8664.5, 8687, 8696, and 8724, set or drift gill or trammel nets shall not be used in ocean

waters which are 60 fathoms or less in depth at mean lower low water between a line extending 225° magnetic from Pillar Point at Half Moon Bay in San Mateo County to a line extending 220° magnetic from the mouth of Waddell Creek in Santa Cruz County.
(c) Subdivisions (a) and (b) do not apply to the use of drift gill nets operated under a permit issued by the Department in that part of Arcata Bay in Humboldt County lying northeast of the Samoa Bridge during the period from April 1 to September 30, inclusive. The Department may issue not more than six permits pursuant to this subdivision. Each permit shall specify the amount and type of gear which may be used under the permit.
(d) Subdivisions (a) and (b) do not apply to the use of set gill nets used pursuant to Article 15 of Chapter 2 of Part 3 of Division 6 or regulations adopted under that article or to the use of drift gill nets with a mesh size of 14 inches or more.
(e)(1) Notwithstanding subdivision (b) and Sections 8687, 8696, and 8724, gill or trammel nets shall not be used within three nautical miles of the Farallon Islands in San Francisco County, and within three nautical miles of Noonday Rock buoy located approximately 3½ miles 276° magnetic from North Farallon Island.
(2) If the director determines that the use of set or drift gill or trammel nets is having an adverse impact on any population of any species of sea bird, marine mammal, or fish, the director shall issue an order prohibiting the use of those nets between three nautical miles and five nautical miles of the Farallon Islands and Noonday Rock Buoy or any portion of that area. The order shall take effect no later than 48 hours after its issuance. The director shall hold a properly noticed public hearing in a place convenient to the affected area within one week of the effective date of the order to describe the action taken and shall take testimony as to the effect of the order and determine whether any modification of the order is necessary. Gill and trammel nets used to take fish in District 10 shall be marked at each end with a buoy displaying above its waterline in Arabic numerals at least two inches high, the fisherman's identification number issued by the Department under §7852. Nets shall be marked at both ends and at least every 250 fathoms between the ends with flags of the same color and at least 144 square inches in size, acceptable to the Department.
(f) The Legislature finds and declares that this section, as amended by Chapter 1633 of the Statutes of 1990, is more restrictive on the use and possession of gill nets and trammel nets than the version of this section in effect on January 1, 1990, and therefore complies with §8610.4, and §4 of Article XB of the California Constitution.

§8664.13. Nets; Dates and Depths; Strengths; Anchors

During the period from December 15 to May 15, inclusive, set gill nets and trammel nets with mesh eight inches or greater and less than 12 inches used in ocean waters 25 fathoms or less in depth between a line extending due west magnetic from Point Conception and the westerly extension of the boundary line between the Republic of Mexico and the United States shall be constructed with breakaway and anchoring features, as follows:
(a) The corkline and any other line which may extend across the top of the net shall have a combined breaking strength not to exceed 2,400 pounds.
(b) A breakaway device shall be used along the corkline (headrope) and along the leadline (footrope) at regular intervals of 45 fathoms or less.
(c) Each breakaway or disconnect device shall be constructed as described in either of the following:
(1) Of nylon twine, or an equivalent material, with a breaking strength of 200 pounds or less, using not more than eight complete circular (360) wraps of the twine to connect the ends of each corkline and leadline interval, which allows each breakaway or disconnect device a breaking strength of not more than 1, 600 pounds.
(2) As the Department may otherwise authorize.
(d) Anchors used to secure each end of the net to the ocean bottom shall weigh not less than 35 pounds each, and shall be attached to the net by a ground rope and bridle with combined length of not less than 15 fathoms from the anchor to the net.

§8665. District 118.5; Use of Nets Near Piers

In District 118.5, nets may not be used within 750 feet of any pier or dock, except for bait nets described in §8780 used to capture live bait and lobster traps authorized for use pursuant to §9010.

§8681. Gill and Trammel Net Permits; Logbook Maintenance; Punishment for Violations

(a) Gill nets or trammel nets shall not be used for commercial purposes except under a revocable nontransferable permit issued by the Department. Each permittee shall keep an accurate record of his fishing operations in a logbook furnished by the Department. The Commission may suspend, revoke, or cancel a permit, license, and commercial fishing privileges pursuant to §7857. A permit may be revoked and canceled for a period not to exceed one year from the date of revocation.
(b) In accordance with §4 of Article XB of the California Constitution, this section contains the provisions in effect on January 1, 1989.

§8681.5. New Net Permits

(a) The Department shall issue no new gill net or trammel net permits under §8681. However, the Department may renew an existing, valid permit issued under §8681, under regulations adopted pursuant to §8682 and upon payment of the fee prescribed under §8683.
(b) Notwithstanding subdivision (a) or §8681, any person who has an existing, valid permit issued pursuant to §8681, and presents to the Department satisfactory evidence that he or she has taken and landed fish for commercial purposes in at least 15 of the preceding 20 years, may transfer that permit to any person otherwise qualified under the regulations adopted pursuant to §8682 upon payment of the fee prescribed under §8683.
(c) The fee collected by the Department for the transfer of a gill and trammel net permit issued pursuant to §8682 shall not exceed the cost of the permit fee as prescribed under §8683.
(d) For purposes of subdivision (b), the death of the holder of

the permit is a disability which authorizes transfer of the permit by that person's estate to a qualified fisherman pursuant to §8682. For purposes of a transfer under this subdivision, the estate shall renew the permit, as specified in §8681, if the permittee did not renew the permit before his or her death. The application for transfer by that person's estate shall be received by the Department, including the name, address, and telephone number of the qualified fisherman to whom the permit will be transferred, within one year of the date of death of the permit holder. If no transfer is initiated within one year of the date of death of the permit holder, the permit shall revert to the Department for disposition pursuant to §8681.
(e) Any active participant who becomes disabled in such a manner that he or she can no longer earn a livelihood from commercial fishing may transfer his or her permit as provided under this section.
(f) The Legislature finds and declares that this section, as amended by Chapter 94 of the Statutes of 1992, is more restrictive on the use and possession of gill nets and trammel nets than the version of this section in effect on January 1, 1989, and therefore complies with §8610.4, and §4 of Article XB of the California Constitution.

§8682. Eligibility for Permit Transfer or Drawing for Permit; Net Crewmember Permit
(a) The Commission shall establish regulations for the issuance of gill net and trammel net permits as necessary to establish an orderly gill net and trammel net fishery. In promulgating regulations, the Commission shall consider recommendations of the gill net and trammel net advisory committee created pursuant to subdivision (b). The regulations shall include, but are not limited to, a requirement that persons being granted a permit have had previous experience as a crewmember of a vessel using gill nets or trammel nets or have successfully passed a proficiency test administered by the Department, under such regulations as the Commission shall prescribe.
(b) The director shall establish an advisory committee, consisting of fishermen experienced in the use of gill nets and trammel nets, to advise the Department in developing regulations to be proposed to the Commission governing the use of gill nets and trammel nets.
(c) In accordance with §4 of Article XB of the California Constitution, this section contains the provisions in effect on January 1, 1989.

§8684. Incidental Catch of Swordfish or Marlin
No incidental catch of swordfish or marlin is authorized by this article. Any swordfish or marlin caught incidentally by a gill or trammel net permittee operating under a permit issued pursuant to §8681 shall be delivered to the Department. A permit issued pursuant to §8681 shall be revoked for conviction of a violation of this section.

§8685. Gill Net Possession Restricted on Boat
In Districts 1, 2, and 3, gill nets may not be possessed on any boat

§8685.5. Unlawful to Take Salmon, Steelhead, or Striped Bass with Gill Nets
Notwithstanding any other provision of law, gill nets may not be used to take salmon, steelhead or striped bass.

§8685.6. Sell Salmon, Steelhead, or Striped Bass Taken with a Gill Net
It is unlawful to sell or possess for sale any salmon, steelhead, or striped bass which were taken in California waters by the use of a gill net.

§8685.7. Purchase Salmon, Steelhead, or Striped Bass Taken with a Gill Net
It is unlawful for any person to knowingly purchase any salmon, steelhead, or striped bass which were taken in California waters by the use of a gill net. For the purpose of this section, "person" includes a broker who purchases salmon, steelhead, or striped bass which were unlawfully taken by gill net for the purpose of reselling those fish.

§8687. Use of Drift Gill Nets in Districts 6, 7, 8, 9, and 10.
Except as otherwise provided in this code, drift gill nets may be used in Districts 6, 7, 8, 9, and 10.

§8688. Use of Gill Nets in Districts 11, 12, and 13.
In Districts 11, 12, and 13, gill nets may be used to take only herring, subject to Article 15 (commencing with §8550) of Chapter 2. No gill net may be possessed on any boat in Districts 11, 12, and 13, except by persons possessing a valid permit aboard boats specifically authorized to take herring during the open seasons established by the Commission.

§8691. Take Rockfish or Lingcod; Net Requirements and Locations
Set gill nets and trammel nets with mesh smaller than 4 1/8 inches shall not be used or possessed on any boat taking rockfish or lingcod in ocean waters between a line extending 245° magnetic from the most westerly point of the Point Reyes headlands and a line extending 250° magnetic from the Pigeon Point Lighthouse.

§8692. Take Rockfish or Lingcod - Specific Waters Unlawful
Notwithstanding §8693, it is unlawful to use gill nets to take rockfish or lingcod in the following waters:
(a) Between a line running 240° magnetic from Santa Cruz Point and a line running 240° magnetic from Point Sur lighthouse in Monterey County in waters 100 fathoms or less in depth.
(b) Between a line running 240° magnetic from Point Sur lighthouse and a line running 240° magnetic from Pfeiffer Point in Monterey County in waters 75 fathoms or less in depth.

§8692.5. Lingcod Net Length; Legislative Findings and Declaration
(a) Not more than 1,250 fathoms (7,500 feet) of gill net or trammel net shall be fished in combination each day from any vessel for lingcod in ocean waters.
(b) The Legislature finds and declares that this section, as

amended by this act at the 1991–92 Regular Session of the Legislature, is more restrictive on the use and possession of gill nets and trammel nets than the provisions in effect on January 1, 1990, and therefore complies with §8610.4, and §4 of Article XB of the California Constitution.

§8693. Use in Districts 17, 18, 19, and 20A.
(a) Except as otherwise provided in this code, drift gill nets and set gill nets may be used in Districts 17, 18, 19, and 20A, except for the taking of salmon.
(b) Rockfish and lingcod may be taken with drift gill nets and set gill nets in Districts 17, 18, 19, and 20A, subject to the following restrictions:
(1) Rockfish and lingcod shall not be taken between a line running due west magnetic from the lighthouse at Point Piedras Blancas and a line running due west magnetic from Point Sal in water less than 40 fathoms.
(2) Rockfish and lingcod shall not be taken between a line running 250° magnetic from the Pigeon Point Lighthouse and a line running 240° magnetic from Point Santa Cruz, inside 40 fathoms, by means of drift gill nets or set gill nets which have mesh smaller than 5½ inches.
(3) Drift gill nets and set gill nets shall not be used nor shall they be possessed on any boat taking rockfish and lingcod with mesh smaller than 4 1/8 inches when used in Districts 17 and 18 north of Point Buchon, or with mesh smaller than 4 1/8 inches when used in District 18 south of Point Buchon, or in District 19. Drift gill nets and set gill nets used or possessed on any boat taking rockfish and lingcod in District 17, 18, or 19, shall not be constructed of twine larger than number 6 nylon, except that the bottom 15 meshes may be constructed of heavier twine.
(4) In District 18 south of Point Sal and in District 19, drift gill nets and set gill nets shall not be used to take rockfish and lingcod with the mesh of the net in waters less than 70 fathoms in depth, except that those nets shall not be used in waters less than 100 fathoms in depth at the Sixty Mile Bank.
(5) Loads or lots of fish taken in the areas described in paragraphs 1 to 4, inclusive, may contain 200 pounds or less of rockfish and lingcod in combination, but in no instance more than 100 pounds of rockfish.
(6) Gill nets shall not be used to take rockfish in District 20A.

§8694. Prohibited use or possession in District 19A
In District 19A, gill nets may not be used, nor may they be possessed on any boat.

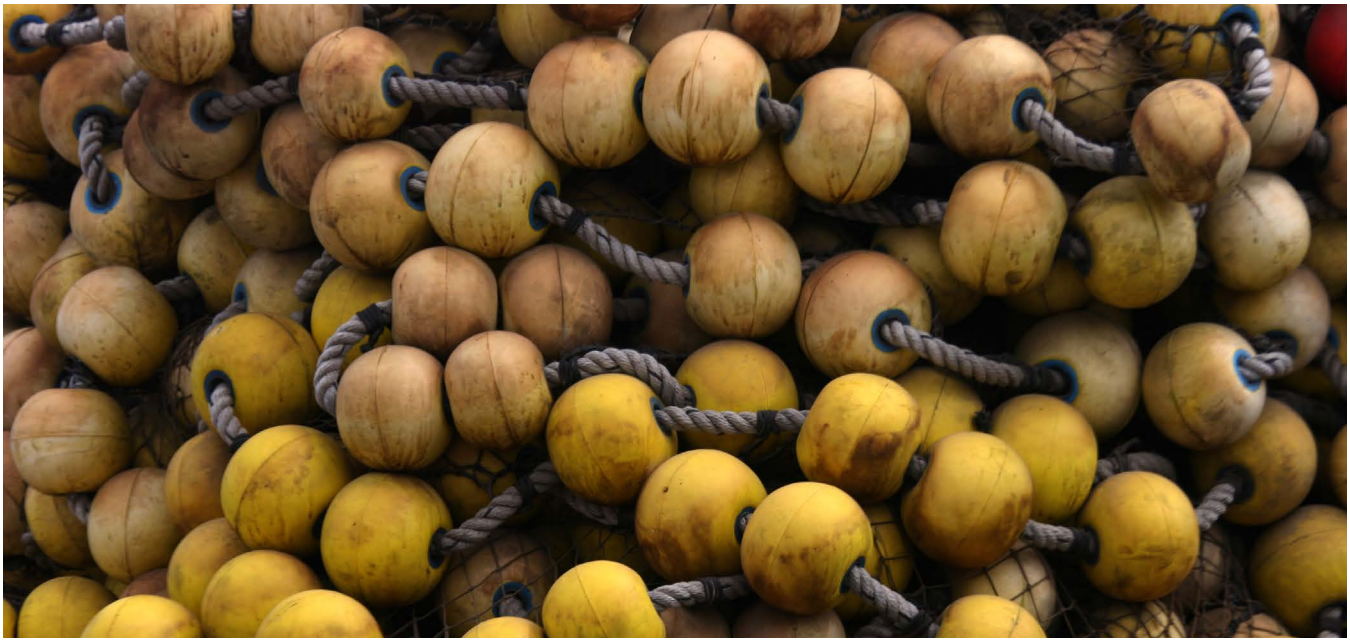
§8696. Use of Gill Nets - Western Point of Point Reyes Headlands; Exception
Except as otherwise provided, set gill nets may be used south of a line extending 245° magnetic from the western point of the Point Reyes headlands in Marin County except for the taking of salmon.

§8700. Gill Net Becoming Trammel net
Any line used on a gill net which shall tend to cause the webbing of such gill net to bag or hang slack shall cause such net to lose its identity as a gill net and become a trammel net.

§8720. Trammel net
"Trammel net" includes entangling nets constructed of more than one wall of webbing.

§8724. Use of Drift and Set Trammel Nets in Districts 10, 17, 18, and 19
(a) Except as otherwise provided, in Districts 10, 17, 18, and 19, drift and set trammel nets may be used if the meshes are at least 8 ½ inches in length, except that these nets may not be used in District 18 within 750 feet of any pier or jetty, nor may they be used for the taking of salmon.

§8725. Use or Possess in Boat Trammel Nets in District 19A
In District 19A, trammel nets may not be used, nor may they be possessed on any boat.



Title 14 Excerpts
§104.1. Closures
Except as provided in Fish and Game Code §8664.5(f), at no time may gill or trammel nets be used in ocean waters which are 60 fathoms or less in depth at mean lower low water, in the area between a line extending 261° true (245° magnetic) from the most westerly point of the west point of the Point Reyes headlands in Marin County to a line extending due west (270° true; 245° magnetic) from Point Arguello, Santa Barbara County.

§ 174. Permit to Use Gill Nets or Trammel Nets for Commercial Purposes
(a) Permit Required.
(1) The owner or operator of a vessel using a gill net or trammel nets shall have obtained a valid gill net/trammel net permit and shall be in possession of said permit when engaged in gill netting or trammel netting activities except as provided under subsection (i). Pursuant to Fish and Game Code Section 7857(c), the permittee shall be present when fish are being taken, possessed aboard a boat, or landed for commercial purposes.
(2) To Whom Issued. The department shall issue permits to the owner or operator of a currently registered commercial fishing vessel who has qualified pursuant to subsection (b).
(b) Qualifications for the Permit. To qualify for a permit, an applicant shall:
(1) Have worked as a crewmember for at least 12 months on vessels using gill nets or trammel nets and shall have worked at least 180 days at sea on such vessels; or
(2) Pass a proficiency examination administered by the department. The proficiency examination shall include written and performance tests which demonstrate knowledge of the proper use of gill nets or trammel nets.
(3) Prove to the director's satisfaction that as the owner or operator of a legally registered commercial fishing vessel, he has landed at least 10,000 pounds of fish during a 12-month period, or has landed fish during a 12-month period for which he was paid at least $10,000. Only landings of fish caught by the use of gill nets or trammel nets shall be used to satisfy the catch requirements of this subsection; or
(4) Prove to the director's satisfaction that as the owner or operator of a legally registered commercial fishing vessel, he has landed at least 1,000 pounds of fish taken in gill nets or trammel nets in 4 of the 5 license years prior to the date of application; or
(5) Have possessed a permit issued pursuant to this section during the previous season and shall have complied with subsection (f) of these regulations.
(6) Only landings and crewmember experience occurring during the five year period prior to the date of application shall be used to meet the requirements of subsection (b). The applicant shall supply documentation that he was a legally licensed commercial fisherman when he made the required landings or met the crewmember experience requirements. Crewmember experience shall be documented by fishing records submitted to the department as required by subsection (f), or by a notarized document signed by the owner or operator of vessels on which the applicant has completed the required experience. Landings of fish shall be verified by the submission of copies of landing receipts.
(c) Limitations of Permit. Permits must be renewed annually.
(d) Permit Renewal. Beginning April 1, 2009, and thereafter, applications for renewal of gill net/trammel net permits shall be received by the department, or if mailed, postmarked, on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.
(e) Cost of Permit. See section 8683 of the Fish and Game Code.
(f) Records. Pursuant to Section 190 each permittee shall complete and submit a fishing activity record of all gill net and trammel net fishing activities on a logbook [Gill and Trammel Net Log, DFG 174 (10/89), see Appendix A] provided by the department.
(1) Any permittee targeting highly migratory species, as described in Section 1.49, and using drift gill net gear with a minimum 14-inch or greater mesh size, as described in Fish and Game Code Section 8573, is exempt from the logbook requirement.
(g) Conditions of Permit. Provisions of the Fish and Game Code relating to commercial fish except as modified by the provisions of these regulations, shall be a condition of all permits to be fully performed by the holders thereof, their agents, servants, employees or those acting, under their direction or control.
(h) Revocation. As specified in Fish and Game Code Section 8681, the commission may suspend, revoke, or cancel a permit, license, and commercial fishing privileges pursuant to Fish and Game Code Section 7857.
(i) Exemptions from Permit. The owner or operator of a vessel operating under a permit issued pursuant to section 163 of these regulations is not required to possess the permit authorized by this section.

GHOST SHRIMP

Title 14 Excerpts
§120.6. Use of Powered Equipment of the Type, Size and Specifications Hereinafter Noted to Take Crustaceans
Powered equipment may be used to take only *Callianassa affinis, Callianassa californiensis, and Callianassa giga* (commonly called ghost shrimp) under the following conditions:
(a) Powered equipment is a hand operated hydraulic pump or a pump driven by an engine not to exceed 5 horsepower. Intake and outlets of suction and hydraulic nozzles shall not be in excess of an inside diameter of 2 inches. The hydraulic nozzle shall not be longer nor extended into any tideland sands to a depth greater than 3 feet, and all engine-driven pumps shall have a shut-off valve at the nozzle.
(b) Each person operating or assisting in operating such equipment will be required to possess a commercial fishing license and a permit as provided by this section.
(c) Permits may contain additional terms and conditions, including areas of use, as prescribed by the Department of Fish and Wildlife. The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.
(d) Powered equipment may be used on intertidal areas, that is, between high water and low water marks, except powered equipment shall not be used in Tomales Bay, Bodega Harbor

or Bolinas Lagoon. In Morrow Bay engine-driven hydraulic pumps may not be used south of a line running 230 magnetic from the public boat ramp at the south end of the Embarcadero.
(e) Holes created in the mudflat surface by engine-driven pumps shall not exceed 8 feet in any horizontal dimension, nor more than 12 inches in depth.
(f) Mollusks and crustaceans, other than ghost shrimp, exposed or hydraulically sluiced to the surface, shall be returned immediately to their natural habitat, and no fish, mollusks or crustaceans, other than ghost shrimp shall be possessed by the permittee at any time during pumping operations or while traveling to or from pumping operations.
(g) Any right or privilege granted thereunder is subject to revocation by the Fish and Game Commission at any time.
(h) All provisions of the following numbered sections of the Fish and Game Code shall be a condition of all permits to be fully performed by the holders thereof, viz: 7700-7855, 8010-8024, 8250-8283, 8603, 8630-8634, 9050-9053. All section numbers are inclusive.
(i) Permits shall only be issued upon the conditions contained in the application and signed by the applicant that he has read, understands, and agrees to be bound by all terms of the permit.
(j) Any permit may be revoked or suspended for a period fixed by the commission, upon the breach or violation of the terms of the permit, or any of the foregoing sections of the Fish and Game Code, or any of these regulations, or if, in the opinion of the department, the resource is endangered. Any person who has had his permit revoked may be required to appear before the Fish and Game Commission when applying for a new permit. For a period of not more than one year, the commission may defer action upon the application of any person who uses powered equipment to take ghost shrimp without first having secured a permit under these regulations.

GOLDEN, SPOT, AND RIDGEBACK PRAWN

Golden, spot and ridgeback prawn permit holders are also subject to the provisions of §§120, 150.06, 189, 190, Title 14.

FGC Excerpts

§8590. Prawns; Shrimp

For the purposes of this article, "prawns" or "shrimp", or both, include all of the following species:
(a) Spot prawn (*Pandalus platyceros*).
(b) Ridgeback prawn (*Sicyonia ingentis*).
(c) Coonstripe prawn (*Pandalus danae*).
(d) Pacific ocean shrimp (*Pandalus jordani*).
(e) Bay Shrimp (*Crangon franciscorum* and *Crangon* sp.).
(f) Red rock shrimp (*Lysmata californica*).

§8591. Take for Commercial Purposes

Prawns or shrimp may be taken for commercial purposes under the regulations of the Commission.

§8593. Areas for Taking

Except as provided in this article, prawns or shrimp may be taken in any waters of the state.

§8594. Depth Minimum for Taking

From Point Conception south to the Mexican border, prawns or shrimp may be taken with prawn or shrimp traps only in waters 50 fathoms or greater in depth.

§8595. Trawl Nets; Use and Restrictions

(a) Prawns or shrimp may be taken for commercial purposes with a trawl net, subject to Article 10 (commencing with §8830) of Chapter 3, or in either a prawn trap or a shrimp trap, subject to Article 1 (commencing with §9000) of Chapter 4.
(b) No other species shall be taken in a prawn trap or a shrimp trap. Any other species taken incidentally with a prawn trap or a shrimp trap shall be immediately released.

§8830. Trawl Net

"Trawl net" means a cone or funnel–shaped net which is towed or drawn through the water by a fishing vessel and includes any gear appurtenant to the net. Except as otherwise provided in this article, the use of trawl nets shall conform to federal groundfish regulations adopted pursuant to the Magnuson Fishery Conservation and Management Act (16 U.S.C., Sec. 1801 et seq.).

§8834. Crab Limit

It is unlawful to take or possess more than 500 pounds of crabs on any boat on which any type of trawl or drag net is carried or operated.

§8834.1. Salmon; Take or Possess on Vessel With Trawl Nets

It is unlawful for any person to possess salmon on board, or to land salmon from, a vessel on which exists any type of trawl net, except that salmon taken incidentally with other species with a trawl net may be possessed and landed if authorized to be taken incidentally pursuant to §663.10 of Part 663 of Title 50 of the Code of Federal Regulations, pursuant to a permit issued by the Commission under §8606, or pursuant to both.
AB 1573 (also known as the California Fisheries Innovation Act of 2018) was passed in 2018, which repealed the experimental gear permit provisions in Section §8606 and added new Section §1022 to Fish and Game Code effective Jan 1, 2019.

§8834.5 . Crab; Take or Possess on Vessel With Trawl Nets

South of a line extending due west, true, from Point Reyes, it is unlawful for any person on a vessel on which any type of trawl or drag net is carried or operated to take or possess Dungeness crab, as defined in Section 8275, or to transfer Dungeness crab to another vessel.

§8837. Use of Bag or Cod-end Net

It is unlawful to use or possess any trawl net that includes any bag or cod–end or modification thereof, other than a bag or cod–end of a single layer of webbing, except as authorized by §8496 or by the Commission.

§8840. Chafing Gear; Requirements

Chafing gear may be used or possessed but shall not be con-

nected directly to the terminal, or closed, end of the cod–end. Except for chafing gear prescribed under federal groundfish regulations adopted pursuant to the Magnuson Fishery Conservation and Management Act (16 U.S.C., Sec. 1801 et seq.), all chafing gear shall have a minimum mesh size of six inches, unless only the bottom one–half, or underside, of the cod–end is covered by chafing gear, which may be of any size mesh.

§8841. Commission Authority; Use of Bycatch Reduction Device Required; Unlawful Activities

(a) The Commission is hereby granted authority over all state–managed bottom trawl fisheries not managed under a federal fishery management plan pursuant to the Magnuson–Stevens Fishery Conservation and Management Act (16 U.S.C. Sec. 1801 et seq.) or a state fishery management plan pursuant to the Marine Life Management Act (Chapter 1052 of the Statutes of 1998), to ensure that resources are sustainably managed, to protect the health of ecosystems, and to provide for an orderly transition to sustainable gear types in situations where bottom trawling may not be compatible with these goals.

(b) The Commission is hereby granted authority to manage all of the fisheries described in subdivision (a) in a manner that is consistent with the requirements of this section and in accordance with the requirements of Part 1.7 (commencing with §7050), including, but not limited to, the following:

(1) California halibut.

(2) Sea cucumber.

(3) Ridgeback, spot, and golden prawn.

(4) Pink shrimp.

(c) The Commission is also granted authority over other types of gear targeting the same species as the bottom trawl fisheries referenced in subdivision (a) to manage in a manner that is consistent with the requirements of Part 1.7 (commencing with §7050).

(d) Every commercial bottom trawl vessel issued a state permit is subject to the requirements and policies of the federal groundfish observer program (50 C.F.R. 660.360).

(e) The Commission may not authorize additional fishing areas for bottom trawls, unless the Commission determines that adequate evidence establishes that additional fishing areas are sustainable, do not harm bottom habitat, and do not reasonably conflict with other users.

(f) It is unlawful to use roller gear more than eight inches in diameter.

(g) Commencing April 1, 2006, it is unlawful to fish commercially for prawns or pink shrimp, unless an approved bycatch reduction device is used with each net. On or before April 1, 2006, the commission shall approve one or more bycatch reduction devices for use in the bottom trawl fishery. For purposes of this subdivision, a rigid grate fish excluder device is the approved type of bycatch reduction device unless the commission, the Pacific Marine Fishery Management Council, or the National Marine Fisheries Service determines that a different type of fish excluder device has an equal or greater effectiveness at reducing bycatch. If the commission does not approve a bycatch reduction device prior to April 1, 2006, then a device that is approved by the Pacific Marine Fishery Management Council or the National Marine Fisheries Service shall be deemed approved by the commission.

(h) Except as provided in §8495 or 8842, it is unlawful to engage in bottom trawling in ocean waters of the state.

(i) This section does not apply to the use of trawl nets pursuant to a scientific research permit.

(j) The Commission shall facilitate the conversion of bottom trawlers to gear that is more sustainable if the Commission determines that conversion will not contribute to overcapacity or overfishing. The Commission may participate in, and encourage programs that support, conversion to low–impact gear or capacity reduction by trawl fleets. The Department may not issue new permits to bottom trawlers to replace those retired through a conversion program.

(k) As soon as practicable, but not later than May 1, 2005, the Commission and the Department shall submit to the Pacific Fishery Management Council and the National Marine Fisheries Service a request for federal management measures for the pink shrimp fishery that the Commission and the Department determine are needed to reduce bycatch or protect habitat, to account for uncertainty, or to otherwise ensure consistency with federal groundfish management.

(l) No vessel may utilize bottom trawling gear without a state or federal permit.

§8842. Take Shrimp - Trawl Nets

(a) Trawl nets of a design prescribed by the Commission may be used or possessed to take shrimps or prawns under a permit issued by the Department under regulations adopted by the Commission. Sections 8831, 8833, 8835, and 8836 do not apply to trawl nets used or possessed under a permit issued pursuant to this section.

(b) Trawling for shrimps or prawns shall be authorized only in those waters of Districts 6, 7, 10, 17, 18, and 19 that lie not less than three nautical miles from the nearest point of land on the mainland shore, and all offshore islands and the boundary line of District 19A, except that in waters lying between a line extending due west from False Cape and a line extending due west from Point Reyes, trawling is allowed not less than two nautical miles from the nearest point of land on the mainland shore until January 1, 2008.

(c) When fishing for pink shrimp (Pandalus jordani) under a permit issued pursuant to this section, it is unlawful to possess in excess of 1,500 pounds of incidentally taken fish per calendar day of a fishing trip, except Pacific whiting, shortbelly rockfish, and arrowtooth flounder, which may be taken in any amount not in excess of federal regulations. No Pacific halibut and not more than 150 pounds of California halibut shall be possessed or landed when fishing under a permit issued pursuant to this section. When fishing for ridgeback prawn and spot prawn under a permit issued pursuant to this section, it is unlawful to possess in excess of 1,000 pounds of incidentally taken fish per trip.

(d) Commencing January 1, 2008, the Commission shall permit the taking of pink shrimp not less than two nautical miles from shore in waters that lie between a line extending due west from False Cape and a line extending due west from Point Reyes from the nearest point of land on the mainland shore, if the Commission finds that, upon review of information from the federal groundfish observer program and other available research and monitoring information that it deter-

mines relevant, the use of trawl gear minimizes bycatch, will not damage seafloor habitat, will not adversely affect ecosystem health, and will not impede reasonable restoration of kelp, coral, or other biogenic habitats. The Commission shall pay special attention to areas where kelp and other biogenic habitats existed and where restoring those habitats is feasible, and to hard bottom areas and other substrate that may be particularly sensitive to bottom trawl impacts in making that finding.

Title 14 Excerpts

§120.3. Golden Prawn (Penaeus californiensis), Spot Prawn (Pandalus platyceros) and Ridgeback Prawn (Sicyonia ingentis) Trawling

Permits to use or possess trawl nets for the taking of golden prawns and ridgeback prawns in ocean waters may be granted only under the conditions described below. Take of spot prawn under authority of this permit is prohibited, except as provided in subsection 120(e), Title 14, CCR:

(a) Qualifications of Permittee. The applicant must be a licensed commercial fisherman and operator of a currently registered commercial fishing vessel.

(b) Cost of Permit. See subsection 699(b) of these regulations for the fee for this permit. (NOTE: this fee shall be charged effective April 1, 1992.)

(c) Seasonal Closure. Trawling for ridgeback prawns is prohibited from June 1 through September 30.

(d) Trawl Gear Specifications.

(1) Trawl nets with single–walled bag or cod-end: The mesh of any webbing shall not be less than 1½ inches in length.

(2) Trawl nets with double–walled bag or cod-end: The mesh of any webbing or liner shall not be less than 3 inches in length. The lines and cod-end shall be tied together along the rib lines.

(3) Mesh Measurement. Minimum trawl mesh size requirements are met if a standard stainless steel wedge of appropriate gauge can be passed with thumb pressure only through 16 of 20 sets of two meshes each of wet mesh in the codend.

(e) Incidental Catch Provisions.

(1) Finfish. Limits on the incidental take of west coast groundfish species are specified in federal regulations of Title 50 CFR Part 660, and apply to state-managed trawl fisheries, including prawn or shrimp trawl fisheries, pursuant to Section 189, Title 14, CCR. Salmon may be taken and possessed incidentally to prawn or shrimp trawl fishing activities subject to sections 8210.2 to 8226, and 8230 to 8237, inclusive, of the Fish and Game Code.

(2) Sea Cucumbers. Any amount of sea cucumbers taken incidentally while prawn or shrimp trawling may be possessed if the owner or operator of the vessel possesses a permit to take sea cucumbers pursuant to Section 8405 of the Fish and Game Code.

(3) Spot prawns. Spot prawns shall not be possessed or landed as incidental catch in the pink shrimp fishery. Trawl loads of ridgeback and golden prawns shall not contain more than 50 pounds without restriction or 15%, by weight, of spot prawns. Trawl loads of finfish shall not contain more than 50 pounds without restriction or 15%, by weight, of spot prawns.

§120.4. Restricted Access Fishery

A control date of January 1, 1999, is established for the purpose of developing a restricted access spot, ridgeback, and golden prawn trawl fishery. Only those vessels which have made at least one spot, ridgeback, or golden prawn landing with trawl gear before this date may be considered for inclusion in the restricted access trawl fishery.

GROUNDFISH

Title 14 Excerpts

§189. Commercial Groundfish Fishing

(a) General Provisions. No person shall engage in commercial groundfish fishing except as provided by the Fish and Game Code and regulations provided herein. Applicable regulations adopted by the U.S. Secretary of Commerce pursuant to the Magnuson Fishery Conservation and Management Act and published in Title 50, Code of Federal Regulations (CFR), Parts 600 and 660 are hereby incorporated and made a part of these regulations. Federal regulations shall be made available upon request from the Department of Fish and Wildlife, Marine Region, 1416 9th Street, PO Box 944209, Sacramento, CA 94244–2090, phone number (916) 653–6281.

(b) General Definitions. For the purposes of these regulations, the following definitions shall apply:

(1) Land or Landing. The transfer of fish from a fishing vessel. Once offloading begins, all fish aboard the vessel are counted as part of the landing.

(2) Closure. Taking and retaining, possessing, or landing the particular species or species group is prohibited. Unless otherwise announced in the Federal Register, offloading must begin before the time the fishery closes.

(3) Sorting. It is unlawful for any person to fail to sort prior to the first weighting after offloading, those groundfish species or species groups for which there is a trip limit, size limit, quota, or optimum yield, if the vessel fished or landed in an area during a time when such trip limit, size limit, quota, or optimum yield applied. This provision applies to both the limited entry and open access fisheries.

(4) Trip Limits. Trip limits specify the amount of fish that a vessel may legally land per fishing trip or cumulatively per unit of time or the number of landings of fish that may be made by a vessel in a given period of time.

(A) Daily Trip Limit. Daily trip limit is the maximum amount of groundfish that may be taken and retained, possessed, or landed per vessel in 24 consecutive hours, starting at 0001 hours local time. Only one landing of groundfish shall be made in that 24 hour period. Daily trip limits shall not be accumulated during multiple day trips.

(B) Cumulative Trip Limit. Cumulative trip limit is the maximum amount of groundfish that may be taken and retained, possessed, or landed per vessel in a cumulative fishing period, without a limit on the number of landings or trips.

(5) Size Limits and Length Measurement. Total length is measured from the tip of the snout (mouth closed) to the tip of the tail (pinched together) without mutilation of the fish or the use of additional force to extend the length of the fish.

(6) Limited Entry Fishery. Limited entry fishery includes vessels using trawl gear, longline, and trap (or pot) gear fished pursuant to the harvest guidelines, quotas, and other man-

agement measures governing the limited entry fishing. Limited entry gear includes only longline, trap (or pot) or trawl gear used under the authorization of a valid limited entry permit.
(7) Open Access Fishery. Open access fishery includes vessels using exempted gear, and longline and trap (or pot) gear fished pursuant to the harvest guidelines, quotas, and other management measures governing open access fishing. Exempted gear includes all types of fishing gear except longline, trap (or pot), and groundfish trawl gear, and includes trawl gear used to take pink shrimp, and spot and ridgeback prawns, and south of 38° 57'30" N (Point Arena), California halibut and sea cucumber. A state of California limited entry permit is required for the take of sea cucumbers.
(8) Federally Designated Routine Management Measures. Routine Management Measures, identified as catch restrictions intended to keep landings within the harvest levels announced by the Secretary of Commerce and noticed in the Federal Register by the National Marine Fisheries Service, and hereby incorporated and made a part of these regulations. Should any federal management measures conflict with existing statutes, including Fish and Game Code Sections 8496 and 8842(b), or regulations of the Commission, the provisions in the statutes or regulations which conflict with the federal management measures are made inoperative.

HAGFISH

Title 14 Excerpt
§180.6. Hagfish Traps
(a) All openings in traps used to take hagfish, excluding the entrance funnel, shall have a minimum diameter of 9/16 inch in any dimension.
(b) Hagfish may be taken in barrel traps, if attached to a ground line. No more than a total of 25 barrel traps per vessel may be possessed aboard the vessel or in the water or combination thereof. Each barrel trap shall be no greater than 45 inches in total length and have an outside diameter no greater than 25 inches at its widest point. Barrels may be attached to a maximum of three ground lines. If using barrel traps, no other hagfish trap type may be used or possessed aboard the vessel. When barrel traps are used or possessed aboard a vessel, no species of finfish other than hagfish shall be taken, possessed, or sold. Popups shall not be used on buoy lines attached to barrel traps.

Hagfish Trap Requirements

Each person on board the vessel must possess a valid general trap permit.

Pop–up devices cannot be used.

Each trap must have a trap destruct device.

A maximum of 500 Korean traps, or 200 bucket traps, or 25 barrel traps, can be used or kept aboard the vessel.

No other traps allowed aboard when Korean, bucket traps, or barrel traps are on board the vessel.

No species other than hagfish can be taken, possessed, or sold when Korean, bucket, or barrel traps are on board the vessel (FGC §§9000, 9000.5, 9001.6, 9001.7, 9003, 9006, 9007, 9008, and §180.6, Title 14, CCR, which are located under Trap Permits).

Up to 25 barrel traps may be used to take hagfish. Barrels may be up to 45 inches in total length with an outside diameter no greater than 25 inches at the widest point.

HERRING

§ 163. Pacific Herring Permits
(a) Permit Required.
(1) Pacific Herring (herring) may be taken for commercial purposes only under a revocable permit issued by the department.
(2) Herring eggs on kelp (HEOK) may be taken for commercial purposes only under a revocable permit issued by the department.
(b) Classes of Permits
(1) San Francisco Bay. As of April 1, 2020, all Odd, Even, and December, referred to as 'DH', gill net permits not designated as HEOK in the 2019 permit year will be converted to Temporary permits and all converted roundhaul, referred to as 'CH', gill net permits not designated as HEOK in the 2019 permit year will be converted to San Francisco Bay herring permits. Herring permits issued to partnerships will be converted to individual permits on April 1, 2020. Permit partnerships must designate an individual to receive the permit by March 15, 2020, by contacting the Department 's License and Revenue Branch in writing.
(A) Temporary Permit. Each Temporary permit allows the permittee to fish one gill net of 65 fathoms or less in San Francisco Bay (defined in subsection 163.1(a)(1)). Permittees may hold a maximum of two Temporary permits. If a permittee holds two Temporary permits these will be automatically converted to a San Francisco Bay herring permit. Conversion to a San Francisco Bay herring permit is permanent. Subject to the terms and conditions in subsection (h), Temporary permits are transferrable prior to April 1, 2025. At that time, they become non-transferrable and non-renewable. No new Temporary permits will be issued.
(B) San Francisco Bay Herring Permit. Each San Francisco Bay herring permit allows the permittee to fish two gill nets of 65 fathoms or less each in San Francisco Bay. Permittees may hold a maximum of one San Francisco Bay herring permit. San Francisco Bay herring permits are renewable and transferrable subject to the terms and conditions in subsections (c) and (h). No San Francisco Bay herring permits will be issued to new applicants until after March 31, 2025.
(2) Tomales Bay Herring Permit. Each Tomales Bay herring permit allows the permittee to fish two gill nets of 65 fathoms or less each in Tomales Bay (defined in subsection 163.1(a)(2)). Tomales Bay herring permits are renewable and transferrable subject to the terms and conditions in subsections (c) and (h).
(3) Humboldt Bay Herring Permit. Each Humboldt Bay herring permit allows the permittee to fish in combination no more than 150 fathoms of gill net in Humboldt Bay (defined

in subsection 163.1(a)(3)). Humboldt Bay herring permits are renewable and subject to the terms and conditions in subsections (c) and (h).
(4) Crescent City Herring Permit. Each Crescent City herring permit allows the permittee to fish in combination no more than 150 fathoms of gill net in Crescent City Harbor (defined in subsection 163.1(a)(4)). Crescent City herring permits are renewable and transferrable subject to the terms and conditions in subsections (c) and (h).
(5) Herring Eggs on Kelp (HEOK) Permit. As of April 1, 2020, all Odd, Even, and DH HEOK permits will be converted to HEOK permits, and all CH HEOK permits will be converted to one (1) HEOK permit and one (1) Temporary permit each. A HEOK permit allows the permittee to take HEOK subject to the terms and conditions in Section 164. Odd, Even, and December permittees with permits designated as HEOK in 2019 have until March 31, 2021 to elect to convert their HEOK permit to a Temporary gill net permit. HEOK permits are renewable and transferrable subject to the terms and conditions in subsections (c) and (h). New applicants may apply for any available HEOK permits after March 31, 2021.
(c) Permit Renewal.
(1) Each herring and HEOK permit is required to be renewed annually pursuant to Fish and Game Code § 7858 and shall only be valid for that season.
(2) An applicant is eligible to renew a herring permit of the same classification if they meet all of the following requirements:
(A) Hold a current California commercial fishing license.
(B) Have held a valid, unrevoked herring permit in the immediately preceding permit year (April 1-March 31).
(C) Have submitted a Release of Property form FG MR 674 (Rev. 5/13), which is incorporated by reference herein, and payment for all herring landed in excess of the established quota as specified in subsection 163.1(j) or subsection 164(h) of these regulations, and all fees from prior seasons.
(3) Applicants for renewal will be issued the same class of permit they held during the previous season, unless they hold two Temporary permits. Applicants who hold two Temporary permits will be issued a San Francisco Bay Herring permit.
(4) Number of permits issued.
(A) San Francisco Bay herring permits, Tomales Bay herring permits, Humboldt Bay herring permits, and Crescent City herring permits: No more than one permit will be issued to each applicant.
(B) HEOK permits: No more than one permit will be issued to each applicant.
(5) Herring permit renewals:
(A) Herring permits are renewed by submitting the completed form Commercial Herring Permit Worksheet DFW 1377 with the specified fee, as set forth in subsection 705(a) of these regulations.
(B) Permittees must designate a currently registered vessel on the form DFW 1377 (NEW 10/30/19). Up to two Temporary permits or one permit of any other classification of herring permit may be assigned to a single vessel. Two Temporary permits held by different permittees may be jointly fished on a single vessel upon submission of the completed form Season Request for Changes to Herring Permits DFW 1322-2 (NEW 4/11/19) specified in subsection 705(b) to the department. No permit shall be valid for more than one vessel at a time.
(C) A change in a permit's vessel designation may be authorized by the department upon application by the permittee using form DFW 1322-2 (NEW 4/11/19), and payment of the fee, as specified in subsection 705(b) of these regulations. The fee for any approved boat transfer pursuant to this paragraph must be submitted with the form DFW 1322-2 (NEW 4/11/19) to the department's License and Revenue Branch, Sacramento. Any permittee denied a boat transfer pursuant to this paragraph may submit an appeal in writing to the commission within 60 days of such denial to show cause why his or her request should not be denied. The written appeal shall specifically identify the legal and factual grounds for challenging the department's action. The commission shall forward to the department a copy of all materials received from the applicant. The Department shall respond in writing within 60 days of receipt of materials.
(6) HEOK permit renewals:
(A) HEOK permits are renewed by submitting the form Herring-Eggs-on-Kelp Permit Application DFW 1406 (NEW 10/30/19) with the specified fee, as set forth in subsection 705(a) of these regulations.
(B) The permittee shall receive written approval from the department before using a vessel for harvesting, processing or transporting HEOK. The permittee shall list the name and department registration number issued pursuant to Section 7881 of the Fish and Game Code of any vessel that will be used for harvesting, processing or transporting HEOK under the authority of the permit on the form DFW 1406 (NEW 10/30/19).
(C) Each HEOK permittee may designate two authorized agents to operate under his or her permit on the application form DFW 1406 (NEW 10/30/19). A copy of the current California commercial fishing license for each authorized agent shall be submitted with form DFW 1406. Any person designated as an authorized agent shall act as an authorized agent only after the permittee has received written approval from the department.
(D) An authorized agent:
1. May serve in the place of the permittee for all fishery activities requiring the presence or action of the permittee, including the signing of electronic fish tickets and/or dock tickets;
2. May serve as an authorized agent on up to two permits.
(E) A permittee may replace an authorized agent by submitting a new application form DFW 1406 (NEW 10/30/19) as specified in subsection 705(a), to the department's License and Revenue Branch, Sacramento.
(7) For the 2020 license year, applications for renewal of herring permits must be received by the department or, if mailed, postmarked no later than May 31, 2020. Beginning in 2021, applications for renewal of herring permits must be received by the department or, if mailed, postmarked no later than April 30 of each year.
(8) Late fees and late fee deadlines are specified in Section 7852.2 of the Fish and Game Code.
(9) Any person denied a permit under this section may submit an appeal in writing to the commission to show cause why his/her permit request should not be denied. The written appeal shall specifically identify the legal and factual grounds

for challenging the department's action. Such request must be received by the commission within 60 days of the department's denial. The commission shall forward to the department a copy of all materials received from the applicant. The Department shall respond in writing within 60 days of receipt of materials and shall further process all appeals pursuant to the procedure outlined in 14 CCR 671.1(c)(7)(C)-(I).

(d) Applications for New Permits.

(1) Herring Permits

(A) No new San Francisco Bay herring permits shall be issued until the number of San Francisco Bay herring permits held is less than 30.

(B) No new Tomales Bay herring permits shall be issued until the number of Tomales Bay herring permits held is less than 15.

(C) No new Humboldt Bay herring permits shall be issued until the number of Humboldt Bay herring permits held is less than four (4).

(D) No new Crescent City herring permits shall be issued until the number of Crescent City herring permits held is less than three (3).

(2) HEOK permits

(A) No new HEOK permits shall be issued until the number of HEOK permits held is less than ten (10).

(3) Applications for new herring and HEOK permits shall be made available each year on April 15 through the department's Automated License Data System at department license sales offices, the department's Internet Sales site and at retail License Agents authorized to sell commercial fishing licenses.

(4) Application Requirements

(A) Applicants shall apply by May 31 of each year.

(B) Applicants shall pay the appropriate nonrefundable Drawing Fee as specified in Section 705(a).

(C) Applicants shall possess a Commercial Fishing License valid at the time of application.

(D) Applicants for new HEOK permits shall not currently possess an HEOK permit.

(E) Applicants for new herring permits shall not currently possess a herring permit and must specify the area for the permit they are requesting.

(F) Applicants shall not submit more than one HEOK drawing application for the same license year.

(G) Applicants shall not submit more than one herring drawing application for the same license year.

(H) Each applicant who applies shall receive a "drawing receipt" printed from the terminal or downloaded from the Internet. The receipt shall contain the customer's name and permanent identification number, and proof of entry into drawing.

(5) Permit Random Selection Process.

(A) Random selection using computer generated random numbers will be used to determine which applicants will be awarded permits and which applicants will be alternates. Successful applicants and a list of alternates shall be determined within 20 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.

(B) Successful applicants will be notified as soon as practical.

(C) Successful herring permit applicants shall submit the completed form Commercial Herring Permit Worksheet DFW 1377 (NEW 10/30/19) with the specified fee, as set forth in subsection 705(a) of these regulations by July 15.

(D) Successful HEOK Permit applicants shall submit the completed Herring-Eggs-On-Kelp Permit Application DFW 1406 (NEW 10/30/19) with the specified fee, as set forth in Section 705(a), per the instructions on the Application by July 15.

(E) Should permits still be available after that June 30, the alternate list shall be used to award any available permits.

(e) Conditions of the Permit.

(1) Herring may be taken for commercial purposes only in those areas and by those methods specified in Section 163.1 (for herring) or 164 (for HEOK) under a revocable permit issued by the department to an individual for use on a specified fishing vessel.

(2) Herring permits:

(A) A permittee may have any licensed commercial fisherman serve in his or her place on the designated vessel and engage in fishing, provided the permit is aboard the vessel named on the permit(s) at all times during herring fishing operations.

(3) HEOK permits:

(A) A department-issued copy of the permit shall be aboard each vessel engaged in fishing, harvesting, processing, or transporting HEOK under the authority of the permit.

(B) The permittee or his/her authorized agent shall be aboard any vessel that is harvesting, processing or transporting herring eggs under the authority of the permit. The permit shall list the names of all authorized agents and all vessels used for harvesting, processing or transporting herring eggs under the authority of the permit (This includes the attachment of any changes approved by the department after the permit is issued).

(f) Vessel Identification.

(1) When herring or HEOK are taken under these regulations, the vessel's commercial registration number shall be displayed on both sides of the boat. The number shall be black, at least 10 inches high, and on a white background. All permittees aboard the boat shall be mutually responsible for the proper display of the vessel's commercial registration number.

(g) Revocation of Permits.

(1) Permit holders, their agents, employees or those acting under their direction or control, shall comply with all applicable provisions of the Fish and Game Code relating to commercial fishing and any regulations adopted pursuant thereto.

(2) Any permit may be suspended, revoked, or canceled by the department upon breach or violation of any regulation pertaining to the take of herring; or violation of the terms or conditions of the permit by the holders thereof, their agents, employees, or those acting under their direction and control. A permittee whose permit has been suspended or revoked for conviction of a violation of Fish and Game Code statutes or Division 1, Title 14, CCR, while fishing as a participant in the herring fishery may request a hearing before the commission to show cause why his or her herring fishing or buying privileges should be restored.

(3) The permittee shall be responsible for all vessel operators, authorized agents, or crew members acting under his or her

direction or control to ensure compliance with all regulations as provided in this Section, or in the Fish and Game Code, relating to herring.
(4) If a herring permit is suspended or revoked due to the actions of a vessel operator or authorized agent who also holds a herring permit, the person who was acting as the vessel operator or authorized agent will receive the same penalty against his/her own permit as received by the permittee, pursuant to these regulations, Section 163.1 and Section 164.
(5) A person whose herring permit has been revoked by the department shall not participate in any herring fishery during the season in which it was revoked and the following season. A person whose herring permit has been suspended for the entire season by the department shall not participate in any herring fishery during the season in which the permit is suspended. A person whose herring permit has been suspended for a period less than the entire season by the department shall not participate in any herring fishery sector during the period that the permit is suspended.
(6) A permittee whose permit has been suspended or revoked for conviction of a violation of Fish and Game Code statutes or Division 1, Title 14, CCR, while fishing as a participant in the herring fishery may submit an appeal in writing to the commission within 60 days of such suspension or revocation to show cause why his/her herring fishing privileges should be restored. The written appeal shall specifically identify the legal and factual grounds for challenging the department's action. The commission shall forward to the department a copy of all materials received from the applicant. The department shall respond in writing within 60 days of receipt of materials, and shall further process all appeals pursuant to the procedure outlined in 14 CCR 671.1(c)(7)(C)-(I).
(h) Permit Transfers.
(1) Except as provided in this section, a permit shall not be assigned or transferred. The department may deny any transfer request submitted in accordance with this section, or may revoke an approved transfer, for violation of any relevant permit condition, section of these regulations, or Fish and Game Code.
(2) A person with a valid transferable permit that has not been suspended or revoked may transfer his/her permit to another person licensed as a California commercial fisherman. The permit holder or the estate of the deceased permit holder shall submit form DFW 1322-2, specified in Section 705(b), and the nonrefundable permit transfer fee specified, for each permit transfer. The transfer shall take effect on the date written notice of approval of the application is given to the transferee by the department. The permit shall be valid for the remainder of the permit year and may be renewed in subsequent years pursuant to this section.
(A) The permit-transfer fee shall be waived in the case of transfer of any Temporary Permit defined in Section 163(b) of these regulations.
(3) An application for a transfer of a permit shall be deferred when the current permit holder is awaiting final resolution of any pending criminal, civil and/or administrative action that could affect the status of the permit.
(4) Upon the death of a person with a valid permit, that person's estate shall immediately, temporarily relinquish the permit to the department's License and Revenue Branch, Sacramento. The estate may renew the permit as provided for in this section if needed to keep the permit valid. The estate may transfer the permit pursuant to this section no later than two (2) years from the date of death of the permit holder as listed on the death certificate.
(5) Any applicant who is denied transfer of a permit may submit an appeal in writing to the commission to show cause why his/permit transfer request should not be denied. The written appeal shall specifically identify the legal and factual grounds for challenging the department's actions. Such request must be received by the commission within 60 days of the date of the department's denial. The commission shall forward to the department a copy of all materials received from the applicant. The department shall respond in writing within 60 days of receipt of materials.
(i) Research.
(1) Notwithstanding any other portion of this section, the department may authorize the holder of a valid herring permit to collect herring during a closed season or in a closed area for research, subject to such restrictions regarding gear(s), date(s), location(s), time(s), size, poundage or other matters as specified by the department. Any fish and/or data collected during such activity shall be made available to the department.
(2) Upon approval, the department's marine regional manager or his or her designee shall issue a Letter of Authorization to the permittee containing all conditions of use.

§ 163.1. Harvest of Pacific Herring.
(a) Areas. Pacific Herring (herring) may be taken for commercial purposes only in the following areas:
(1) San Francisco Bay. San Francisco Bay is defined as the waters of Fish and Wildlife Districts (District) 11, 12 and 13.
(A) No net shall be set or operated to a point of land above mean lower low water or within 300 feet of the following piers and recreation areas: Berkeley Pier, Paradise Pier, San Francisco Municipal Pier between the foot of Hyde Street and Van Ness Avenue, Pier 7 (San Francisco), Candlestick Point State Recreation Area, the jetties in Horseshoe Bay, and the fishing pier at Fort Baker. No net shall be set or operated within 70 feet of the Mission Rock Pier.
(B) No nets shall be set or operated in the following areas:
1. Belvedere Cove north of a line drawn from the tip of Peninsula Point (37° 51′ 43″ N, 122° 27′ 28″ W) to the tip of Elephant Rock (southwest of Pt. Tiburon at 37° 52′ 19″ N, 122° 27′ 03″ W).
2. No gill nets shall be set or operated inside the perimeter of the area bounded as follows: beginning at the middle anchorage of the western section of the Oakland Bay Bridge (Tower C at 37° 47′ 54″ N, 122° 22′ 40″ W) and then in a direct line southeasterly to the Lash Terminal buoy #5 (G"5" buoy, flashing green 4s at 37° 44′ 23″ N, 122° 21′ 36″ W), and then in a direct line southeasterly to the easternmost point at Hunter's Point (Point Avisadero at 37° 43′ 44″ N, 122° 21′ 26″ W) and then in a direct line northeasterly to the Anchorage #9 buoy "A" (Y"A" buoy, flashing yellow 4s at 37° 44′ 46″ N, 122° 19′ 25″ W) and then in a direct line northwesterly to the Alameda N.A.S. entrance buoy #1 (G"1" buoy, flashing green 4s at the entrance to Alameda Carrier Channel (37° 46′ 38″ N, 122° 20′ 27″ W) and then in a direct line northwesterly to the Oakland Harbor Bar Channel buoy #1 (G"1" buoy, flashing green 2.5s

at 37° 48′ 15″ N, 122° 21′ 23″ W) and then in a direct line southwesterly to the point of beginning, Oakland Bay Bridge (Tower C at 37° 47′ 54″ N, 122° 22′ 40″ W).
(2) Tomales Bay. Tomales Bay is defined as the waters of District 10 lying south of a line drawn west, 252° magnetic, from the western tip of Tom's Point (38° 12′ 53″ N, 122° 57′ 11″ W) to the opposite shore (38° 12′ 44″ N, 122° 57′ 42″ W).
(3) Humboldt Bay. Humboldt Bay is defined as the waters of Districts 8 and 9.
(4) Crescent City. Crescent City is defined as Crescent City Harbor and that area of the waters of District 6 less than 20 fathoms in depth between two nautical measure lines drawn due east and west true from Point Saint George (41° 47′ 07″ N, 124° 15′ 16″ W) and Sister Rocks (41°, 39′ 31″ N, 124° 08′ 43″ W).
(5) No boats or nets shall be operated or set in violation of existing state regulations applying to the navigation or operation of fishing vessels in any area including but not limited to San Francisco Bay, Tomales Bay, Humboldt Bay and Crescent City Harbor.
(6) All fishing for herring in ocean waters (except as specified above) is prohibited. An incidental allowance of no more than 10 percent herring by weight of any load composed primarily of other coastal pelagic fish species or market squid may be landed.
(b) Fishing Season.
(1) The season shall be open from 5:00 p.m. on January 2, and close at 12:00 pm on March 15.
(A) If the opening date falls on a Friday or Saturday, fishing shall commence on the first Sunday following January 2 at 5:00 p.m.
(B) If the closing date of the fishery falls on a Saturday or Sunday, fishing shall close on the Friday immediately preceding March 15 at 12:00 pm.
(c) Gear Requirements. herring may be taken via set gill nets that meet the following requirements:
(1) Net Length.
(A) San Francisco Bay herring permit holders and Tomales Bay herring permit holders shall fish no more than a total of two (2) gill nets that are 65 fathoms (one shackle) or less each in length, as measured at the cork line. Temporary permit holders shall fish no more than one (1) gill net that is 65 fathoms (one shackle) or less in length, as measured at the cork line, for each Temporary permit held. Said gill nets shall not exceed 120 meshes in depth.
(B) In Humboldt Bay and Crescent City Harbor, no permittee shall fish in combination more than 150 fathoms of gill net. Said gill nets shall not exceed 120 meshes in depth.
(2) Mesh Length. Length of the mesh shall be the average length of any series of ten (10) consecutive meshes measured from the inside of the first knot and including the last knot when wet after use; the ten (10) meshes, when being measured, shall be an integral part of the net as hung and measured perpendicular to the selvages; measurements shall be made by means of a metal tape measure while ten (10) meshes are suspended vertically under one-pound weight, from a single stainless steel peg or nail of no more than 5/32 inch in diameter.
(A) In San Francisco Bay and Tomales Bay the average length of the meshes of any gill net used or possessed in the fishery shall not be less than 2 or greater than 2 1/2 inches, and the length of any series of ten (10) consecutive meshes as determined by the above specifications shall not be less than 20 inches or greater than 25 inches.
(B) In Humboldt Bay and Crescent City Harbor the length of the meshes of any gill net used or possessed in the fishery shall not be less than 2 1/4 inches or greater than 2 1/2 inches, and the length of any series of ten (10) consecutive meshes as determined by the above specification shall not be less than 22 1/2 inches or greater than 25 inches.
(3) Set gill nets shall be anchored by not less than 35 pounds of weight at each end, including chain; however, at least one-half of the weight must be anchor.
(4) Gill nets shall be marked at both ends with a buoy displaying above its waterline, in Roman alphabet letters and Arabic numerals at least 2 inches high, the official number of the vessel from which such gill net is being fished. Buoys shall be lighted at both ends using matching white or amber lights that may be seen for at least a distance of 100 yards and marked at both ends with matching flags or markers or placards, all of rigid or non-collapsible material of the same color, on a staff at least 3 feet above the water at each end, bearing the fishing vessel number in contrasting 4 inch black letters.
(d) Net Tending. Permitted vessels shall be in the immediate proximity, not exceeding three (3) nautical miles, of any single gill net being fished.
(e) Temporal Closures. Herring fishing is not permitted from noon Friday through 5:00 p.m. Sunday.
(f) Noise. All San Francisco Bay herring permittees, vessel operators, or crew shall recognize city ordinances governing transient noise sources, when fishing within 500 feet of any shoreline with residential dwellings, between the hours of 10:00 p.m. and 7:00 a.m. through implementation of noise reduction measures specified or developed by the herring fishing industry and approved by the department. Noise reduction measures include, but are not limited to: noise dampening devices for shakers and anchor chains, muffled engine exhaust systems, limited use of deck speakers, and/or reduced speed within 500 feet of shore.
(g) Marine Mammals. The use of explosives, seal bombs, or marine mammal deterrent devices in the herring fishery is prohibited.
(h) Retention and Discards. All fish taken by gill nets shall be retained and landed except sturgeon, halibut, salmon, steelhead and striped bass may not be taken by or possessed on any vessel operating under the authority of these regulations. All sturgeon, halibut, salmon, steelhead and striped bass shall be returned immediately to the water.
(i) Notification Requirements.
(1) Permittees shall notify the department using the contact information designated on the permit within 24 hours of beginning fishing for the season.
(2) Permittees shall notify the department using the contact information designated on the permit, within 24 hours if they terminate fishing operations for the season prior to the overall quota being taken.
(j) Landing Requirements.
(1) Herring shall not be landed between the hours of 10:00 p.m. and 6:00 a.m. on weekdays, or from 10:00 p.m. Friday to 6:00 a.m. Monday.
(2) It is unlawful to transfer herring or herring nets from one

permittee to another or from one boat to another except that non-motorized lighters may be used, provided they do not carry aboard any gear capable of taking herring, including net reels, and that the catches of not more than one permittee are aboard the lighters at any time. Permit vessels shall not serve as lighters for other permit boats.
(3) A permittee and his/her gear must stay together when delivering fish to market.
(4) Any herring taken for commercial purposes shall only be delivered to a person licensed pursuant to Section 163.5 of these regulations.
(5) The department will estimate from the current catch rate the time at which the herring season catch is estimated to reach any quota established in accordance with Section 55.02(d) of these regulations and will publicly announce that time on VHF/Channel 16. It shall be the responsibility of all permittees to monitor this radio channel at all times. Any announcement made by the department on VHF/Channel 16 shall constitute official notice. All fishing gear must be removed from the water by the announced time terminating fishing operations. The department may announce a temporary closure for the gill net fishery in order to obtain an accurate tally of landings and to allow all boats to unload. If the fishery is reopened, permittees may be limited to equally allotted tonnages to preclude exceeding a quota, as may be announced, and, if necessary, additional time may be granted to reach the quotas.
(6) All herring landed in excess of any established quota shall be forfeited to the department by the signing of a Release of Property form MR-FG-674 (Rev. 5/13), as set forth in subsection 163(c). Such fish shall be sold or disposed of in a manner determined by the department. The proceeds from all such sales shall be paid into the Fish and Game Preservation Fund.

§ 163.5. Herring Buyer's Permit.
(a) Pacific Herring Buyer's Permit. A holder of a current fish receiver's license must obtain a separate permit to buy Pacific Herring or Herring Eggs on Kelp (HEOK) for commercial purposes. After approval of form Herring Buyer's Permit Application DFW 327 and payment of the Permit Fee specified in Section 705(a), a revocable, nontransferable permit to buy Herring or HEOK for commercial purposes may be issued subject to the following regulations:
(1) The permittee shall permanently mark all vehicles, containers or pallets with individualized serial numbers and predetermined tare weights. The serial number and predetermined tare weight shall be permanently marked in letters and numerals at least 3 inches high on each side of vehicle container or pallet.
(2) Pursuant to Section 197 of these regulations, an electronic fish ticket (EFT) or dock ticket must be completed immediately upon completion of weighing of any single boatload (hereinafter "load") of herring or HEOK. If a dock ticket is used, the information recorded therein must be used to complete and submit an EFT within three (3) business days.
(A) The EFT or dock ticket for each vessel's load must be completed and signed by both the herring permittee and a certified weighmaster or his/her deputy prior to commencing unloading operations of another herring permittee's load.
(B) The weighmaster or deputy submitting the EFT must include all information required by Section 197 of these regulations and shall sign the EFT and/or dock ticket with his/her complete signature. For herring, the weighmaster shall list the number of fish in, and the weight of, each roe test for the landing reported.
(C) Any completed dock ticket must be retained with the EFT by the weighmaster or deputy and be immediately available to the department at the weigh station, as per Section 197 of these regulations.
(D) Up to ten (10) pounds of herring from each load will be made available by the herring Buyer to the department, at no cost, for management purposes. No herring shall be taken for roe percentage testing purposes from a load that has not first been weighed and recorded.
(3) Prior to weighing HEOK, each permittee shall have each weighing device currently certified and sealed by the County Division of Weights and Measures.
(4) Weight tally sheets shall be used when any load of fish is divided and placed into more than one container prior to the completion of the landing receipt. Weight tally sheets shall include the time unloading operations begin.
(A) The tally sheets shall comprise of four columns:
1. The serial or I.D. number of all containers in which the load is initially placed and all subsequent containers, if any, in which the load is placed until, and including for, shipment from the buyer's premises.
2. The gross weight;
3. The tare weight of the bin or containers; and
4. The net weight excluding the gross weight of each bin or container. For whole fish, this includes the weight of the herring taken for testing purposes. For HEOK, this excludes the salt and brine.
(B) The weight tally sheets shall be retained by the permittee for one (1) year and must be available at all times for inspection by the department.
(C) When requested by the department, the Buyer shall submit to the department a California Highway Patrol weighing certificate for any truck load designated by the department. Such certificate shall be submitted to the department following the instructions on the Herring Buyers Permit within twenty-four (24) hours of the truck's departure from the buyer's premises.
(5) The permittee is responsible to ensure that all provisions of the herring buyer's permit are complied with, even though the tasks may be delegated to others.
(6) The permit may be revoked by the department upon violation of any provisions contained herein by the holder of the permit, his/her agents, employees, or those acting under his/her direction or control and shall not be renewed for a period of one (1) year from the date of revocation.

§ 164. Harvest of Herring Eggs on Kelp.
(a) Definitions. Herring Eggs on Kelp (HEOK) may only be taken by harvesting giant kelp (Macrocystis spp.), with spawn (i.e., eggs) attached, which has been artificially suspended using the following two (2) methods: rafts and/or lines, a technique commonly known as the "open pound" method. Unless the context requires otherwise, the following definitions shall apply to the HEOK fishery:
(1) "Fishing" means the act of suspending giant kelp (Macro-

cystis spp.) for the purposes of taking herring eggs, and/or harvesting.
(2) "Harvesting" means the act of removing HEOK from the water for the purposes of processing for sale and/or transport to market.
(3) "Processing" means the act of separating or removing kelp blades (with herring eggs attached) from the stipe of harvested HEOK, trimming the product, brining, grading the product, and loading the processed blades into bins or totes.
(4) A raft is defined as a temporary, mobile structure with a metal, wood or plastic frame. The total surface area of each raft is not to exceed 2,500 square feet.
(5) A line is defined as a piece of line of no more than 1,200 feet in overall length that is suspended under a suitable permanent structure (e.g., pier or dock), or between two permanent structures (e.g., piers or docks).
(b) Area Restrictions.
(1) HEOK may be harvested only from the waters of San Francisco Bay. For purposes of this section, San Francisco Bay is defined as the waters of Fish and Wildlife Districts (District) 11, 12, 13 and that part of District 2 known as Richardson Bay.
(2) Rafts and/or lines may not be placed in any waters or areas otherwise closed or restricted to the use of herring gill nets operating pursuant to Section 163.1 of these regulations, except where written approval is granted by the owners or controlling agency (e.g., Navy, Coast Guard).
(3) Rafts may be placed in Belvedere Cove or Richardson Bay only if they are tied to a permanent structure (e.g., pier, dock or rock wall, natural stationary shoreline structures), and permittees have obtained prior written approval. Buoys are not permanent structures.
(c) Fishing Season. The HEOK fishing season is December 1 to March 31.
(d) Gear Requirements.
(1) Not more than two (2) rafts and/or two (2) lines may be used per permit.
(A) Each raft shall have a light at each corner that may be seen for at least a distance of 100 yards.
(B) Each raft shall be further identified with the fishing vessel number the HEOK permit has been assigned to in Roman alphabet letters and Arabic numerals at least 14 inches high and 2 inches wide, painted on a white background and permanently affixed to the raft.
(C) Kelp lines shall have floats or cork over the entire length of line.
(D) If kelp lines are suspended under a permanent structure (e.g., pier or dock), or if a raft is tied up to a permanent structure (e.g., pier, dock or rock wall, natural stationary shoreline structures), the permittee shall obtain prior written approval from the appropriate owners or controlling agency (e.g., wharfinger, Coast Guard, Navy or private owner). Buoys are not permanent structures.
(E) Lines shall be marked at the beginning and the end with a light that may be seen for at least a distance of 100 yards.
(F) Each line shall be further identified at each end with a contrasting-colored buoy displaying above its waterline, in Roman alphabet letters and Arabic numerals at least 2 inches high, the official number of the vessel from which such net is being fished.
(e) Notification Requirements.
(1) Permittees shall notify the department using the contact information designated on the HEOK permit within a 12-hour period prior to beginning the following activities:
(A) The suspension of kelp on a raft and/or lines.
(B) Harvest of HEOK.
(C) Landing of HEOK.
(2) Permittees shall supply the vessel registration number, departure point of vessel, location of each raft, estimated suspension/landing/harvest time, point of landing, and contact number.
(3) If any of this information changes after notification is given, the permittee shall again notify the department using the contact information designated on the HEOK permit.
(f) Noise. All permittees, authorized agents, vessel operators, crew, or employees shall recognize city ordinances governing transient noise sources, when fishing within 500 feet of any shoreline with residential dwellings, between the hours of 10:00 p.m. and 7:00 a.m. through implementation of noise reduction measures specified or developed by the herring fishing industry and approved by the department. Noise reduction measures include, but are not limited to: noise dampening devices for shakers and anchor chains, muffled engine exhaust systems, limited use of deck speakers, and/or reduced speed within 500 feet of shore.
(g) Marine Mammals. The use of explosives, seal bombs, or marine mammal deterrent devices in the HEOK sector is prohibited.
(h) Landing Requirements
(1) For the purposes of this section, all portions of the kelp blade, including all trimmed-off portions (trim), shall be considered part of the harvested product and included in the total weight of HEOK. The stipe and pneumatocyst shall not be considered a part of the harvested product; therefore, the weight of the stipe and pneumatocyst shall not be considered in determining the total weight of HEOK.
(2) All bins or totes shall be permanently marked with individualized serial numbers, beginning with the prefix CA, and predetermined tare weights (including lids). The serial number and predetermined tare weight shall be permanently marked in letters and numerals at least 3 inches high on each side of the bin or tote.
(3) Filled bins or totes shall be weighed when landed onshore, or before they are moved from the premises if processing takes place on-shore.
(4) HEOK shall not be landed/off-loaded between the hours of 10:00 p.m. and 6:00 a.m. on weekdays, or from 10:00 p.m. Friday to 6:00 a.m. Monday.
(5) Any HEOK taken for commercial purposes shall only be delivered to a person having a Herring Buyer's Permit pursuant to subsection 163.5(a) of these regulations.
(6) All HEOK landed in excess of any quota established in accordance with Section 55.02(d) of these regulations shall be forfeited to the department by the signing of a Release of Property form MR-FG-674 (REV. 5/13), as set forth in subsection 163(c). Such excess of HEOK shall be sold or disposed of, and the proceeds from all such sales shall be paid into the Fish and Game Preservation Fund.
(i) Processing Requirements.
(1) Any person engaged in, or employed for the specific purpose of, processing HEOK shall fall under the category of

non-applicability in regard to possession of a commercial fishing license pursuant to Section 7850.5 of the Fish and Game Code. Pursuant to Section 7850.5 of the Fish and Game Code, a person engaged in processing (permittees and authorized agents excepted) may stand aboard a HEOK vessel while at a dock or landing, but may not be transported aboard the vessel. A person engaged in processing (permittees and authorized agents excepted) may not stand on the HEOK raft, nor physically participate in the removal of HEOK from the water.
(2) Permittee shall have a certified scale aboard the vessel at all times if any brining is conducted aboard that vessel. This scale shall be used to determine the total weight of HEOK prior to brining.

KELLET'S WHELK

Title 14 Excerpts

§127. Commercial Take of Kellet's Whelk

(a) Method of Take.
(1) Kellet's whelk may be taken incidentally in lobster traps, as defined in Fish and Game Code Section 9010, being fished under the authority of a valid lobster permit and in rock crab traps, as defined in Fish and Game Code Section 9011(b)(2), being used to take rock crab under a valid southern rock crab trap permit in Districts 19 and 118.5.
(2) Kellet's whelk may be taken by hand by a licensed commercial fisherman.
(b) Season for Taking. Kellet's whelk may be taken for commercial purposes from July 1 through the first Wednesday after the 15th of March.
(1) All Kellet's whelk taken during the seasonal closure shall be immediately returned to the water. No Kellet's whelk shall be possessed aboard, or landed from, any commercial fishing vessel during the closed season.
(c) Total Allowable Catch. For the period from April 1 through March 31 of the following year, a total of not more than 100,000 pounds of Kellet's whelk may be landed in California.
(1) Mechanism for Fishery Closure. The department will estimate from the current trends in catch and using available scientific information the time at which the catch limit will be reached. The department will close the fishery at the time that catch limit is reached or is projected to be reached prior to the end of the fishing year.
(2) The department shall give no less than 10 days notice to any individual who has landed Kellet's whelk within the previous five years and all individuals who hold a current and valid lobster operator permit or southern rock crab trap permit via a notification letter sent to the permittee's address on file with the department. The department shall give the public and the commission no less than 10 days notice of the closure via a department news release.

KELP

§ 165. Harvesting of Kelp and Other Aquatic Plants

(a) General License Provisions. Pursuant to the provisions of Section 6651 of the Fish and Game Code, no kelp or other aquatic plants may be harvested for commercial purposes except under a revocable license issued by the department.
(1) Who Shall be Licensed. Each person harvesting kelp and other aquatic plants for profit shall apply each year for a license on 2015 Kelp Harvesting License Application (DFW 685 Rev, 08/14) which is incorporated by reference herein. License applications and a list of laws and regulations governing the harvest of kelp and other aquatic plants (including maps depicting administrative kelp beds) are available on request from the department's Los Alamitos office at 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720.
(2) Cost of License. See section 6651 of the Fish and Game Code.
(3) Where to Submit Applications. Application forms, together with the fee authorized by Section 6651 of the Fish and Game Code, shall be submitted to the department's Los Alamitos office, 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720.
(4) License Limitation. All provisions of sections 6650-6680 of the Fish and Game Code, and sections 165 and 165.5 of the commission regulations shall become a condition of all licenses issued under this section to be fully performed by the holders thereof, their agents, servants, employees or those acting under their direction or control.
(b) General Harvesting Provisions.
(1) Weighing of Kelp. A kelp harvester shall determine the weight of harvested kelp or other aquatic plants upon landing or delivery to the harvester's place of business. The harvester may determine the weight of harvested kelp or other aquatic plants by either direct weighing with a state certified scale or a volume conversion that has been approved by the department. If the weight is determined by a certified or licensed weighmaster, the harvester shall obtain a receipt and maintain the receipt in the landing record required under subsection (b)(3) below.
(2) Harvesting Records.
(A) Every person harvesting kelp and other aquatic plants and licensed pursuant to Section 6650 of the Fish and Game Code shall keep a record of the following:
1. Category of plants harvested as defined in subsections 165(c), (d) and (e).
2. The wet weight of harvested kelp or other aquatic plants recorded in pounds or tons (1 ton = 2000 lb).
3. Name and address of the person or firm to whom the plants are sold, unless utilized by the harvester.
(B) The record shall be open at all times for inspection by the department.
(3) Landing Records. Records of landing shall be prepared by all harvesters licensed pursuant to Section 6650 of the Fish and Game Code. Records of landing shall be made in triplicate using Kelp Harvester's Monthly Report forms FG 113 (Rev. 1/97, see Appendix A) and FG 114 (Rev. 1/07, see Appendix A).
(A) The landing records shall show:
1. The wet weight of all aquatic plants harvested in units as defined in subsection (b)(2)(A)2. above.
2. Name and address of harvester.
3. Department of Fish and Wildlife kelp harvester number.
4. Report period, royalty rate, balance of advance deposit (applicable to leased beds), royalty rate amount due and dates of landing.
5. Administrative kelp bed number and, if applicable, marine protected area where plants were harvested.
(B) A duplicate copy of the landing record shall be retained by

a kelp harvester for a period of one year and shall be available for inspection at any time within that period by the department. A kelp harvester who harvests kelp from a marine protected area established under subsection 632(b) shall maintain a copy of the landing record on board the harvest vessel for all harvesting conducted during that harvest control period. The original and one copy of the landing record shall be submitted to the department's Accounting Services Branch at 1416 Ninth Street, Room 1215, Sacramento, CA 95814 on or before the 10th day of each month following the month to which the landing records pertain with the specified royalty required for all kelp and other aquatic plants harvested. Landing records that are mailed shall be postmarked on or before the 10th day of each month following the month to which the landing records pertain. The landing record shall be submitted whether or not harvest occurred.

(C) Failure to submit the required landing records of harvest activity and royalty fees within the prescribed time limit and/or failure to retain the required landing records for the prescribed time period(s) may result in revocation or suspension (including non-renewal) of the harvester's license for a period not to exceed one year. Any revocation, suspension, or non-renewal may be appealed to the commission.

(4) No eel grass (Zostera) or surf grass (Phyllospadix) may be cut or disturbed.

(5) No kelp or other aquatic plant may be harvested in a state marine reserve or state marine park as per subsection 632(a). Commercial harvest of kelp or other aquatic plants may be limited in state marine conservation areas as per subsection 632(b).

(6) It is unlawful to cause or permit waste of any kelp or other aquatic plants taken in the waters of this state or to take, receive or agree to receive more kelp or other aquatic plants than can be used without waste or spoilage.

(c) Harvesting of Macrocystis and Nereocystis (giant and bull kelp). In this subsection, kelp means both giant and bull kelp.

(1) A kelp harvester may harvest kelp by cutting and removing portions of attached kelp or by collecting unattached kelp.

(2) A kelp harvester may not cut attached kelp at a depth greater than four feet below the surface of the water at the time of cutting.

(3) No kelp received aboard a harvesting vessel shall be allowed to escape from the vessel or be deposited into the waters of this state.

(4) In beds north of Point Montara, Nereocystis (bull kelp) may only be taken by hand harvesting. No mechanical harvesters of any kind shall be allowed.

(5) Between April 1 and July 31, a kelp harvester may not harvest bull kelp from a nonleased kelp bed that lies partially or totally within the boundary of the Monterey Bay National Marine Sanctuary extending from Santa Rosa Creek, San Luis Obispo County, northward to Rocky Point, Marin County. This subsection does not preclude the removal of bull kelp from beaches within the Monterey Bay National Marine Sanctuary during the seasonal closure.

(6) Prior commission approval of a kelp harvest plan is necessary before a kelp harvester may use a mechanical harvester to harvest giant kelp.

(A) A kelp harvest plan must identify how a mechanical harvester will be used while avoiding:

1. repetitive harvest from individual giant kelp plants;
2. harvest of bull kelp from those portions of kelp beds that contain both giant kelp and bull kelp; and
3. harvest of giant kelp near sea otter rafting sites used by female sea otters with dependent pups.

(B) All kelp harvest plans shall also include the following:

1. the number of the designated bed or beds as shown in subsection 165.5(j), a description of the kelp bed or portion of the kelp bed requested and the designated number of square miles in each bed or portion thereof;
2. intended use of kelp;
3. amount of kelp proposed to harvest on a monthly and annual basis during the next five years;
4. estimated frequency of harvesting activities for each kelp bed;
5. number of harvest boats, maximum kelp holding capacity in wet tons for each boat, including the operating vessel gross tonnage and fuel tank capacity;
6. harvesting methodology (harvest operation description);
7. all locations (addresses) where kelp landing and weighing will take place;
8. specific details of wet kelp weighing equipment and methods to be used at the landing sites for accurate reporting; and
9. name, address, phone number, and license number of kelp processor and method of transporting the kelp to the processing location.

(C) Kelp harvest plans must be updated and submitted to the commission for approval every five years.

(7) In addition to the license fee, a kelp harvester shall pay a royalty of $1.71 for each ton (2,000 lb) of wet kelp harvested from a non-leased bed.

(d) Harvesting of marine plants of the genera *Gelidium, Pterocladia, Gracilaria, Iridaea, Gloiopeltis* or *Gigartina* which are classified as agar-bearing plants.

(1) General Provisions.

(A) All agar-bearing plants must be harvested by cutting, except that drift or loose plants may be picked up by the harvester. Agar-bearing plants may be cut no closer than two inches to the holdfast and no holdfast may be removed or disturbed. All agar-bearing plants which are removed from a bed must be taken from the water for weighing and processing.

(B) While harvesting agar-bearing plants, it is unlawful to harvest abalone or to have abalone harvesting equipment in possession.

(C) License numbers of the harvesters will be displayed on both sides of the boat from which they are operating in 10-inch black numbers on a white background.

(D) A harvester may use conventional underwater diving gear or SCUBA when harvesting agar-bearing plants.

(2) Kelp Drying Permits. Pursuant to section 6653.5 of the Fish and Game Code, no company or individuals shall reduce the moisture content or otherwise dry agar-bearing plants harvested from waters of the state except under the authority of a kelp drying permit issued by the department. Drying permits shall be issued under the following conditions:

(A) Where Issued. Requests for kelp drying permits shall be submitted to the Department of Fish and Game at the address listed in section 165(a)(3).

(B) Cost of Permit. See subsection 699(b) of these regulations for the fee for this permit.
(C) Permit Review. The department shall return permit application forms to the applicant within three working days of receipt.
(D) Duration of Permits. Except as otherwise provided, kelp drying permits shall be valid for a term of one year from date of issue.
(E) Weighing of Kelp. All agar-bearing marine plants shall be weighed upon landing pursuant to the provisions of subsection (b)(1) of these regulations.
(F) Plant Delivery. Every person taking delivery of agar-bearing marine plants for drying purposes from persons licensed pursuant to section 6650 of the Fish and Game Code or harvesters drying their own plants shall keep a book or books recording the following:
1. A full and correct record of all agar-bearing plants received from other licensed agar harvesters or taken by permittee.
2. Names of the different species.
3. The number of pounds received.
4. Name, address and kelp harvester number of the person from whom the agar-bearing plants were received. The book(s) shall be open at all times for inspection by the department.
(G) Landing Receipts. Receipts shall be issued by all kelp drying permittees to harvesters licensed pursuant to subsection (b)(3) of these regulations and shall show:
1. Price paid.
2. Department origin block number where the agar-bearing plants were harvested.
3. Such other statistical information the department may require.
(H) The original signed copy of receipt shall be delivered to the agar harvester at the time of purchase or receipt of the agar-bearing plants. The duplicate copy shall be kept by the kelp drying permittee for a period of one year and shall be available for inspection at any time within that period by the department, and the triplicate shall be delivered to the department at the address indicated within 10 days after the close of each month, with a royalty of $17.00 per wet ton (2,000 lbs.) for all agar-bearing seaweed received. Failure to submit the required landing receipts and royalty fees within the prescribed time limit is grounds for revocation of the permittee's drying permit.
(e) Harvesting of marine plants, including the genera Porphyra, Laminaria, Monostrema, and other aquatic plants utilized fresh or preserved as human food and classified as edible seaweed.
(1) General Provisions.
(A) Edible varieties of marine plants must be harvested by cutting or picking, except that drift or loose plants may be picked up by the harvester. All harvested plants must be processed.
(B) Edible seaweed may be harvested from state waters throughout the year, except as provided under section 164.
(C) While harvesting edible seaweed, it is unlawful to harvest abalone or to have abalone harvesting equipment in possession.
(D) A harvester may use conventional underwater diving gear or SCUBA while harvesting edible seaweed.
(2) Harvest of Bull Kelp for Human Consumption. Notwithstanding subsection 165(c) (5)(A), persons operating under the authority of an edible seaweed harvesters license may take, not to exceed, 2 tons (4,000 lbs) of bull kelp per year. The entire plant may be harvested.
(3) Weighing of Edible Marine Plants. All edible marine plants shall be weighed pursuant to the provisions of subsection (b)(1) of these regulations and landing receipts in duplicate issued as per subsection (b)(3).
(4) The original copy of the receipt shall be delivered to the department at the address indicated within 10 days after the close of each month with a royalty of $24 per wet ton (2,000 lbs.) of edible marine plants harvested from state waters other than San Francisco Bay and Tomales Bay.
(f) All Other Species of Kelp.
(1) Applicant shall apply to the commission, outlining the species to be harvested, amount and location. The commission may set conditions and amount of royalty after review of the application.

§ 165.5. Lease of Kelp Beds for Exclusive Harvest of Macrocystis and Nereocystis

(a) The commission may lease to any person the exclusive privilege to harvest kelp in any designated kelp bed or beds, or part thereof described in subsection (j). In this section, kelp means giant kelp, bull kelp, or both.
(b) A current list of kelp beds considered by the commission to be available for leasing may be obtained through written request to the department's Marine Region at 20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940. Any person desiring to lease the exclusive privilege of harvesting kelp shall make a written application to the Fish and Game Commission, 1416 Ninth Street, Sacramento, CA 95814. The application for kelp bed lease shall include:
(1) A minimum deposit of $2,565 per square mile for kelp beds lying south of Point Arguello and $1,368 per square mile for kelp beds lying north of Point Arguello. (The deposit shall be returned to the applicant if a lease is not executed.)
(2) A detailed kelp harvest plan. The kelp harvest plan must be updated and resubmitted every five years.
(A) If kelp is mechanically harvested, the kelp harvest plan must identify how a mechanical harvester will be used while avoiding:
1. repetitive harvest from individual giant kelp plants;
2. harvest of bull kelp from those portions of kelp beds that contain both giant kelp and bull kelp; and
3. harvest of giant kelp near sea otter rafting sites used by female sea otters with dependent pups.
(B) All kelp harvest plans (mechanical or hand harvest) shall also include the following:
1. the number of the designated bed or beds as shown in subsection (j), a description of the kelp bed or portion of the kelp bed requested and the designated number of square miles in each bed or portion thereof;
2. intended use of kelp;
3. amount of kelp proposed to harvest on a monthly and annual basis during the next five years;
4. estimated frequency of harvesting activities for each kelp bed;
5. number of harvest boats, maximum kelp holding capaci-

ty in wet tons for each boat, including the operating vessel gross tonnage and fuel tank capacity;
6. harvesting methodology (harvest operation description);
7. all locations (addresses) where kelp landing and weighing will take place;
8. specific details of wet kelp weighing equipment and methods to be used at the landing sites for accurate reporting; and
9. name, address, phone number, and license number of kelp processor and method of transporting the kelp to the processing location.
(3) Copy of business license.
(4) The financial capabilities of the lessee to carry out the proposed harvest plan.
(5) Applicants for available lease only kelp beds in the 301-312 series shall, in addition to the above requirements, submit evidence of a scientifically acceptable survey of the requested kelp bed, conducted within one year of the date of the application, showing the extent of the kelp bed and the quantity (biomass) of kelp present. Evidence of such a survey must be submitted annually prior to beginning harvest. Harvest of bull kelp from leased beds shall be limited to not more than 15 percent of the bull kelp biomass revealed by the survey.
(c) The department shall evaluate the submitted application, and provide its evaluation to the commission. Kelp leases may be awarded to applicants determined by the commission to possess the capabilities to harvest and utilize kelp in a manner beneficial to the state.
(1) In case more than one application is received for the lease of a specified kelp bed or beds, the lease shall be awarded to the highest qualified bidder.
(2) Bids tendered for the exclusive right to harvest kelp from designated kelp beds will be for the dollar amount of royalty to be paid on each wet ton of kelp harvested. The minimum acceptable bid will be for a royalty rate of no less than $1.71 per wet ton of kelp harvested.
(3) The commission may reject any or all applications for the lease of the exclusive privilege to harvest kelp, if it deems the rejection to be in the public interest.
(d) If the specified kelp harvesting area applied for is found to be available for lease, and that the lease would be in the public interest, the commission shall have legal notices published in a newspaper of general circulation in each county where the kelp bed, or any part thereof, is located. The department shall, in addition, notify by mail all current holders of kelp harvesting licenses that a kelp lease is being considered.
(e) Upon termination of a kelp bed lease for any reason, the commission shall notify all current holders of kelp licenses of the availability of such bed(s) for lease.
(f) Kelp bed leases may be awarded for a maximum term of 20 years.
(g) The royalty rate for kelp harvested from leased kelp beds shall be no less than $1.71 per wet ton of kelp harvested from such beds. A nonrefundable advance payment computed on the basis of the harvest of 800 tons of kelp annually times the bid royalty rate per square mile for kelp beds located north of Point Arguello and the harvest of 1,500 tons of kelp annually times the bid royalty rate per square mile for beds lying south of that point is due and payable to the department on January 1 each year. Kelp harvested from each bed during the calendar year will be credited against the advance payment at the specified royalty rate until the deposit has been depleted. Kelp harvested from each bed in excess of the amount covered by the advance deposit shall be assessed at the basic royalty rate established by subsection 165(c)(7).
(h) Each kelp lease shall specify a period prior to expiration when renewal of the lease may be requested by lessee. If during the notification period the lessee successfully demonstrates to the commission that all conditions of the lease have been met, the lessee shall have a prior right to renew the lease on terms agreed upon between the commission and the lessee. If terms of a lease renewal are not agreed upon prior to termination of a lease agreement, the commission shall advertise for bids on the individual kelp beds comprising the lease. If a request for renewal is not made during the specified period by the lessee, the commission shall advertise for bids on the individual kelp beds comprising the lease.
(i) Notwithstanding the provisions of subsections (f) and (h), at any time during the term of a lease, a lessee may notify the commission of its desire to enter into a new lease. If the lessee can successfully demonstrate to the commission that all conditions of its lease have been met and that a new lease would be in the best interest of the state, a new lease may be drawn on terms agreed upon between the two parties, provided a new lease is negotiated for an additional period not to exceed 20 years.
(j) Kelp beds are defined as follows: kelp bed number, designation, area (approximate square miles of kelp canopy within a kelp bed based on historic survey data), and boundary descriptions. Kelp bed designations are defined as follows: open - kelp bed is open to all kelp harvesting, and leases cannot be issued; closed - kelp bed is closed to all kelp harvesting; lease only - kelp bed is closed to all kelp harvesting unless an exclusive lease is obtained; and leasable - kelp bed is open to kelp harvesting until the bed is leased and, once leased, can only be harvested by the lessee. It is the responsibility of the potential harvester to contact the department to ensure leasable beds are not leased before harvest occurs. All geographic coordinates listed use the North American Datum 1983 (NAD83) reference datum:
(1) Mainland Kelp Beds (U.S./Mexico Border to Pt. Arguello)

Bed 1.

Open. 0.20 square miles. This bed extends from the U.S./Mexico Border to the southern tip of San Diego Bay, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32°32.063′ N. lat. 117˚07.431′ W. long.; thence westward along the U.S./Mexico border to:
32°31.847′ N. lat. 117˚11.018′ W. long.; thence northward along the three nautical mile offshore boundary to
32˚35.979′ N. lat. 117˚11.601′ W. long.; and
32˚35.979′ N. lat. 117˚08.010′ W. long.

Bed 2.

Open. 0.10 square miles. This bed extends from the southern tip of San Diego Bay to the southern tip of Point Loma, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32˚35.979′ N. lat. 117˚08.010′ W. long.;

32˚35.979′ N. lat. 117˚11.601′ W. long.; thence northwestward along the three nautical mile offshore boundary to
32˚39.189′ N. lat. 117˚18.171′ W. long.; and
32˚39.891′ N. lat. 117˚14.559′ W. long.

Bed 3.

Leasable. 2.58 square miles. This bed extends from the southern tip of Point Loma to the south jetty of Mission Bay, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32˚39.891′ N. lat. 117˚14.559′ W. long.;
32˚39.189′ N. lat. 117˚18.171′ W. long.; thence northward along the three nautical mile offshore boundary to
32˚45.492′ N. lat. 117˚19.169′ W. long.;
32˚45.364′ N. lat. 117˚15.501′ W. long.; and
32˚45.398′ N. lat. 117˚15.221′ W. long.

Bed 4.

Leasable. 2.53 square miles. This bed extends from the south jetty of Mission Bay to Scripps Pier, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32˚45.398′ N. lat. 117˚15.221′ W. long.;
32˚45.364′ N. lat. 117˚15.501′ W. long.;
32˚45.492′ N. lat. 117˚19.169′ W. long.; thence northward along the three nautical mile offshore boundary to
32˚52.941′ N. lat. 117˚19.411′ W. long.;
32˚52.025′ N. lat. 117˚15.445′ W. long.; and
32˚51.976′ N. lat. 117˚15.273′ W. long.

Bed 5.

Leasable. 0.00 square miles. This bed extends from Scripps Pier to the mouth of the San Dieguito River, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32˚51.976′ N. lat. 117˚15.273′ W. long.;
32˚52.025′ N. lat. 117˚15.445′ W. long.;
32˚52.941′ N. lat. 117˚19.411′ W. long.; thence northward along the three nautical mile offshore boundary to
32˚58.482′ N. lat. 117˚19.992′ W. long.; and
32˚58.482′ N. lat. 117˚16.208′ W. long.

Bed 6.

Leasable. 1.52 square miles. This bed extends from the mouth of the San Dieguito River to Loma Alta Creek (at South Oceanside), defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32˚58.482′ N. lat. 117˚16.208′ W. long.;
32˚58.482′ N. lat. 117˚19.992′ W. long.; thence northward along the three nautical mile offshore boundary to
33˚08.674′ N. lat. 117˚25.021′ W. long.; and
33˚10.601′ N. lat. 117˚22.164′ W. long.

Bed 7.

Open. 0.66 square miles. This bed extends from Loma Alta Creek (at South Oceanside) to the middle of the city of San Onofre, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚10.601′ N. lat. 117˚22.164′ W. long.;
33˚08.674′ N. lat. 117˚25.021′ W. long.; thence northwestward along the three nautical mile offshore boundary to
33˚20.034′ N. lat. 117˚36.352′ W. long.; and
33˚22.790′ N. lat. 117˚34.422′ W. long.

Bed 8.

Open. 1.53 square miles. This bed extends from the middle of the city of San Onofre to San Juan Creek, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚22.790′ N. lat. 117˚34.422′ W. long.;
33˚20.034′ N. lat. 117˚36.352′ W. long.; thence northwestward along the three nautical mile offshore boundary to
33˚24.473′ N. lat. 117˚43.639′ W. long.; and
33˚27.707′ N. lat. 117˚41.020′ W. long.

Bed 9.

Open. 0.39 square miles. This bed extends from San Juan Creek to Abalone Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚27.707′ N. lat. 117˚41.020′ W. long.;
33˚24.473′ N. lat. 117˚43.639′ W. long.; thence northwestward along the three nautical mile offshore boundary to
33˚30.698′ N. lat. 117˚51.298′ W. long.; and
33˚33.219′ N. lat. 117˚49.182′ W. long.

Bed 10.

Closed. 0.00 square miles. This bed extends from Abalone Pt. to the south jetty of Newport Bay, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚33.219′ N. lat. 117˚49.182′ W. long.;
33˚30.698′ N. lat. 117˚51.298′ W. long.; thence northwestward along the three nautical mile offshore boundary to
33˚32.813′ N. lat. 117˚54.793′ W. long.;
33˚35.373′ N. lat. 117˚52.645′ W. long.;
33˚35.531′ N. lat. 117˚52.654′ W. long.; and
33˚35.555′ N. lat. 117˚52.662′ W. long.

Bed 13.

Open. 0.54 square miles. This bed extends from the San Pedro Breakwater Lighthouse to Pt. Vicente, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚42.482′ N. lat. 118˚16.637′ W. long.;
33˚42.249′ N. lat. 118˚16.188′ W. long.;
33˚42.223′ N. lat. 118˚16.053′ W. long.;
33˚42.247′ N. lat. 118˚15.903′ W. long.;
33˚42.513′ N. lat. 118˚15.094′ W. long.;
33˚39.690′ N. lat. 118˚13.838′ W. long.; thence westward along the three nautical mile offshore boundary to
33˚42.308′ N. lat. 118˚27.456′ W. long.; and
33˚44.469′ N. lat. 118˚24.691′ W. long.

Bed 14.

Open. 0.74 square miles. This bed extends from Pt. Vicente to the southern tip of the Redondo Beach Breakwater, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚44.469′ N. lat. 118˚24.691′ W. long.;
33˚42.308′ N. lat. 118˚27.456′ W. long.; thence northward along the three nautical mile offshore boundary to
33˚49.486′ N. lat. 118˚27.625′ W. long.;

33˚50.459′ N. lat. 118˚23.721′ W. long.;
33˚50.513′ N. lat. 118˚23.650′ W. long.;
33˚50.475′ N. lat. 118˚23.550′ W. long.; and
33˚50.479′ N. lat. 118˚23.529′ W. long.

Bed 15.

Closed. 0.04 square miles. This bed extends from the Santa Monica Pier to Malibu Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚00.528′ N. lat. 118˚29.887′ W. long.;
34˚00.444′ N. lat. 118˚29.993′ W. long.;
33˚57.994′ N. lat. 118˚32.278′ W. long.; thence westward along the three nautical mile offshore boundary to
33˚59.044′ N. lat. 118˚39.530′ W. long.; and
34˚01.853′ N. lat. 118˚40.931′ W. long.

Bed 16.

Leasable. 0.21 square miles. This bed extends from Malibu Pt. to Pt. Dume, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚01.853′ N. lat. 118˚40.931′ W. long.;
33˚59.044′ N. lat. 118˚39.530′ W. long.; thence westward along the three nautical mile offshore boundary to
33˚56.897′ N. lat. 118˚48.604′ W. long.; and
34˚00.026′ N. lat. 118˚48.330′ W. long.

Bed 17.

Leasable. 0.62 square miles. This bed extends from Pt. Dume to Pt. Mugu, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚00.026′ N. lat. 118˚48.330′ W. long.;
33˚56.897′ N. lat. 118˚48.604′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚02.348′ N. lat. 119˚05.122′ W. long.; and
34˚05.136′ N. lat. 119˚03.701′ W. long.

Bed 18.

Open. 0.15 square miles. This bed extends from the mouth of Ventura River to Pitas Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚16.442′ N. lat. 119˚18.425′ W. long.;
34˚13.835′ N. lat. 119˚20.389′ W. long.; thence northwestward along the three nautical mile offshore boundary to
34˚16.413′ N. lat. 119˚25.172′ W. long.; and
34˚19.071′ N. lat. 119˚23.379′ W. long.

Bed 19.

Leasable. 0.05 square miles. This bed extends from Pitas Pt. to Rincon Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚19.071′ N. lat. 119˚23.379′ W. long.;
34˚16.413′ N. lat. 119˚25.172′ W. long.; thence northwestward along the three nautical mile offshore boundary to
34˚19.818′ N. lat. 119˚30.669′ W. long.; and
34˚22.376′ N. lat. 119˚28.671′ W. long.

Bed 20.

Leasable. 0.24 square miles. This bed extends from Rincon Pt. to Loon Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚22.376′ N. lat. 119˚28.671′ W. long.;
34˚19.818′ N. lat. 119˚30.669′ W. long.; thence northwestward along the three nautical mile offshore boundary to
34˚21.817′ N. lat. 119˚35.552′ W. long.; and
34˚24.749′ N. lat. 119˚34.600′ W. long.

Bed 21.

Leasable. 0.19 square miles. This bed extends from Loon Pt. to Edgecliff Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚24.749′ N. lat. 119˚34.600′ W. long.;
34˚21.817′ N. lat. 119˚35.552′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚21.929′ N. lat. 119˚38.626′ W. long.; and
34˚24.953′ N. lat. 119˚38.415′ W. long.

Bed 22.

Closed. 0.05 square miles. This bed extends from Edgecliff Pt. to the tip of the Santa Barbara Breakwater, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚24.953′ N. lat. 119˚38.415′ W. long.;
34˚21.929′ N. lat. 119˚38.626′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚21.150′ N. lat. 119˚40.483′ W. long.;
34˚24.290′ N. lat. 119˚41.266′ W. long.;
34˚24.187′ N. lat. 119˚41.506′ W. long.; and
34˚24.187′ N. lat. 119˚41.520′ W. long.

Bed 23.

Open. 0.10 square miles. This bed extends from the tip of the Santa Barbara Breakwater to the Santa Barbara Lighthouse, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚24.187′ N. lat. 119˚41.520′ W. long.;
34˚24.187′ N. lat. 119˚41.506′ W. long.;
34˚24.290′ N. lat. 119˚41.266′ W. long.;
34˚21.150′ N. lat. 119˚40.483′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚20.703′ N. lat. 119˚44.181′ W. long.; and
34˚23.734′ N. lat. 119˚43.369′ W. long.

Bed 24.

Closed. 0.05 square miles. This bed extends from the Santa Barbara Lighthouse to Rogue Creek (Arroyo Burro), defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚23.734′ N. lat. 119˚43.369′ W. long.;
34˚20.703′ N. lat. 119˚44.181′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚21.056′ N. lat. 119˚45.509′ W. long.; and
34˚24.183′ N. lat. 119˚44.590′ W. long.

Bed 25.

Open. 0.18 square miles. This bed extends from Rogue Creek (Arroyo Burro) to Hope Ranch Creek, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚24.183′ N. lat. 119˚44.590′ W. long.;
34˚21.056′ N. lat. 119˚45.509′ W. long.; thence northwestward

along the three nautical mile offshore boundary to
34˚21.626′ N. lat. 119˚47.085′ W. long.; and
34˚24.875′ N. lat. 119˚46.801′ W. long.

Bed 26.

Leaseable. 0.60 square miles. This bed extends from Hope Ranch Creek to Goleta Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚24.875′ N. lat. 119˚46.801′ W. long.;
34˚21.626′ N. lat. 119˚47.085′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚21.219′ N. lat. 119˚50.437′ W. long.; and
34˚24.276′ N. lat. 119˚50.651′ W. long.

Bed 27.

Leaseable. 0.43 square miles. This bed extends from Goleta Pt. to Coal Oil Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚24.276′ N. lat. 119˚50.651′ W. long.;
34˚21.219′ N. lat. 119˚50.437′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚21.675′ N. lat. 119˚54.268′ W. long.; and
34˚24.413′ N. lat. 119˚52.687′ W. long.

Bed 28.

Open. 0.61 square miles. This bed extends from Coal Oil Pt. to the middle of Gato Canyon, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚24.413′ N. lat. 119˚52.687′ W. long.;
34˚21.675′ N. lat. 119˚54.268′ W. long.; thence northwestward along the three nautical mile offshore boundary to
34˚24.045′ N. lat. 120˚00.375′ W. long.; and
34˚26.989′ N. lat. 119˚59.304′ W. long.

Bed 29.

Leasable. 0.17 square miles. This bed extends from the middle of Gato Canyon to Refugio Creek, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚26.989′ N. lat. 119˚59.304′ W. long.;
34˚24.045′ N. lat. 120˚00.375′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚24.570′ N. lat. 120˚04.347′ W. long.; and
34˚27.767′ N. lat. 120˚04.180′ W. long.

Bed 30.

Leasable. 0.39 square miles. This bed extends from Refugio Creek to the middle of Canada de Molino, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚27.767′ N. lat. 120˚04.180′ W. long.;
34˚24.570′ N. lat. 120˚04.347′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚25.122′ N. lat. 120˚10.123′ W. long.; and
34˚28.175′ N. lat. 120˚10.123′ W. long.

Bed 31.

Leasable. 0.16 square miles. This bed extends from the middle of Canada de Molino to the middle of Alegria Canyon, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚28.175′ N. lat. 120˚10.123′ W. long.;
34˚25.122′ N. lat. 120˚10.123′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚25.000′ N. lat. 120˚16.338′ W. long.; and
34˚28.136′ N. lat. 120˚16.338′ W. long.

Bed 32.

Leasable. 2.76 square miles. This bed extends from the middle of Alegria Canyon to Pt. Conception, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚28.136′ N. lat. 120˚16.338′ W. long.;
34˚25.000′ N. lat. 120˚16.338′ W. long.; thence westward along the three nautical mile offshore boundary to
34˚23.644′ N. lat. 120˚28.313′ W. long.; and
34˚26.899′ N. lat. 120˚28.313′ W. long.

Bed 33.

Open. 0.97 square miles. This bed extends from Pt. Conception to Espada Bluff, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚26.899′ N. lat. 120˚28.313′ W. long.;
34˚23.644′ N. lat. 120˚28.313′ W. long.; thence northwestward along the three nautical mile offshore boundary to
34˚29.575′ N. lat. 120˚34.185′ W. long.; and
34˚31.846′ N. lat. 120˚31.380′ W. long.

Bed 34.

Leasable. 0.31 square miles. This bed extends from Espada Bluff to Pt. Arguello, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚31.846′ N. lat. 120˚31.380′ W. long.;
34˚29.575′ N. lat. 120˚34.185′ W. long.; thence northwestward along the three nautical mile offshore boundary to
34˚34.612′ N. lat. 120˚42.763′ W. long.; and
34˚34.612′ N. lat. 120˚39.039′ W. long.

Total Area Mainland Kelp Beds (U.S./Mexico Border to Pt. Arguello) .....19.07 square miles

(2) Channel Island Kelp Beds

Bed 101.

San Clemente Island. Open. 0.66 square miles. This bed extends from Pyramid Head to China Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32˚49.221′ N. lat. 118˚20.948′ W. long.;
32˚47.494′ N. lat. 118˚17.943′ W. long.; thence southwestward along the three nautical mile offshore boundary to
32˚45.198′ N. lat. 118˚27.222′ W. long.; and
32˚48.054′ N. lat. 118˚25.564′ W. long.

Bed 102.

San Clemente Island. Leasable. 2.39 square miles. This bed extends from China Pt. to Seal Cove, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32˚48.054′ N. lat. 118˚25.564′ W. long.;
32˚45.198′ N. lat. 118˚27.222′ W. long.; thence northwestward along the three nautical mile offshore boundary to
32˚51.927′ N. lat. 118˚34.637′ W. long.; and
32˚54.458′ N. lat. 118˚32.017′ W. long.

Bed 103.
San Clemente Island. Leasable. 2.90 square miles. This bed extends from Seal Cove to Northwest Harbor, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
32˚54.458′ N. lat. 118˚32.017′ W. long.;
32˚51.927′ N. lat. 118˚34.637′ W. long.; thence northward along the three nautical mile offshore boundary to
33˚05.298′ N. lat. 118˚35.312′ W. long.; and
33˚01.713′ N. lat. 118˚35.312′ W. long.

Bed 104.
San Clemente Island. Open. 0.22 square miles. This bed extends from Northwest Harbor to Pyramid Head, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚01.713′ N. lat. 118˚35.312′ W. long.;
33˚05.298′ N. lat. 118˚35.312′ W. long.; thence southeastward along the three nautical mile offshore boundary to
32˚47.494′ N. lat. 118˚17.943′ W. long.; and
32˚49.221′ N. lat. 118˚20.948′ W. long.

Bed 105.
Santa Catalina Island. Open. 0.75 square miles. This area is bounded by the mean high tide line and the three nautical mile offshore boundary surrounding Santa Catalina Island.

Bed 106.
Santa Barbara Island. Leasable. 0.24 square miles. This area is bounded by the mean high tide line and the three nautical mile offshore boundary surrounding Santa Barbara Island.

Bed 107.
San Nicolas Island. Leasable. 1.15 square miles. This bed extends along the southern side of San Nicolas Island from the east end at Sand Spit to the west end at Vizcaino Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚13.618′ N. lat. 119˚26.070′ W. long.;
33˚14.733′ N. lat. 119˚21.909′ W. long.; thence westward along the three nautical mile offshore boundary to
33˚17.813′ N. lat. 119˚39.569′ W. long.; and
33˚16.690′ N. lat. 119˚34.705′ W. long.

Bed 108.
San Nicolas Island. Leasable. 2.85 square miles. This bed extends along the northern side of San Nicolas Island from the west end at Vizcaino Point to the east end at Sand Spit, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚16.690′ N. lat. 119˚34.705′ W. long.;
33˚17.813′ N. lat. 119˚39.569′ W. long.; thence eastward along the three nautical mile offshore boundary to
33˚14.733′ N. lat. 119˚21.909′ W. long.; and
33˚13.618′ N. lat. 119˚26.070′ W. long.

Bed 109.
Anacapa Islands. Open. 0.32 square miles. This bed encompasses all of the Anacapa Islands, defined as the area bounded by the mean high tide line and a straight line connecting the following points in the order listed except where noted:
34˚03.605′ N. lat. 119˚28.116′ W. long.; and
34˚58.999′ N. lat. 119˚29.556′ W. long.; thence eastward along the three nautical mile offshore boundary to
34˚03.605′ N. lat. 119˚28.116′ W. long.

Bed 110.
Santa Cruz Island. Open. 0.64 square miles. This bed extends from San Pedro Pt. to Bowen Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚02.046′ N. lat. 119˚31.220′ W. long.;
34˚02.233′ N. lat. 119˚28.545′ W. long.;
33˚58.999′ N. lat. 119˚29.556′ W. long.; thence westward along the three nautical mile offshore boundary to
33˚54.557′ N. lat. 119˚42.741′ W. long.; and
33˚57.562′ N. lat. 119˚43.271′ W. long.

Bed 111.
Santa Cruz Island. Leasable. 0.61 square miles. This bed extends from Bowen Pt. to West Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚57.562′ N. lat. 119˚43.271′ W. long.;
33˚54.557′ N. lat. 119˚42.741′ W. long.; thence westward along the three nautical mile offshore boundary to
33˚56.287′ N. lat. 119˚54.419′ W. long.;
34˚03.640′ N. lat. 119˚59.420′ W. long.; thence northeastward along the three nautical mile offshore boundary to
34˚06.632′ N. lat. 119˚57.912′ W. long.; and
34˚04.632′ N. lat. 119˚55.159′ W. long.

Bed 112.
Santa Cruz Island. Open. 0.11 square miles. This bed extends from West Pt. to San Pedro Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚04.632′ N. lat. 119˚55.159′ W. long.;
34˚06.632′ N. lat. 119˚57.912′ W. long.; thence eastward along the three nautical mile offshore boundary to
34˚03.605′ N. lat. 119˚28.116′ W. long.;
34˚02.233′ N. lat. 119˚28.545′ W. long.; and
34˚02.046′ N. lat. 119˚31.220′ W. long.

Bed 113.
Santa Rosa Island. Open. 0.59 square miles. This bed extends from Skunk Pt. to South Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚58.979′ N. lat. 119˚58.837′ W. long.;
34˚00.021′ N. lat. 119˚56.958′ W. long.;
33˚56.287′ N. lat. 119˚54.419′ W. long.; thence southwestward along the three nautical mile offshore boundary to
33˚50.623′ N. lat. 120˚06.954′ W. long.; and
33˚53.657′ N. lat. 120˚06.954′ W. long.

Bed 114.
Santa Rosa Island. Open. 2.18 square miles. This bed extends from South Pt. to Sandy Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
33˚53.657′ N. lat. 120˚06.954′ W. long.;
33˚50.623′ N. lat. 120˚06.954′ W. long.; thence northwestward along the three nautical mile offshore boundary to
33˚58.204′ N. lat. 120˚17.918′ W. long.;
34˚00.631′ N. lat. 120˚16.744′ W. long.; and
34˚00.161′ N. lat. 120˚14.992′ W. long.

Bed 115.
Santa Rosa Island. Open. 1.59 square miles. This bed extends from Sandy Pt. to Carrington Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚00.161′ N. lat. 120˚4.992′ W. long.;
34˚00.631′ N. lat. 120˚16.744′ W. long.;
34˚03.466′ N. lat. 120˚15.373′ W. long.; thence eastward along the three nautical mile offshore boundary to
34˚04.486′ N. lat. 120˚00.248′ W. long.; and
34˚02.146′ N. lat. 120˚02.587′ W. long.

Bed 116.
Santa Rosa Island. Open. 0.62 square miles. This bed extends from Carrington Pt. to Skunk Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚02.146′ N. lat. 120˚02.587′ W. long.;
34˚04.486′ N. lat. 120˚00.248′ W. long.; thence southeastward along the three nautical mile offshore boundary to
34˚03.640′ N. lat. 119˚59.420′ W. long.;
34˚00.021′ N. lat. 119˚56.958′ W. long.; and
33˚58.979′ N. lat. 119˚58.837′ W. long.

Bed 117.
San Miguel Island. Open. 1.35 square miles. This bed extends along the southern side of San Miguel Island from Cardwell Pt. to Pt. Bennett, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚01.305′ N. lat. 120˚18.514′ W. long.;
34˚02.984′ N. lat. 120˚15.606′ W. long.;
33°58.204′N. lat. 120°17.918′W. long.; thence westward along the three nautical mile offshore boundary to
33˚59.614′ N. lat. 120˚29.817′ W. long.; and
34˚01.778′ N. lat. 120˚27.144′ W. long.

Bed 118.
San Miguel Island. Open. 1.51 square miles. This bed extends along the northern side of San Miguel Island from Pt. Bennett to Cardwell Pt., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚01.778′ N. lat. 120˚27.144′ W. long.;
33˚59.614′ N. lat. 120˚29.817′ W. long.; thence northwestward along the three nautical mile offshore boundary to
34˚03.466′ N. lat. 120˚15.373′ W. long.;
34˚02.984′ N. lat. 120˚15.606′ W. long.; and
34˚01.305′ N. lat. 120˚18.514′ W. long.

Total Channel Island Kelp Beds20.68 square miles

(3) Mainland Kelp Beds (Pt. Arguello to Point Montara)

Bed 202.
Leasable. 0.10 square miles. This bed extends from Pt. Arguello to Point Sal., defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚34.612′ N. lat. 120˚39.039′ W. long.;
34˚34.612′ N. lat. 120˚42.763′ W. long.; thence northward along the three nautical mile offshore boundary to
34˚54.182′ N. lat. 120˚44.006′ W. long.; and
34˚54.182′ N. lat. 120˚40.311′ W. long.

Bed 203.
Closed. 0.00 square miles. This bed extends from Point Sal to Pismo Beach Pier, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
34˚54.182′ N. lat. 120˚40.311′ W. long.;
34˚54.182′ N. lat. 120˚44.006′ W. long.; thence northward along the three nautical mile offshore boundary to
35˚06.359′ N. lat. 120˚45.369′ W. long.;
35˚08.259′ N. lat. 120˚45.369′ W. long.;
35˚08.259′ N. lat. 120˚38.803′ W. long.; and
35˚08.311′ N. lat. 120˚38.636′ W. long.

Bed 204.
Leasable. 0.72 square miles. This bed extends from Pismo Beach Pier to Point San Luis, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed:
35˚08.311′ N. lat. 120˚38.636′ W. long.;
35˚08.259′ N. lat. 120˚38.803′ W. long.;
35˚08.259′ N. lat. 120˚45.369′ W. long.; and
35˚09.600′ N. lat. 120˚45.369′ W. long.

Bed 205.
Open. 0.64 square miles. This bed extends from Point San Luis to Point Buchon, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚09.600′ N. lat. 120˚45.369′ W. long.;
35˚06.359′ N. lat. 120˚45.369′ W. long.; thence northwestward along the three nautical mile offshore boundary to
35˚14.015′ N. lat. 120˚57.535′ W. long.; and
35˚15.308′ N. lat. 120˚53.984′ W. long.

Bed 206.
Closed. 0.04 square miles. This bed extends from Point Buchon to Morro Rock, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚15.308′ N. lat. 120˚53.984′ W. long.;
35˚14.015′ N. lat. 120˚57.535′ W. long.; thence northward along the three nautical mile offshore boundary to
35˚22.161′ N. lat. 120˚55.921′ W. long.; and
35˚22.161′ N. lat. 120˚52.228′ W. long.

Bed 207.
Leasable. 1.46 square miles. This bed extends from Morro Rock to Point Estero, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚22.161′ N. lat. 120˚52.228′ W. long.;
35˚22.161′ N. lat. 120˚55.921′ W. long.; thence northwestward along the three nautical mile offshore boundary to
35˚24.609′ N. lat. 121˚00.704′ W. long.; and
35˚27.621′ N. lat. 121˚00.173′ W. long.

Bed 208.
Leasable. 2.61 square miles. This bed extends from Point Estero to Von Helm Rock, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚27.621′ N. lat. 121˚00.173′ W. long.;
35˚24.609′ N. lat. 121˚00.704′ W. long.; thence northwestward along the three nautical mile offshore boundary to
35˚30.694′ N. lat. 121˚08.680′ W. long.; and
35˚32.904′ N. lat. 121˚06.046′ W. long.

Bed 209.
Leasable. 2.20 square miles. This bed extends from Von Helm Rock to San Simeon Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚32.904′ N. lat. 121˚06.046′ W. long.;
35˚30.694′ N. lat. 121˚08.680′ W. long.; thence northwestward along the three nautical mile offshore boundary to
35˚35.234′ N. lat. 121˚12.753′ W. long.; and
35˚38.063′ N. lat. 121˚11.723′ W. long.

Bed 210.
Leasable. 2.02 square miles. This bed extends from San Simeon Point to Point Piedras Blancas, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚38.063′ N. lat. 121˚11.723′ W. long.;
35˚35.234′ N. lat. 121˚12.753′ W. long.; thence northwestward along the three nautical mile offshore boundary to
35˚37.682′ N. lat. 121˚19.849′ W. long.; and
35˚39.905′ N. lat. 121˚17.201′ W. long.

Bed 211.
Leasable. 1.50 square miles. This bed extends from Point Piedras Blancas to Salmon Head, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚39.905′ N. lat. 121˚17.201′ W. long.;
35˚37.682′ N. lat. 121˚19.849′ W. long.; thence northwestward along the three nautical mile offshore boundary to
35˚46.880′ N. lat. 121˚25.878′ W. long.; and
35˚48.725′ N. lat. 121˚22.414′ W. long.

Bed 212.
Leasable. 1.26 square miles. This bed extends from Salmon Head to Cape San Martin, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚48.725′ N. lat. 121˚22.414′ W. long.;
35˚46.880′ N. lat. 121˚25.878′ W. long.; thence northwestward along the three nautical mile offshore boundary to
35˚51.420′ N. lat. 121˚31.231′ W. long.; and
35˚53.346′ N. lat. 121˚27.895′ W. long.

Bed 213.
Open. 2.14 square miles. This bed extends from Cape San Martin to Lopez Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
35˚53.346′ N. lat. 121˚27.895′ W. long.;
35˚51.420′ N. lat. 121˚31.231′ W. long.; thence northwestward along the three nautical mile offshore boundary to
35˚59.281′ N. lat. 121˚37.281′ W. long.; and
36˚01.164′ N. lat. 121˚34.019′ W. long.

Bed 214.
Leasable. 2.03 square miles. This bed extends from Lopez Point to Partington Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚01.164′ N. lat. 121˚34.019′ W. long.;
35˚59.281′ N. lat. 121˚37.281′ W. long.; thence northwestward along the three nautical mile offshore boundary to
36˚08.740′ N. lat. 121˚44.957′ W. long.; and
36˚10.494′ N. lat. 121˚41.919′ W. long.

Bed 215.
Open. 0.80 square miles. This bed extends from Partington Point to Pfeiffer Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚10.494′ N. lat. 121˚41.919′ W. long.;
36˚08.740′ N. lat. 121˚44.957′ W. long.; thence northwestward along the three nautical mile offshore boundary to
36˚11.127′ N. lat. 121˚49.986′ W. long.; and
36˚14.124′ N. lat. 121˚48.895′ W. long.

Bed 216.
Leasable. 3.08 square miles. This bed extends from Pfeiffer Point to Point Sur, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚14.124′ N. lat. 121˚48.895′ W. long.;
36˚11.127′ N. lat. 121˚49.986′ W. long.; thence northwestward along the three nautical mile offshore boundary to
36˚14.629′ N. lat. 121˚55.539′ W. long.; and
36˚18.431′ N. lat. 121˚54.156′ W. long.

Bed 217.
Open. 2.38 square miles. This bed extends from Point Sur to Yankee Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚18.431′ N. lat. 121˚54.156′ W. long.;
36˚14.629′ N. lat. 121˚55.539′ W. long.; thence northward along the three nautical mile offshore boundary to
36˚29.407′ N. lat. 122˚00.729′ W. long.; and
36˚29.407′ N. lat. 121˚56.758′ W. long.

Bed 218.
Open. 0.49 square miles. This bed extends from Yankee Point to Point Lobos, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚29.407′ N. lat. 121˚56.758′ W. long.;
36˚29.407′ N. lat. 122˚00.729′ W. long.; thence northward along the three nautical mile offshore boundary to
36˚31.445′ N. lat. 122˚01.314′ W. long.; and
36˚31.445′ N. lat. 121˚57.282′ W. long.

Bed 219.
Open. 1.28 square miles. This bed extends from Point Lobos to Point Cypress, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚31.445′ N. lat. 121˚57.282′ W. long.;
36˚31.445′ N. lat. 122˚01.314′ W. long.; thence northward along the three nautical mile offshore boundary to
36˚34.809′ N. lat. 122˚02.581′ W. long.; and
36˚34.809′ N. lat. 121˚58.722′ W. long.

Bed 220.
Open. 1.88 square miles. This bed extends from Point Cypress to Monterey Pier, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚34.809′ N. lat. 121˚58.722′ W. long.;
36˚34.809′ N. lat. 122˚02.581′ W. long.; thence northward along a line three nautical miles from shore to
36˚40.597′ N. lat 121˚53.385′ W. long.;
36˚36.351′ N. lat. 121˚53.385′ W. long.;

36˚36.290′ N. lat. 121˚53.357′ W. long.; and
36˚36.113′ N. lat. 121˚53.385′ W. long.
A kelp harvester may not harvest kelp in that portion of kelp bed 220 that lies south of latitude 36°36.830′N. and north of the Monterey Breakwater.

Bed 221.

Open. 0.90 square miles. This bed extends from Monterey Pier to Santa Cruz Pier, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed:
36˚36.113′ N. lat. 121˚53.385′ W. long.;
36˚36.290′ N. lat. 121˚53.357′ W. long.;
36˚36.351′ N. lat. 121˚53.385′ W. long.;
36˚40.597′ N. lat. 121˚53.385′ W. long.; thence northward along a line three nautical miles from shore to
36˚54.053′ N. lat. 122˚01.035′ W. long.;
36˚57.433′ N. lat. 122˚01.035′ W. long.;
36˚57.529′ N. lat. 122˚01.070′ W. long.; and
36˚57.727′ N. lat. 122˚01.369′ W. long.

Bed 222.

Open. 0.81 square miles. This bed extends from Santa Cruz Pier to Sand Hill Bluff, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚57.727′ N. lat. 122˚01.369′ W. long.;
36˚57.529′ N. lat. 122˚01.070′ W. long.;
36˚57.433′ N. lat. 122˚01.035′ W. long.;
36˚54.053′ N. lat. 122˚01.035′ W. long.; thence northwestward along a line three nautical miles from shore to
36˚56.762′ N. lat. 122˚12.317′ W. long.; and
36˚58.575′ N. lat. 122˚09.178′ W. long.

Bed 223.

Leasable. 0.19 square miles. This bed extends from Sand Hill Bluff to Point Ano Nuevo, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
36˚58.575′ N. lat. 122˚09.178′ W. long.;
36˚56.762′ N. lat. 122˚12.317′ W. long.; thence northwestward along the three nautical mile offshore boundary to
37˚04.681′ N. lat. 122˚23.354′ W. long.; and
37˚06.765′ N. lat. 122˚19.743′ W. long.

Bed 224.

Closed. 0.06 square miles. This bed extends from Point Ano Nuevo to Pescadero Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
37˚06.765′ N. lat. 122˚19.743′ W. long.;
37˚04.681′ N. lat. 122˚23.354′ W. long.; thence northwestward along the three nautical mile offshore boundary to
37˚14.514′ N. lat. 122˚29.134′ W. long.; and
37˚14.514′ N. lat. 122˚25.169′ W. long.

Bed 225.

Closed. 0.00 square miles. This bed extends from Pescadero Point to Point Montara, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
37˚14.514′ N. lat. 122˚25.169′ W. long.;
37˚14.514′ N. lat. 122˚29.134′ W. long.; thence northward along the three nautical mile offshore boundary to
37˚32.173′ N. lat. 122˚35.012′ W. long.; and
37˚32.173′ N. lat. 122˚31.194′ W. long.
Total area of Mainland Kelp Beds (Pt. Arguello to Point Montara) .....28.59 square miles

(4) Mainland Kelp Beds (Point Montara to Oregon).

Bed 226.

Closed. 0.00 square miles. This bed extends from Point Montara to Fort Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
37˚32.173′ N. lat. 122˚31.194′ W. long.;
37˚32.173′ N. lat. 122˚35.012′ W. long.; thence northward along the three nautical mile offshore boundary to
37˚48.661′ N. lat. 122˚36.577′ W. long.; and
37˚48.661′ N. lat. 122˚28.649′ W. long.

Bed 301.

Closed. 0.00 square miles. This bed extends from Fort Point to Point Reyes, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
37˚48.661′ N. lat. 122˚28.649′ W. long.;
37˚48.661′ N. lat. 122˚36.577′ W. long.; thence northwestward along the three nautical mile offshore boundary to
37˚59.717′ N. lat. 123˚05.276′ W. long.; and
37˚59.717′ N. lat. 123˚01.449′ W. long.
San Francisco Bay is excluded from Bed 301. For the purposes of this subsection San Francisco Bay is defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed:
37˚49.534′ N. lat. 122˚28.760′ W. long.; and
37˚48.661′ N. lat. 122˚28.649′ W. long.

Bed 302.

Closed. 0.00 square miles. This bed extends from Point Reyes to Duncan's Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
37˚59.717′ N. lat. 123˚01.449′ W. long.;
37˚59.717′ N. lat. 123˚05.276′ W. long.; thence northward along the three nautical mile offshore boundary to
38˚21.787′ N. lat. 123˚08.807′ W. long.; and
38˚23.572′ N. lat. 123˚05.714′ W. long.

Bed 303.

Closed. 1.33 square miles. This bed extends from Duncan's Point to Gualala Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
38˚23.572′ N. lat. 123˚05.714′ W. long.;
38˚21.787′ N. lat. 123˚08.807′ W. long.; thence northwestward along the three nautical mile offshore boundary to
38˚45.158′ N. lat. 123˚36.973′ W. long.; and
38˚45.158′ N. lat. 123˚31.627′ W. long.

Bed 304.

Closed. 0.89 square miles. This bed extends from Gualala Point to Iverson Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
38˚45.158′ N. lat. 123˚31.627′ W. long.;
38˚45.158′ N. lat. 123˚36.973′ W. long.; thence northwestward along the three nautical mile offshore boundary to
38˚48.954′ N. lat. 123˚41.880′ W. long.; and
38˚50.724′ N. lat. 123˚38.819′ W. long.

Bed 305.
Closed. 1.11 square miles. This bed extends from Iverson Point to Point Arena, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
38˚50.724′ N. lat. 123˚38.819′ W. long.;
38˚48.954′ N. lat. 123˚41.880′ W. long.; thence northward along the three nautical mile offshore boundary to
39˚00.332′ N. lat. 123˚46.245′ W. long.; and
38˚57.310′ N. lat. 123˚44.501′ W. long.

Bed 306.
Closed. 1.03 square miles. This bed extends from Point Arena to Stillwell Point, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
38˚57.310′ N. lat. 123˚44.501′ W. long.;
39˚00.332′ N. lat. 123˚46.245′ W. long.; thence northward along the three nautical mile offshore boundary to
39˚15.200′ N. lat. 123˚51.699′ W. long.; and
39˚15.200′ N. lat. 123˚47.211′ W. long.

Bed 307.
Closed. 0.93 square miles. This bed extends from Stillwell Point to the mouth of Ten-mile River, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
39˚15.200′ N. lat. 123˚47.211′ W. long.;
39˚15.200′ N. lat. 123˚51.699′ W. long.; thence northward along the three nautical mile offshore boundary to
39˚33.260′ N. lat. 123˚50.548′ W. long.; and
39˚33.260′ N. lat. 123˚46.000′ W. long.

Bed 308.
Lease only. 0.20 square miles. This bed extends from the mouth of Ten-mile River to Point Delgada, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
39˚33.260′ N. lat. 123˚46.000′ W. long.;
39˚33.260′ N. lat. 123˚50.548′ W. long.; thence northward along the three nautical mile offshore boundary to
39˚57.631′ N. lat. 124˚04.134′ W. long.; and
40˚01.278′ N. lat. 124˚04.134′ W. long.

Bed 309.
Lease only. 0.14 square miles. This bed extends from Point Delgada to Cape Mendocino, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
40˚01.278′ N. lat. 124˚04.134′ W. long.;
39˚57.631′ N. lat. 124˚04.134′ W. long.; thence northwestward along the three nautical mile offshore boundary to
40˚25.120′ N. lat. 124˚31.323′ W. long.; and
40˚26.309′ N. lat. 124˚24.582′ W. long.

Bed 310.
Closed. 0.00 square miles. This bed extends from Cape Mendocino to the South jetty of Humboldt Bay, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
40˚26.309′ N. lat. 124˚24.582′ W. long.;
40˚25.120′ N. lat. 124˚31.323′ W. long.; thence northeastward along the three nautical mile offshore boundary to
40˚47.711′ N. lat. 124˚17.801′ W. long.;
40˚45.889′ N. lat. 124˚14.644′ W. long.; and
40˚45.433′ N. lat. 124˚14.102′ W. long.

Bed 311.
Closed. 0.00 square miles. This bed extends from the South jetty of Humboldt Bay to the mouth of the Klamath River, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
40˚45.433′ N. lat. 124˚14.102′ W. long.;
40˚45.889′ N. lat. 124˚14.644′ W. long.;
40˚47.711′ N. lat. 124˚17.801′ W. long.; thence northward along the three nautical mile offshore boundary to
41˚32.828′ N. lat. 124˚10.636′ W. long.; and
41˚32.828′ N. lat. 124˚04.821′ W. long.

Bed 312.
Lease only. 0.20 square miles. This bed extends from the mouth of the Klamath River to the California/Oregon Border, defined as the area bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:
41°32.828′N. lat. 124˚04.821′ W. long.;
41˚32.828′ N. lat. 124˚10.636′ W. long.; thence northward along the three nautical mile offshore boundary to
42˚00.000′ N. lat. 124˚19.814′ W. long.; and
42˚00.000′ N. lat. 124°12.735′W. long.

Total of Mainland Kelp Beds (Point Montara to California/Oregon Border).....5.83 square miles
Grand Total:.....74.17 square miles

SPINY LOBSTER

Lobster Operator Permit
Required for each person who takes, possesses, or transports lobsters while on any boat, barge, or vessel, or who uses or operates any boat, net, trap, line, or other appliance to take lobsters for profit. Lobster operator permit holders are also subject to the provisions of § § 126, 180.2, and 180.5, Title 14, and FGC §§9002–9003 & 9005–9008, under Trap Permits.

Renewal Requirements:
To qualify for a 2020-2021 Lobster Operator Permit, an applicant must have possessed a valid 2019-2020 Lobster Operator Permit.

A non–transferable Lobster Operator Permit becomes null and void upon the death of the permittee §122(c)(5), Title 14. Upon the death of a person with a valid transferable Lobster Operator Permit, the estate may renew the permit if needed to keep the permit valid, and may transfer the permit no later than 2 years from the date of death of the permit holder as listed on the death certificate § 122(c)(4), Title 14.

Logbook Requirement: Daily Lobster Log, DFW 122 (Rev. 03/04/16). Starting with the 2017-2018 lobster season, a revised Daily Lobster Log DFW 122 (Rev. 03/04/16) will be distributed to

all Lobster Operator Permit holders. Lobster Operator Permit holders are required to submit the new version (Rev. 03/04/16) of the Daily Lobster Log.

Permit Transfers:
Refer to §122(c), Title 14.
Application available at https://nrm.dfg.ca.gov/FileHandler.ashxDocumentID=141213&inline or call (916) 928–5816.

Other Restrictions:
Lobsters may be taken only in traps, for commercial purposes, under permit and Commission regulations, in Districts 18, 19, 20A, and District 20 south of Santa Catalina Island between Southeast Rock and China Point, from the first Wednesday in October through the first Wednesday after March 15, with body shell 3 ¼ inches or more in length. Fishermen must carry and use a measuring device (§§ 121-122.2, Title 14). Only Kellet's whelk, octopus, and crab (except Dungeness crab) may be taken incidentally in lobster traps(FGC §8250.5) .
A trap limit and trap tag program is now in effect. Every deployed trap and traps possessed by Lobster Operator Permit holders aboard vessels are required to have a valid Department-issued trap tag attached. A licensed commercial fisherman may hold up to 2 Lobster Operator Permits, and will receive 300 trap tags annually for each Lobster Operator Permit he/she owns (§ 122.1(c)(1)), Title 14. The Department will mail the trap tags to each Lobster Operator Permit holder before the start of each fishing season. If a permit holder loses 75 or more trap tags in a season, the permit holder can request replacement tags by submitting a Catastrophic Lost Trap Tag Affidavit to the Department (§ 122.1(c)), Title 14. By April 15 of each year, every Lobster Operator Permit holder is required to submit an End of Season Trap Loss Affidavit, specified in section 705, for each permit he/she holds to the address listed on the affidavit (§ 122.2(f)), Title 14. The cost for each replacement tag is $1.25 (§ 705(c)(6)).
Traps must be marked with buoys bearing the commercial fishing license number of the Lobster Operator Permit holder followed by the letter P, and follow all minimum number and letter size requirements (§180.5). Traps must be emptied and serviced at least every 168 hours, and shall not be abandoned (§ 122.2(d)-(e), Title 14). Wire traps shall be constructed only with rectangular mesh not less than 1 ½ inches by 3 ½ inches inside measurement, with the 3 ½ inches measurement parallel to floor of trap. Such traps shall be fitted with rigid rectangular escape gaps with inside measurements not less than 2⅜ inches by 11½ inches. Traps of lath or other material must have 2⅜ inches openings the length of two sides of trap, not more than 2⅜ inches above and parallel to the floor of the trap (FGC §9010).

Catastrophic Loss Trap Tag Affidavit Refer to § 705(c)(5), Title 14. Form available at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=141215&inline

End of Season Trap Loss Affidavit
Refer to § 705(c)(7), Title 14. Form available at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=141218&inline
Subsection (c) is inoperative.

FGC Excerpts
§2365. Spiny Lobsters - Import After Close of Season; Possess, Sell, etc.
Spiny lobsters may be imported into California until the twenty–sixth day after the close of the California season. Lobsters imported into California and lobsters legally taken in California during the open season prescribed in this code may be possessed and sold during the closed season, subject to the regulations of the Commission.
The cost of inspection and marking, under the regulations of the Commission, shall be paid by the importer or owner of the lobsters.

§8250. Spiny Lobster References
As used in this code, "spiny lobster" refers to the species Panulirus interruptus.

§8250.5. Traps for Taking; Release of Incidentally Taken Species
(a) Subject to this article and Article 1 (commencing with §9000) of Chapter 4, a lobster trap, as described in §9010, may be used to take lobster for commercial purposes under a lobster permit issued pursuant to §8254.
(b) The following species may be taken incidentally in lobster traps being fished under the authority of a lobster permit issued pursuant to §8254, and any other species taken incidentally shall be immediately released back to the water:
(1) Crab, other than Dungeness crab.
(2) Kellet's whelk.
(3) Octopus.
(c) Spiny lobsters taken in the manner commonly known as skindiving or by a person using self–contained underwater breathing apparatus shall not be sold.

§8253. Preservation Methods
It is unlawful to pickle, can or otherwise preserve any spiny lobster, but spiny lobsters may be preserved by freezing and may be cooked for consumption in the fresh state.

§8254. Permits for Taking; Requirements; Fees, etc.
(a) Lobsters shall not be taken for commercial purposes except under a valid lobster permit issued to that person that has not been suspended or revoked, subject to regulations adopted by the Commission.
(b) Every person who takes, assists in taking, possesses, or transports lobsters for commercial purposes while on any boat, barge, or vessel, or who uses or operates or assists in using or operating any boat, net, trap, line, or other appliance to take lobsters for commercial purposes, shall have a valid lobster permit.
(d) The fee for a lobster crewmember permit is one hundred twenty–five dollars ($125).
(e) For the purposes of this section, it is prima facie evidence that lobster is taken for commercial purposes if the possession of lobster is more than three times the sport bag limit.

§8254.7. Violations by Permit Holder - Disposition
When a complaint has been filed in a court of competent jurisdiction charging a holder of a commercial lobster permit with a violation of §8251 or 8252, and no disposition of the

complaint has occurred within 90 days after it has been filed in the court, the department may suspend the commercial lobster permit of the person. The permit holder whose permit was suspended under this section may, within 10 days after the receipt of the suspension notice from the department, request a hearing, and, within 20 days after such request has been made, a hearing shall be held by the commission. A decision shall be made within a reasonable time on whether the suspension of the permit shall be terminated or continued until the disposition of the complaint by the court. In determining whether to terminate or continue the suspension of the permit, the commission shall consider whether or not the violation could have a detrimental effect on the resources and whether or not a continued suspension of such a permit is in the best public interest, and shall find whether there is sufficient evidence that a violation has occurred. A failure to make a finding that there is sufficient evidence that a violation has occurred or a finding there is insufficient evidence shall terminate the suspension of the permit under this section. If the permit holder is acquitted of the charges or the charges against him or her have been dismissed, any suspension of the permit is thereby terminated. No complaint shall be filed in a court charging a commercial lobster permit holder with a violation of §8251 or 8252 unless evidence supporting the charge has been reviewed by the appropriate county or city prosecuting agency and a criminal complaint has been issued by the agency.

§8257. Permit Number Must be Visibly Displayed on Vessel

The permit number of the person owning or in command of any boat used to take lobster shall be visibly displayed on both sides of the boat in 10–inch black numbers, one inch wide, on a white background.

§9010. Lobster Trap Requirements

(a) Subject to Article 5 (commencing with Section 8250) of Chapter 2, spiny lobster may be taken with lobster traps under a lobster permit issued pursuant to Section 8254.
(b) Notwithstanding Sections 8660 and 8665, lobster traps may be used in any area of the state not otherwise closed to the taking of lobsters up to, but not closer than, 75 feet of any private pier, wharf, jetty, breakwater, or dock.
(c) A wire lobster trap shall be built of rectangular wire mesh with inside mesh measurement not less than 1½ inches by 3½ inches, the 3½-inch measurement to be parallel to the floor of the trap. A wire lobster trap shall be fitted with at least one rigid rectangular escape gap with an inside vertical measurement not less than 2 3/8 inches at all points and an inside horizontal measurement of not less than 11½ inches at all points. The horizontal sides of the escape gap shall be located parallel to, and the escape gap within 2 3/8 inches of the floor on any outside wall of, the rearmost chamber of the lobster trap and shall be clearly accessible to the lobsters.
(d) Notwithstanding subdivision (c), wire may be used to hold the escape gap in place that reduces the inside vertical or horizontal measurement of the escape gap specified in subdivision (c), but only if all of the following requirements are met:
(1) The overall diameter of the wire, including any coating on the wire, shall measure less than 0.176 inches in diameter (the diameter of 7 SWG gauge wire using the Standard Wire Gauge (SWG) standard of measurement).
(2) A maximum of one wire wrap shall be located on each vertical side of the escape gap.
(3) A maximum of two wire wraps shall be located on the bottom horizontal side of the escape gap.
(4) Wire shall not be used on the top horizontal side of the escape gap.
(5) Each wire shall be tightly wrapped against the inside surface of the escape gap and shall not pass over the inside surface more than once. As used in this paragraph, "tightly wrapped" means no space exists at any point between the wire and the inside surface of the escape gap.
(e) A lobster trap constructed of lath or other material shall have an opening to allow a means of escape along the full length of one side of the rearmost chamber. The escape opening shall be of a spacing of not less than 2 3/8 inches, and the spacing shall be located parallel to, and within 2 3/8 inches of, the floor of the lobster trap.

Title 14 Excerpts

§121. Lobsters, Spiny. Open Season and Possession During Closed Season

(a) Spiny lobsters may be taken only between the first Wednesday in October and the first Wednesday after the 15th of March.
(b) No spiny lobsters may be sold or possessed during the closed season except as follows: Lobsters taken or imported during the open season which were cooked and frozen or frozen prior to the close of the open season, and lobsters imported into California during the twenty-six (26) days following the close of the open season, provided such lobsters were cooked and frozen or frozen prior to importation. During the closed season, after the twenty-six (26) day importation period, no spiny lobsters may be possessed on any boat, barge, or vessel.

§121.5. Lobsters, Spiny. Minimum Size and Verification

(a) No spiny lobster less than 3 and 1/4 inches in length measured in a straight line from the rear edge of the eye socket to the rear edge of the body shell, both points to be on the midline of the back, may be taken, possessed, purchased, or sold.
(b) Every person taking spiny lobster shall carry a fixed caliper measuring device and shall measure any lobster immediately on removal from the trap and if it is found to be undersize the spiny lobster shall be returned to the water immediately. A trap shall be serviced prior to any additional trap being brought aboard a vessel.
(c) All spiny lobsters (Panulirus interruptus) taken, possessed, transported or sold must be maintained in such a condition that their size can be determined as described in Section 121.5(a) of these regulations until prepared for immediate consumption or sold to the ultimate consumer except as provided for in subsection (d) below.
(d) Spiny lobsters may be split along the midline of the carapace by persons licensed pursuant to Fish and Game Code Section 8034 (Fish Processors License) or Section 8037 (Commercial Fish Business License) provided both halves of each lobster are kept together by banding or packaging until ei-

ther displayed for purchase by the ultimate consumer or prepared for immediate consumption.

§122. Spiny Lobster Permits and Restricted Areas

(a) Classes of Lobster Permits.

(1) There is a transferable lobster operator permit, a non-transferable lobster operator permit and a lobster crewmember permit.

(2) Under operator permits issued by the department, licensed commercial fishermen may take spiny lobsters for commercial purposes, but only with traps used pursuant to Fish and Game Code Section 9010, except that such traps shall only be used in Districts 18, 19, 20A, and that part of District 20 southerly of Santa Catalina Island between Southeast Rock and China Point. No other method of take is authorized for the commercial harvest of spiny lobsters.

(3) Any licensed commercial fisherman who does not possess a valid transferable or non-transferable lobster operator permit may purchase a lobster crewmember permit, authorizing him/her to accompany a lobster operator permit holder and to assist the lobster operator permit holder in the commercial take of spiny lobster.

(4) Exemption from Tidal Invertebrate Permit. A lobster operator permit holder or a lobster crewmember permit holder operating under the provisions of a lobster operator permit is not required to possess a Tidal Invertebrate Permit, but is subject to Section 123 of these regulations.

(b) Permit Renewal.

(1) Each lobster operator permit shall be issued annually and shall be valid for the commercial lobster season. Each operator and crewmember permittee shall have his/her permit in possession when taking lobsters.

(2) Applicants for renewal of a lobster operator permit shall be eligible to renew a lobster operator permit of the same classification, if they have held a valid lobster operator permit that has not been suspended or revoked, in the immediately preceding permit year.

(3) No more than 2 lobster operator permits shall be issued to a licensed commercial fisherman.

(4) Procedures and Deadline for Permit Renewal. Applications for renewal of transferable and non-transferable lobster operator permits must be received by the department or, if mailed, postmarked no later than April 30 of each year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2. Any person denied a permit under this Section may submit a written request for an appeal to the commission to show cause why his/her permit request should not be denied. Such request must be received by the commission within 60 days of the department's denial.

(c) Permit Transfers, Procedures, and Timelines.

(1) Except as provided in this Section, a permit shall not be assigned or transferred, and any right or privilege granted thereunder is subject to revocation, without notice, by the commission, at any time.

(2) A person with a valid transferable lobster operator permit that has not been suspended or revoked may transfer his/her permit to another person licensed as a California commercial fisherman. The permit holder or the estate of the deceased permit holder shall submit the notarized transfer application and the nonrefundable permit-transfer fee specified in Section 705 for each permit transfer. The transfer shall take effect on the date written notice of approval of the application is given to the transferee by the department. The permit holder shall transfer all department-issued trap tags to the transferee after the permit transfer has been approved by the department. The lobster operator permit shall be valid for the remainder of the permit year and may be renewed in subsequent years pursuant to this Section.

(A) If a transferable lobster operator permit is transferred to a person with a valid transferable lobster operator permit and non-transferable lobster operator permit, the non-transferable lobster operator permit shall become null and void and the permit and trap tags shall be immediately surrendered to the department's License and Revenue Branch.

(3) An application for a transfer of a lobster operator permit shall be deferred when the current permit holder is awaiting final resolution of any pending criminal, civil and/or administrative action that could affect the status of the permit.

(4) Upon the death of a person with a valid transferable lobster operator permit, that person's estate shall immediately, temporarily relinquish the permit to the department's License and Revenue Branch. Trap tags shall also be temporarily relinquished to the department's License and Revenue Branch. The estate may renew the permit as provided for in this Section if needed to keep the permit valid. The estate may transfer the permit pursuant to this Section no later than 2 years from the date of death of the permit holder as listed on the death certificate.

(5) Upon the death of a person with a valid non-transferable lobster operator permit, the permit shall be null and void and the estate shall immediately surrender the permit and trap tags to the department's License and Revenue Branch.

(6) Any applicant who is denied transfer of a transferable lobster operator permit may submit a written request for an appeal to the commission within 60 days of the date of the department's denial.

(d) Restricted Fishing Areas.

(1) No lobster trap used under the authority of this permit shall be used within 750 feet of any publicly-owned pier, wharf, jetty or breakwater; however, such traps may be used to within 75 feet of any privately-owned pier, wharf, jetty or breakwater.

(2) No lobster traps shall be set or operated within 250 feet of the following specified navigation channels.

(A) Newport Bay Harbor entrance: This area is bounded by straight lines connecting the following points in the order listed:

33º 35.316' N. lat. 117º 52.744' W. long.;
33º 34.365' N. lat. 117º 52.374' W. long.;
33º 34.412' N. lat. 117º 52.294' W. long.;
33º 35.368' N. lat. 117º 52.658' W. long.; and
33º 35.316' N. lat. 117º 52.744' W. long.

(B) Dana Point Harbor entrance: This area is bounded by straight lines connecting the following points in the order listed:

33° 27.262' N. lat. 117° 41.492' W. long.;
33° 26.511' N. lat. 117° 42.061' W. long.;
33° 26.477' N. lat. 117° 41.850' W. long.;
33° 27.201' N. lat. 117° 41.286' W. long.;

33° 27.409' N. lat. 117° 41.522' W. long.; and
33° 27.262' N. lat. 117° 41.492' W. long.(C) Oceanside Harbor entrance: This area is bounded by straight lines connecting the following points in the order listed:
33° 12.344' N. lat. 117° 24.166' W. long.;
33° 12.332' N. lat. 117° 24.164' W. long.;
33° 11.775' N. lat. 117° 25.155' W. long.;
33° 11.659' N. lat. 117° 24.928' W. long.;
33° 12.233' N. lat. 117° 24.047' W. long.;
33° 12.362' N. lat. 117° 23.975' W. long.; and
33° 12.344' N. lat. 117° 24.166' W. long.
(e) Records. Pursuant to Section 190 of these regulations, any person who owns and/or operates any vessel used to take lobsters for commercial purposes shall complete and submit an accurate record of his/her lobster fishing activities on a form (Daily Lobster Log, DFW 122 (REV. 03/04/16), incorporated herein by reference) provided by the department.
(f) The person required to submit logs pursuant to Section 190 of these regulations shall have complied with said regulations during the immediate past license year, or during the last year such person held a permit, in order to be eligible for a successive year annual permit.
(g) All lobster operator permit holders fishing jointly on one vessel shall both be liable for any violation incurred by any of the lobster operator permit holders or crew-member permit holders fishing from that vessel.
(h) No SCUBA or other underwater breathing apparatus equipment shall be used to take lobster, except that this equipment may be used to locate and secure traps for retrieval. Lobsters contained in a trap that has been secured using SCUBA, or any other underwater breathing apparatus equipment, may be possessed after the trap has been serviced aboard the vessel only if the secured trap(s) has not exceeded the trap service interval requirement as specified in subsection 122.2(d) of these regulations.

§122.1. Lobster Buoys and Trap Tags

(a) All lobster traps and receivers impounding lobsters shall be individually buoyed. The buoys must be on the surface of the water, except after the first Tuesday in October when buoys may be submerged by means of metallic timing devices with a timed delay (commonly called "pop-ups") that does not exceed the trap service interval requirement as specified in subsection 122.2(d) of these regulations.
(b) Each buoy marking any lobster trap shall comply with marking requirements set forth in Section 180.5 of Title 14.
(c) Deployed lobster traps and those possessed by a lobster operator permit holder aboard a vessel shall have a valid department-issued trap tag directly attached to the trap. If the information on the trap tag is illegible or incorrect or if the trap tag is missing from the trap for any reason, the trap shall be considered not in compliance, and shall not be used to take spiny lobster for commercial purposes.
(1) Lobster trap tags. A lobster operator permit holder shall be issued 300 trap tags for use during that season for each valid lobster operator permit in possession.
(2) Replacement procedures for catastrophic loss of trap tags.
(A) A lobster operator permit holder shall only be eligible to receive replacement trap tags for trap tags lost due to catastrophic loss.
(B) Catastrophic trap tag loss is defined as the cumulative loss of 75 or more trap tags for each valid lobster operator permit due to events beyond the lobster operator permit holder's control, such as weather, force majeure and acts of God.
(C) The lobster operator permit holder shall submit to the department's License and Revenue Branch the affidavit signed under penalty of perjury by the lobster operator permit holder and nonrefundable fee for each replacement tag as specified in Section 705 of these regulations.
(D) An affidavit for trap tag replacement due to catastrophic loss, with a description of the factual circumstances consistent with subsection (B) above, shall be approved by the department prior to any replacement trap tags being issued.
(E) Any trap tag reported as lost and subsequently recovered during the season is invalid and shall be immediately returned to the department's License and Revenue Branch.

§122.2. Pulling Lobster Traps

(a) No lobster trap shall be pulled or raised or placed in the water between one hour after sunset to one hour before sunrise.
(b) During the closed season for the taking of spiny lobster, no buoy attached to any trap may be marked in such manner as to identify the trap as a lobster trap, except that legally marked lobster traps may be placed in the water not more than 9 days before the opening of the season and may remain in the water for not more than 9 days after the close of the season, if the doors to such traps are wired open, the trap is unbaited, the buoy remains at the surface of the ocean, and no attempt is made to take lobsters.
(c) Lobster traps may be set and baited 24 hours in advance of the opening date of the lobster season if no other attempt is made to take or possess the lobsters.
(d) Trap Service Interval Requirement. A deployed lobster trap shall be raised, cleaned of debris, serviced to ensure mechanisms are properly functioning, and emptied at intervals not to exceed 168 hours except that lobster traps are not required to be serviced during the 9-day pre- and post- season period as described in subsection (b).
(e) No trap shall be abandoned in the waters of this state. Lobster traps not retrieved 14 days after the close of the commercial lobster season shall be considered "abandoned."
(f) By April 15 of each year, every lobster operator permit holder shall submit a trap loss affidavit, as specified in Section 705, for each permit he/she holds to the address listed on the affidavit.
(1) If a permit is transferred during the season, only the lobster operator permit holder who is in possession of that permit at the end of the season is required to submit the affidavit.
(2) All trap tags shall be retained by each lobster operator permit holder until the beginning of the next lobster season.
(g) The employees of the department may disturb or move any lobster trap at any time while such employees are engaged in the performance of their official duties and may inspect any lobster trap to determine whether it is in compliance with applicable provisions of the Fish and Game Code and this Chapter.
(h) No lobster operator permit holder shall possess, use, control, or operate any lobster trap with a trap tag bearing a permit number other than his/her own nor any receivers bear-

ing a commercial fishing license identification number other than his/her own except:
(1) To retrieve from the ocean and transport to shore lobster trap(s) of another lobster operator permit holder that were lost, damaged, abandoned or otherwise derelict, provided that:
(A) No more than 6 derelict lobster traps may be retrieved per fishing trip.
(B) Lobsters in any retrieved lobster trap(s) shall not be retained and shall be returned to the ocean waters immediately.
(C) Immediately upon retrieval of any lobster trap(s), the lobster operator permit holder retrieving the traps shall document in the retrieving vessel's log the date and time of trap retrieval, number of retrieved lobster traps, location of retrieval, and retrieved trap tag information.
(D) Any retrieved lobster trap(s) shall be transported to shore during the same fishing trip that retrieval took place.
(2) Under a waiver granted by the department, pulling, servicing, or transporting receivers or more than 6 lobster traps by another lobster operator permit holder is allowed if:
(A) The lobster operator permit holder is unable to pull, service or transport his/her traps or receivers due to circumstances beyond the control of the permit holder.
(B) A request for the waiver has been submitted in writing to the department's License and Revenue Branch. The waiver shall include:
1. Name and permit number of the lobster operator permit holder requesting the waiver;
2. Name and permit number of the lobster operator permit holder pulling, servicing or transporting the traps and receivers;
3. Proposed time period and location to conduct operations; and
4. Lobster trap tag numbers or number of traps and receivers to be pulled, serviced or transported.
(C) The department may request other related information prior to granting or denying the waiver.
(D) The waiver may include conditions such as time period to conduct operations, landing prohibitions or any other criteria the department deems necessary.
(E) A copy of the waiver approved by the department shall be in the possession of the lobster operator permit holder when pulling, servicing, or transporting the traps and receivers.
(F) The lobster operator permit holder pulling, servicing, or transporting the traps and receivers may retain lobsters caught in the traps or contained in the receivers unless otherwise specified as a condition of the waiver.
(3) From 15 days after the close of the commercial lobster season through September 15, an unlimited number of lobster traps may be retrieved by a lobster operator permit holder or a department designee and transported to shore.

MARINE AQUARIA

§8043.1. Landing Receipts – Marine Aquaria Receiver

(a) A person required to be licensed as a marine aquaria receiver shall make a legible, true, and complete record of the landing receipts on a form and in a manner prescribed by the department.
(b) The department may require any information from a person required to be licensed as a marine aquaria receiver it deems necessary to carry out this article.
(c) The landing receipt form shall be completed at the time the organisms are received from the commercial fisherman. A person required to be licensed as a marine aquaria receiver who takes his or her own organisms shall complete a marine aquaria landing receipt form at the time the organisms are brought ashore.
(d) The copies of the aquaria landing receipts shall be delivered to the department, as provided in Section 8046.

§8597. Marine Aquaria Collector's Permit; Species Allowed to be Taken

(a) It is unlawful for any person to take, possess aboard a boat, or land for marine aquaria pet trade purposes any live organisms identified in subdivision (b), unless that person has a valid marine aquaria collector's permit that has not been suspended or revoked. At least one person aboard the boat shall have a valid marine aquaria collector permit.
(b) Except as provided in §8598.2, and unless otherwise prohibited in this code, or regulations made pursuant thereto, specimens of the following groups or species may be taken, possessed aboard a boat, or landed under a marine aquaria collector's permit:
(1) Marine plants:
(A) Chlorophyta.
(B) Phaeophyta.
(C) Rhodophyta.
(D) Spermatophyta, all species.
(2) Invertebrates:
(A) Polychaeta—worms; all species.
(B) Crustacea—shrimp, crabs; all species, except the following:
(i) Dungeness crab—*Cancer magister.*
(ii) Yellow crab—*Cancer anthonyi.*
(iii) Red crab—*Cancer productus.*
(iv) Sheep crab—*Loxorhynchus grandis.*
(v) Spot prawn—*Pandalus platyceros.*
(vi) Ridgeback prawn—*Sicyonia ingentis.*
(vii) Golden prawn—*Penaeus californiensis.*
(viii) Sand crab—*Emerita analoga.*
(ix) Redrock shrimp—*Lysmata californica.*
(x) Bay shrimp—*Crangon* sp. and *Palaemon macrodactylus*.
(xi) Ghost shrimp—*Callianassa* sp.
(C) Asteroidea—Sea stars; all species.
(D) Ophiuroidea—Brittle stars; all species.
(E) Gastropoda—snails, limpets, sea slugs; all species, except Kellet's whelk—*Kelletia kelletii*.
(F) Bivalvia—clams and mussels; all species.
(G) Polyplacophora—Chitons; all species.
(H) Cephalopoda—Octopuses and squids; all species, except two spot octopuses—*Octopus bimaculatus* and *Octopus maculoides*—and market squid—*Loligo opalescens*.
(I) Tunicata—Sea squirts; all species.
(3) Vertebrates:
(A) Osteichthyes—Finfishes; all species, except the following:
(i) Rockfish—*Sebastes* sp. larger than six inches total length.
(ii) Sheephead—*Semicossyphus pulcher* larger than six inches total length.
(iii) Anchovy—*Engraulis mordax.*

(iv) Sardine—*Sardinops sagax.*
(v) Pacific/chub mackerel—*Scomber japonicus.*
(vi) Jack mackerel—*Trachurus symmetricus.*
(vii) Queenfish—*Seriphus politus.*
(viii) White Croaker—*Genyonemus lineatus.*
(ix) Top smelt—*Atherinops affinis.*
(x) Grunion—*Leuresthes tenuis.*
(xi) Shiner surf perch—*Cymatogaster aggregata.*
(xii) Longjaw mudsucker—*Gillichthys mirabilis.*
(B) Chondrichthyes—sharks, rays, and skates; all species less than 18 inches total length, except that leopard shark (*Triakis semifasciata*) shall be 36 inches or larger in total length.
(c) The holder of a permit issued pursuant to this section is not required to obtain or possess a kelp harvester's license issued pursuant to §6651, a tidal invertebrate permit issued pursuant to §8500, or a general trap permit issued pursuant to Article 1 (commencing with §9000) of Chapter 4, when taking, possessing, or landing live organisms for marine aquaria pet trade purposes pursuant to subdivision (b), subject to regulations governing the taking of tidal invertebrates. The Commission shall adopt regulations to implement this subdivision, and, for that purpose, may incorporate other regulations by reference.

§8598. Species Restricted for Taking for Commercial Purposes

(a) Notwithstanding §8140 or subdivision (b) of §8597, specimens of the following groups or species shall not be taken, possessed aboard a boat, or landed for commercial purposes. Taking, possessing, or landing of any of the following species in a commercial operation is prima facie evidence that it was taken, possessed, or landed for commercial purposes:
(1) Invertebrates:
(A) Phylum Porifera–all sponges.
(B) Genus *Pelagia* sp.–jellyfish.
(C) Coelenterata–corals, anemones; all species.
(D) Order Gorgonacea–all gorgonians.
(E) Order Pennatulacea–all species, except *Renilla kollikeri.*
(F) Feather–duster worm–*Eudistylia polymorpha.*
(G) Fiddler crab–*Uca crenulata.*
(H) Umbrella crab–*Cryptolithodes sitchensis.*
(I) Stalked or goose barnacles–*Pollicipes* sp.
(J) Giant acorn barnacle–*Balanus nubilus* or *Balanus aguila*.
(K) Owl limpet–*Lottia gigantea*.
(L) Coffee bean shells–Trivia sp.
(M) Three–winged *murex–Pteropurpura trialata*.
(N) Vidler's simnia–*Simnia vidleri.*
(O) Queen tegula–*Tegula regina.*
(P) Opisthobranchia (including nudibranchs)–all subclass Opisthobranchia species except:
(i) Sea hares–*Aplysia californica* and *Aplysia vaccaria*.
(ii) *Hermissenda crassicornis.*
(iii) Lion's mouth–*Melibe leonina*.
(iv) *Aeolidia papillosa.*
(v) Spanish shawl–*Flabellina iodinea.*
(2) Vertebrates:
(A) All shark and ray eggcases.
(B) Brown smoothhound sharks–*Mustelus henlei*–that are less than 18 inches in a whole condition or dressed with head and tail removed.
(C) Family Agonidae–all poachers.
(D) Wolf–eel–*Anarrhichthys ocellatus*.
(E) Juvenile sheephead–*Semicossyphus pulcher* (under 6 inches).
(F) Garibaldi–*Hypsypops rubicundus*.
(3) Live rocks.
(A) Rocks with living organisms attached, commonly called "live rocks," shall not be taken or possessed except as provided in sub–paragraph (C).
(B) Rocks shall not be broken to take marine aquaria species, and any rock displaced to access any of those species shall be returned to its original position.
(C) Rocks cultured under the authority of an aquaculture registration may be possessed.
(b) No organisms may be taken, possessed, or landed for marine aquaria pet trade purposes under the terms of a marine aquaria collector's permit in any of the following areas:
(1) On the north side of Santa Catalina Island from a line extending three nautical miles 90° true from Church Rock to a line extending three nautical miles 270° true from the extreme west end of the island.
(2) On the south or "back" side of Santa Catalina Island from a line extending three nautical miles 90° true from Church Rock to a line extending three nautical miles 270° true from the extreme west end of the island.
(3) Marine life refuges, marine reserves, ecological reserves, and state reserves.

§8598.2. Marine Organisms; Taking Methods

(a) Marine organisms identified in subdivision (a) of §8597 shall not be taken except by the following methods:
(1) Hook and line.
(2) Drop net.
(3) Dip net.
(4) Trap.
(5) Hand.
(6) Slurp gun.
(7) Spatula.
(b) Chemical anesthetics, poisons, or irritants shall not be used or possessed by any person taking or possessing fish, plants, or other marine organisms for the marine aquaria industry. For the purposes of this section, chemicals commonly used aboard vessels for insect and rodent control may be possessed if no means of delivering those chemicals, including, but not limited to, squirt bottles, used to target those marine organisms is possessed.
(c) Appliances shall be used so that rocks or other mineral matter, aquatic plants, fish, or other aquatic life not listed in subdivision (b) of §8597 are not removed from the bottom or otherwise disturbed.

§8598.3. Collector's Permit Requirements

(a) The fee for a marine aquaria collector's permit shall be three hundred thirty dollars ($330).
(b) A person engaged in taking, possessing, or landing marine species under a marine aquaria collector's permit shall not take, possess aboard a boat, or land any species under the authority of a scientific collector's permit issued pursuant to §1002, 5515, or 10660 on the same fishing trip.
(c) The commission shall adjust the amount of the fees spec-

ified in subdivision (a) as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses.

§8598.4. Closure of Areas Established Under this Article

Notwithstanding any other provision of this code, the director may close any portion of the fishery established under this article or any area in which this fishery is conducted, if, upon written finding, the director determines the action is necessary to protect any organisms listed in subdivision (a) of §8597 or the environment in which those organisms are located. The director shall reopen a fishery or any fishing areas previously closed pursuant to this section if the director determines that the conditions which necessitated the closure no longer exist.

MARKET SQUID

Squid vessel permit holders are also subject to the provisions of §190, Title 14.

Market Squid Permit

Any vessel engaged in taking squid, landing squid, or attracting squid by light for commercial purposes must have a valid market squid permit issued for use on a designated vessel. Vessels taking squid for live bait purposes only are exempt from the permit requirements (§149, Title 14).

Market Squid Vessel Permit: authorizes only the use of round haul gear, including purse seine, drum seine, lampara nets, and brail gear, including dip and scoop nets. Lights may also be used as specified in regulation to aggregate squid for purposes of commercial harvest. No other commercial gear is authorized.

Non–transferable Market Squid Vessel Permits become null and void upon the death of the permit holder. (§149.1(c)(2)(E), Title 14)

Market Squid Brail Permit: authorizes only the use of brail gear, including dip and scoop nets. Lights may also be used as specified in regulation to aggregate squid for purposes of commercial harvest. No other commercial gear is authorized.

Non–transferable Market Squid Brail Permits become null and void upon the death of the permit holder. (§149.1(c)(4)(E), Title 14)

Market Squid Light Boat Permit: authorizes only the use of lights as specified in regulation to aggregate squid for purposes of commercial harvest. No other commercial gear is authorized. To commercially land squid, either a Market Squid Vessel Permit or a Market Squid Brail Permit is required. To light squid for purposes of commercial harvest, either a Market Squid Vessel Permit, a Market Squid Brail Permit or a Market Squid Light Boat Permit is required.

Non–transferable Market Squid Light Boat Permits become null and void upon the death of the permit holder. (§149.1(c)(6)(E), Title 14)

Renewal Requirements:

Before a Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit can be renewed, the vessel owner must purchase a 2020-2021 Commercial Fishing License and a 2020-2021 Commercial Boat Registration for the qualified vessel; and have possessed a valid 2019-2020 Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit.

Market Squid Logbooks

Any vessel engaged in taking squid, landing squid, or attracting squid by light for commercial purposes must have a valid market squid permit issued for use on a designated vessel.

The Department will accept Market Squid Vessel Logbook DFW-149a (Rev. 5/1/15) or Market Squid Light/Brail Boat Logbook DFW-149a (Rev. 5/1/15).

Logbook Requirement: Pursuant to §149, Title 14, of the CCR, any person who possesses a valid Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit shall complete and submit an accurate record of his/her squid fishing/lighting activities on a form (Market Squid Vessel Logbook or Market Squid Light Boat Logbook, provided by the Department, as appropriate to the type of fishing activity. Logbook records shall be transmitted to the Department on or before the 10th day of each month following the month that fishing activity occurred.

Permit Transfers: Refer to §149.1, Title 14.

FGC Excerpts

§8399.1. Squid - Taking Restrictions for District 10; Use of Lights; Seine Skiff

(a) In District 10, it is unlawful to engage in the following activities:

(1) Attract squid by a light displayed from any vessel, except a vessel deploying nets for the take, possession, and landing of squid or from the seine skiff of the vessel deploying nets for the take, possession, and landing of squid.

(2) Attract squid by a light displayed from any vessel whose primary purpose is not the deployment, or assisting in the deployment, of nets for the take, possession, and landing of squid.

(3) To encircle any vessel, other than by the seine skiff of a vessel deploying nets for the take, possession, and landing of squid, while that vessel is engaged in the taking of squid.

(b) For purposes of this section, "seine skiff" means a vessel that is not licensed by the federal government or registered by the Department of Motor Vehicles, that is used to assist a larger federally–licensed or state–registered fishing vessel by assisting in the deployment and retrieval of nets and the landing of fish, and that travels with that larger fishing vessel at all times, that is used solely at the direction of the operator of the larger fishing vessel, and that is owned by the owner of the larger fishing vessel.

§8424. Purchase of Squid; Weighmaster Required

(a) No person shall purchase squid from a vessel or vessels unless that person holds a license issued pursuant to §8032 or 8033, employs a certified weighmaster, and the facilities operated by the person are located on a permanent, fixed location.

(b) Notwithstanding any other provision of law, this section shall not apply to the transfer at sea of squid for live bait in an amount less than 200 pounds in a calendar day.

§8428. Fees for Commercial Market Squid Vessel Permit and Commercial Squid Light Boat; Limits

Commencing April 1, 2003, and annually thereafter, the fees for a commercial market squid vessel permit and for a commercial squid light boat owner's permit shall be established by the Commission. The total amount of fees collected pursuant to this section, including any revenue derived from any other appropriate source, as determined and allocated by the Commission, shall not exceed the Department's and the Commission's costs for managing the market squid fishery pursuant to §8425. The fees collected pursuant to this article shall be used only for the management of the market squid fishery pursuant to §8425.

§8429. Statements to be Made Under Penalty of Perjury

Any statement made to the Department, orally or in writing, relating to a permit issued under this article, shall be made under penalty of perjury. The Commission shall revoke the commercial fishing license, the commercial boat registration of any vessel, and, if applicable, any licenses issued pursuant to §8032, 8033, or 8034 that are held by any person submitting material false statements, as determined by the Commission, for the purpose of obtaining a commercial market squid vessel permit or a commercial light boat owner's permit.

§8429.5. Authority of Director

Notwithstanding any other provision of law, nothing in this article shall prohibit or otherwise limit the authority of the director or the Commission under any other law.

§8757. Restrictions on Use of Nets in District 19 and 20

Notwithstanding §8661, and in addition to Sections 8754, 8755, and 8780, round haul nets may be used to take fish in those portions of Districts 19 and 20 that are closed to the use of round haul nets by Sections 8754 and 8755 and in Districts 19A and 19B, but only for use or sale of those fish for live bait and subject to the following restrictions:

(a) In Districts 19A and 19B, round haul nets may not be used within 750 feet of any public pier.

(b) It is unlawful to buy, sell, or possess in any place of business where fish are bought, sold, or processed, any dead fish taken under the authority of this section.

Title 14 Excerpts

§53.01. Definitions

(a) Brail gear, dip nets, or scoop nets means any net attached to a rigid frame operated by hand or mechanical device deployed from the vessel to scoop fish or invertebrates.

(b) Daily trip limit means a routine management measure which may be used to limit take of squid on a per–vessel basis within a calendar day.

(c) Drum seine means a purse seine net which is stored, deployed and retrieved with the aid of a mechanized drum (reel) mounted on the stern of the vessel.

(d) Egg escapement means the number or proportion of a female squid's lifetime supply of eggs that she is able to deposit, on average, before being taken in the fishery.

(e) Egg escapement method means a management tool which may be used to determine whether the fleet is fishing above or below a predetermined sustainable level of exploitation. The method requires establishing a threshold value to ensure that an adequate number of eggs are deposited prior to harvest.

(f) Fishing year or fishing season under the Market Squid FMP means the period April 1 through March 31.

(g) Fishery Control Rules means specific management strategies such as seasonal catch limits, daily trip limits, area closures, time closures, and sustainable levels of egg escapement which provide for a sustainable market squid fishery.

(h) Fleet capacity goal means an optimal number of vessels where the number of vessels matches the available squid resource.

(i) Forage means the role of market squid in the food chain as a critical source of food for higher predators, including birds, fish and marine mammals.

(j) Lampara means a rectangular net constructed with graduated mesh sizes, a definite bunt (bag), and fitted with floats. It is laid out by the fishing vessel in a circle and closed at least partially on the bottom by pulling the leadline in advance of the float line.

(k) Light boat means a vessel engaged in the commercial taking or attempting to take market squid which uses bright lights to aggregate squid for commercial purposes including live bait.

(l) Market squid means Loligo opalescens.

(m) Market Squid Fishery Management Plan (Market Squid FMP) means Chapters 1 through 5 of the Market Squid Fishery Management Plan approved by the Commission on August 27, 2004, hereby incorporated by reference.

(n) National Marine Fisheries Service, NMFS or NOAA Fisheries means the federal fisheries management agency which is contained in the United States Department of Commerce.

(o) Overfished is defined at Fish and Game Code §97.5, and in the Market Squid FMP also means a condition that may exist when either the egg escapement threshold is not met, or catches of squid exceed any specified allowable level.

(p) Overfishing is defined at Fish and Game Code §98, and in the Market Squid FMP also may mean that harvests of squid are occurring at times when either the egg escapement threshold is not being met, or catches are exceeding specified allowable levels. These catches may not be sustainable.

(q) PFMC or Council means the Pacific Fishery Management Council established pursuant to the Magnuson–Stevens Fishery Conservation and Management Act.

(r) Point of concern means one or more of the following conditions affecting market squid that, if found or are expected to exist, may trigger the application or adjustment of one or more management measures by the Commission:

(1) Catch is projected to significantly exceed the current seasonal catch limitation.

(2) Any adverse or significant change in the biological characteristics of the market squid (age composition, size composition, age at maturity, or recruitment) is discovered.

(3) An overfished condition exists or is imminent (defined as when the egg–escapement method threshold is not realized in two consecutive years).

(4) Any adverse or significant change in the availability of market squid as forage or in the status of a dependent species is discovered.

(5) An error in data or a change to an indicator of stock status

is detected that requires adjustment to fishery control rules to ensure sustainable resource management.
(s) Points of concern process means a process authorizing the Commission to apply or adjust fishery management measures at any time during the year based on the confirmation of the existence of one or more resource–based points of concern identified in a fishery management plan pursuant subsection 50.03 (a), Title 14, CCR.
(t) Purse seine means a rectangular net constructed with uniform mesh sizes, without a prominent bunt (bag), and fitted with floats. It is laid out with the end attached to a skiff while the deploying vessel encircles the squid. The end of the net is then brought up to the deploying vessel and is closed on the bottom by pulling a purse line (draw string) threaded through rings along the leadline, preventing the catch from escaping.
(u) Round haul vessels mean those that employ the use of lampara, purse seine, and drum seine net gear to commercially harvest squid.
(v) Seasonal catch limitation means an amount of allowable catch which may be taken within a designated geographic area in a fishing season, specified in short tons and excluding discard mortality. The attainment (or expected attainment) of this limit will cause closure of the directed commercial fishery as specified in regulation.
(w) Tons means short tons, and is the standard unit of weight for purposes of describing catches and limits for the market squid fishery, notwithstanding subsection 50.00 (c), Title 14, CCR.
(x) Vessel capacity means the gross registered tonnage, as listed on a federal Coastal Pelagic Species permit or calculated from length, breadth and depth measurements provided on United States Coast Guard documentation papers.
(y) Weekend closures mean a routine management measure which may be used to prohibit take of market squid during certain days of a week.
(z) Definitions contained in Chapter 1, and Article 1 of Chapter 5.5, of Subdivision 1, Division 1, Title 14, CCR, and Chapters 1 and 2 of Division 0.5 of the Fish and Game Code apply to the market squid fishery in addition to definitions of this Section.

§53.02. Process and Timing

(a) Management of market squid stocks will conform to the goals, objectives, criteria, procedures, and Fishery Control Rule guidelines of the Market Squid FMP, and other applicable state and federal laws and regulations.
(b) Periodic monitoring and assessment of squid fisheries will be conducted, and, at a minimum, will include the collection and review of reported catches. The Department will provide management recommendations to the Commission as needed, and in–season if a need is identified.
(c) The director may establish and appoint members to an advisory committee to assist the Department with development and review of fishery assessments, management options and proposals, and plan amendments.
(d) Management measures and actions may be developed, considered, and adopted in compliance with the Administrative Procedure Act and implemented at any time of year to achieve management plan goals and objectives, and may apply to any or all management areas, or portions of management areas at the discretion of the Commission.

§ 149. Commercial Taking of Market Squid

Requirements of this Section apply both to vessels taking squid and to vessels attracting squid with lights for the purpose of commercial take. Incidental commercial take of market squid that meets the criteria specified in subsection (l) below, and commercial take of market squid for live bait as described in subsection (m) below are not subject to the requirements of this Section, unless expressly specified.
(a) Permit Required. No person shall take, land, or attract squid by light for commercial purposes, except as provided in subsections (l) and (m) below, unless the owner of that vessel has a valid market squid permit issued pursuant to Section 149.1 or Section 149.3 of these regulations for use on that vessel that has not been suspended or revoked.
(b) Seasonal Catch Limitation.
(1) For the period from April 1 through March 31 of the following year, a total of not more than 118,000 short tons of market squid may be taken statewide for commercial purposes.
(2) Closure Process
(A) The department shall estimate, from the current trend in landings, when the Seasonal Catch Limit will be reached, and will publicly announce the effective date of closure of the directed commercial fishery on VHF/channel 16 between the hours of 10:00 p.m. and 12:00 a.m. (midnight).
(B) It shall be the responsibility of all operators of permitted market squid vessels to monitor VHF/channel 16 to determine when the Seasonal Catch Limit is expected to be reached and the fishery closed. Any announcement issued or made by the department on VHF/channel 16 shall constitute official notice.
(c) Time Closures. North of a westerly extension of the United States - Republic of Mexico boundary line:
(1) Fishing Days: Market squid may not be taken for commercial purposes between 1200 hours (noon) on Friday and 1200 hours (noon) on Sunday of each week.
(2) Seasonal Closure: When the Seasonal Catch Limit defined in subsection (b) has been reached and the commercial fishery is closed, squid may be taken for commercial purposes only incidentally to the take of other target species and subject to the limitations defined in subsection 149(l) or for live bait as defined in subsection 149(m) through March 31.
(d) Closed Areas for Seabirds. Market squid may not be taken for commercial purposes utilizing attracting lights in all waters of the Gulf of the Farallones National Marine Sanctuary. Boundaries of the Sanctuary are defined as those in effect on August 27, 2004, pursuant to Title 15, Code of Federal Regulations (CFR), Part 922, Subpart H. This regulation also applies to vessels pursuing squid for live bait purposes.
(e) Records. Pursuant to Section 190 of these regulations, any operator of a commercial market squid vessel, or person who possesses a valid Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit shall complete and submit an accurate record of his/her squid fishing, lighting, or brailing activities on a form (Market Squid Vessel Logbook - DFW 149a (Rev. 05/01/15), or Market Squid Light/Brail Boat Logbook - DFW 149b (Rev.05/01/15), which are located in Appendix A of Subdivision 1 of Division 1 of Title 14, CCR) provided by the department, as appropriate to the type of fishing activity. Logbook records shall be transmitted to the department on or before the 10th day of each month follow-

ing the month that fishing activity occurred.
(f) Use of Lights to Aggregate Squid. It is unlawful to attract squid by light except as authorized under permits described in subsection 149.1(b) or Section 149.3 of these regulations.. This regulation does not apply to seine skiffs of a permitted vessel, or to vessels pursuing squid for live bait purposes only.
(g) Maximum Wattage. Each vessel fishing for squid or lighting for squid shall utilize a total of no more than 30,000 watts of lights to attract squid at any time.
(h) Light Shields. Each vessel fishing for squid or lighting for squid will reduce the light scatter of its fishing operations by shielding the entire filament of each light used to attract squid and orienting the illumination directly downward, or providing for the illumination to be completely below the surface of the water. The lower edges of the shields shall be parallel to the deck of the vessel.
(i) Forfeiture. Squid landed or possessed in violation of this Section or any other provision of the Fish and Game Code or these regulations shall be forfeited to the department. The squid shall be sold or disposed of in a manner to be determined by the department. The proceeds from all sales shall be paid into the Fish and Game Preservation Fund.
(j) Citations for violations of this Section may be issued to the vessel operator, crewmembers, and/or the holder of a market squid permit issued pursuant to Section 149.1 or 149.3 of these regulations.
(k) Exemption from Tidal Invertebrate Permit. Operators and crewmembers of a commercial market squid vessel or light boat operating under the provisions of a commercial market squid permit are not required to possess a Tidal Invertebrate Permit, but are subject to the provisions of Section 123 of these regulations.
(l) Incidental Take Allowance. Pursuant to this subsection, market squid may be taken for commercial purposes incidentally when engaged in fishing activities for other target species. Other requirements of this Section do not apply to incidental take. Incidentally-taken squid shall meet all of the following criteria:
(1) The volume of squid landed or possessed on a vessel shall not exceed 2 tons per trip.
(2) Market squid taken incidentally to other fisheries shall not exceed 10 percent of the total volume by weight of all fish landed or possessed on a vessel.
(m) Exemption for Live Bait. Squid taken for live bait purposes shall only be possessed for use as live bait or sold as live bait. Other requirements of this Section do not apply to take of live squid for bait, unless expressly specified.

§ 149.1. Market Squid Fishery Restricted Access Program

(a) Permit Required. On and after April 1, 2005, no person shall take, land, or attract squid by light for commercial purposes, except as provided in subsections 149(l) and 149(m), unless the owner of that vessel has a valid market squid permit for use on that vessel that has not been suspended or revoked.
(b) Classification of Permits and Permit Authorization.
(1) A Market Squid Vessel Permit authorizes the use of round haul gear, including purse seine, drum seine and lampara nets for commercial harvest. Use of brail gear, including dip and scoop nets, is also authorized. Lights may also be used as specified in regulation to aggregate squid for purposes of commercial harvest. No other gear is authorized under this permit to take or assist in the taking of market squid for commercial purposes. Market Squid Vessel Permits are designated as either transferable or non-transferable as described in subsection (o) below.
(2) A Market Squid Brail Permit authorizes the use of brail gear including dip and scoop nets to take market squid for commercial purposes. Lights may also be used as specified in regulation to aggregate squid for purposes of commercial harvest. No other gear is authorized under this permit to take or assist in the taking of market squid for commercial purposes. Market Squid Brail Permits are designated as either transferable or non-transferable as described in subsection (o) below.
(3) A Market Squid Light Boat Permit authorizes only the use of lights as specified in regulation to aggregate squid for purposes of commercial harvest. No other gear is authorized under this permit to take or assist in the taking of market squid for commercial purposes. Market Squid Light Boat Permits are designated as either transferable or non-transferable as described in subsection (o) below.
(4) Only one market squid permit, regardless of the class of permit as described in subsections (b)(1), (2), and (3) above, may be issued per owner per vessel.
(c) Initial Issuance Criteria. Any person who is the registered owner of the vessel must provide current proof of vessel ownership at the time of application. Permits as described in subsection (b) shall be issued only to the following persons, partnerships or corporations based on qualifying criteria described in this subsection. Transferable permits shall be issued to owners where the vessel meets the specified initial issuance criteria for the class of permit. Non-transferable permits shall be issued only to individuals that meet the specified initial issuance criteria for the class of permit. During initial permit issuance, a permit must be placed only on a vessel that was licensed with a valid Market Squid Vessel Permit or a Market Squid Light Boat Owner's Permit in the 2004-05 permit year, and which must also be the vessel upon which the qualifying catches were made.
(1) Market Squid Vessel Permit - Transferable.
(A) A Transferable Market Squid Vessel Permit may be issued to an individual, partnership or corporation that is the owner of a commercial fishing vessel with a Market Squid Vessel Permit for the 2004-05 permit year that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application, and
(B) the Market Squid Vessel Permit has not been suspended or revoked, and
(C) the vessel must have made at least 50 landings of market squid from January 1, 2000 through March 31, 2003 as documented by fish landing receipts submitted to the department in the vessel's name and identification number pursuant to Fish and Game Code Section 8046.
(D) Upon issuance of a transferable Market Squid Vessel Permit, additional squid fishery catch history associated with the vessel may not be used by any individual, partnership or corporation toward qualification for additional permits of any class.
(2) Market Squid Vessel Permit - Non-Transferable.
(A) A Non-Transferable Market Squid Vessel Permit may be

issued to an individual that is the owner of a commercial fishing vessel with a Market Squid Vessel Permit for the 2004-05 permit year that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application, and
(B) the Market Squid Vessel Permit has not been suspended or revoked, and
(C) pursuant to Fish and Game Code Section 8101, the individual must have been licensed as a California commercial fisherman for at least 20 years at the time of application, and
(D) the individual has made at least 33 landings of market squid from the vessel licensed with a Market Squid Vessel Permit for the 2004-05 permit year as documented by fish landing receipts submitted to the department in the person's name and commercial fishing license identification number pursuant to Fish and Game Code Section 8046, prior to August 27, 2004. Only receipts that demonstrate catch aboard a vessel with a Market Squid Vessel Permit for the 2004-05 permit year that does not already qualify for issuance of a transferable Market Squid Vessel Permit under subsection (c)(1) of this section or a transferable Market Squid Brail Permit under subsection (c)(3) of this section or a transferable Market Squid Light Boat Permit under subsection (c)(5) of this section are valid for consideration.
(E) The department shall separately identify Non-Transferable Market Squid Vessel Permits issued under this section and those permits shall become null and void upon the death of the permit holder.
(3) Market Squid Brail Permit - Transferable.
(A) A Transferable Market Squid Brail Permit may be issued to an individual, partnership, or corporation that is the owner of a commercial fishing vessel that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application, and
(B) have been issued a Market Squid Vessel Permit for the 2004-05 permit year for that vessel that has not been suspended or revoked, and
(C) the vessel must have made at least 10 landings of market squid with brail gear from January 1, 2000 through March 31, 2003 as documented by fish landing receipts submitted to the department in the vessel's name and identification number pursuant to Fish and Game Code Section 8046.
(D) Upon issuance of a transferable Market Squid Brail Permit, additional squid fishery catch history associated with the vessel may not be used by any individual, partnership or corporation toward qualification for additional permits of any class.
(4) Market Squid Brail Permit - Non-Transferable.
(A) A Non-Transferable Market Squid Brail Permit may be issued to an individual that is the owner of a commercial fishing vessel with a Market Squid Vessel Permit for the 2004-05 permit year that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application, and
(B) the Market Squid Vessel Permit has not been suspended or revoked, and
(C) pursuant to Fish and Game Code Section 8101, the individual must have been licensed as a California commercial fisherman for at least 20 years at the time of application, and
(D) the individual has made at least 10 landings of market squid with brail gear from the vessel with a Market Squid Vessel Permit for the 2004-05 permit year as documented by fish landing receipts submitted to the department in the person's name and commercial fishing license identification number pursuant to Fish and Game Code Section 8046, during any one permit year (April 1 through March 31 of the following year) from January 1, 2000 through March 31, 2003. Only receipts that demonstrate catch from a vessel with a Market Squid Vessel Permit for the 2004-05 permit year that does not already qualify for issuance of a transferable Market Squid Vessel Permit under subsection (c)(1) of this section or a transferable Market Squid Brail Permit under subsection (c)(3) of this section or a transferable Market Squid Light Boat Permit under subsection (c)(5) of this section are valid for consideration.
(E) The department shall separately identify Non-Transferable Market Squid Brail Permits issued under this section and those permits shall become null and void upon the death of the permit holder.
(5) Market Squid Light Boat Permit - Transferable.
(A) A Transferable Market Squid Light Boat Permit may be issued to an individual, partnership or corporation that is the owner of a commercial fishing vessel that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application, and
(B) the individual, partnership or corporation must have been issued a Market Squid Vessel Permit or a Squid Light Boat Owner's Permit for the 2004-05 permit year for use on that vessel that has not been suspended or revoked, and
(C) the individual, partnership or corporation must have submitted to the department, pursuant to subsection 149(b) and Section 190, Title 14, CCR, at least one market squid light boat logbook form (DFG 149b) with fishing activity dated on or prior to December 31, 2000 for that vessel.
(D) Upon issuance of a transferable Market Squid Light Boat Permit, additional squid fishery light boat activity associated with the vessel may not be used by any individual, partnership or corporation toward qualification for additional permits of any class.
(6) Market Squid Light Boat Permit - Non-Transferable.
(A) A Non-Transferable Market Squid Light Boat Permit may be issued to an individual that is the owner of a commercial fishing vessel that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application, and
(B) the individual must have been issued a Market Squid Vessel Permit or a Squid Light Boat Owners Permit for the 2004-05 permit year for use on that vessel that has not been suspended or revoked, and
(C) pursuant to Fish and Game Code Section 8101, the individual must have been licensed as a California commercial fisherman for at least 20 years at the time of application, and
(D) the individual must have submitted to the department, pursuant to subsection 149(b) and Section 190, Title 14, CCR, at least one market squid light boat logbook form (DFG 149b) with fishing activity dated from January 1, 2001 through August 27, 2004 for that vessel. Only logbook forms from a vessel with a Market Squid Vessel Permit or a Squid Light Boat Owners Permit for the 2004-05 permit year that has not already qualified for issuance of a transferable Market Squid Vessel Permit under subsection (c)(1) of this section or a transferable

Market Squid Brail Permit under subsection (c)(3) of this section or a transferable Market Squid Light Boat Permit under subsection (c)(5) of this section are valid for consideration.
(E) The department shall separately identify Non-Transferable Market Squid Light Boat Permits issued under this section and those permits shall become null and void upon the death of the permit holder.
(7) Non-Transferable Market Squid Vessel Permits, Non-Transferable Market Squid Brail Permits, and Non-Transferable Market Squid Light Boat Permits may only be issued to individuals, and shall not be issued to partnerships or corporations, although the permit may be placed on a vessel which is owned by a partnership or corporation.
(d) Application Deadlines for Initial Permit Issuance.
(1) All applications [FG 1315 (8/04), incorporated by reference herein] and permit fees for initial issuance of Market Squid Vessel Permits, Market Squid Brail Permits, and Transferable Market Squid Light Boat Permits must be received by the department, or, if mailed, postmarked on or before June 30, 2005. Applications and permit fees for initial issuance of Market Squid Vessel Permits, Market Squid Brail Permits, and Transferable Market Squid Light Boat Permits received by the department, or, if mailed, postmarked from July 1 through July 31, 2005 will be assessed a $250 late fee, notwithstanding Fish and Game Code Section 7852.2. Applications and permit fees for initial issuance of Market Squid Vessel Permits, Market Squid Brail Permits, and Transferable Market Squid Light Boat Permits received by the department or postmarked after July 31, 2005 will be denied by the department and returned to the applicant.
(2) All applications [FG 1319 (New 12/06), incorporated by reference herein] and permit fees for initial issuance of Non-Transferable Market Squid Light Boat Permits must be received by the department at the address specified on the application, or, if mailed, postmarked on or before June 30, 2007. Applications and permit fees for initial issuance of Non-Transferable Market Squid Light Boat Permits received by the department, or, if mailed, postmarked from July 1 through July 31, 2007 will be assessed a $250 late fee, notwithstanding Fish and Game Code Section 7852.2. Applications and permit fees for initial issuance of Non-Transferable Market Squid Light Boat Permits received by the department or postmarked after July 31, 2007 will be denied by the department and returned to the applicant.
(e) Initial Issuance Appeals. Any applicant who is denied initial issuance of a Market Squid Vessel Permit, Market Squid Brail Permit, or a Market Squid Light Boat Permit by the department pursuant to subsection (c) may appeal that denial to the commission in writing, describing the basis for the appeal. The appeal shall be received by the commission or, if mailed, postmarked within 60 days of the department's denial.
(f) Annual Permit Renewal.
(1) On and after April 1, 2006, Market Squid Vessel Permits, Market Squid Brail Permits and Transferable Market Squid Light Boat Permits will be issued annually by the department only to those persons who have held the same class of permit in the immediately preceding permit year.
(2) On and after April 1, 2008, Non-Transferable Market Squid Light Boat Permits will be issued annually by the department only to those persons who held such permits in the immediately preceding permit year.
(3) Upon the death of the individual to whom a Non-Transferable Market Squid Vessel Permit, Non-Transferable Market Squid Brail Permit, or Non-Transferable Market Squid Light Boat Permit is issued, the permit shall be considered null and void and permit renewal criteria specified in this subsection shall not apply.
(g) Application Deadlines for Annual Permit Renewal. All applications as specified in Section 705 and permit fees for renewal of Market Squid Vessel Permits, Market Squid Brail Permits, and Market Squid Light Boat Permits must be received by the department at the address specified on the application, or, if mailed, postmarked on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.
(h) Renewal Appeals. Late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.
(i) Permit, Transfer and Upgrade Fees.
(1) The department shall charge an annual fee as specified in Section 705 for a permit of each permit class as follows:
(A) Market Squid Vessel Permit - Transferable
(B) Market Squid Vessel Permit - Non-Transferable
(C) Market Squid Brail Permit - Transferable
(D) Market Squid Brail Permit - Non-Transferable
(E) Market Squid Light Boat Permit - Transferable
(F) Market Squid Light Boat Permit - Non-Transferable
(2) The department shall charge a non-refundable fee as specified in Section 705, for each permit transfer. If more than one permit is involved in the transfer based on provisions defined in subsection (o), a non-refundable fee as specified in Section 705, shall be charged for the transaction.
(3) The department shall charge a non-refundable fee as specified in Section 705, for each Market Squid Brail Permit Upgrade based on provisions defined in subsection (q).
(j) Permit Revocation, Suspension or Cancellation.
(1) Pursuant to Fish and Game Code Section 1052(b), a Market Squid Vessel Permit, Market Squid Brail Permit, or a Market Squid Light Boat Permit shall be revoked if false information is provided by the permittee to obtain or maintain the permit.
(2) A Market Squid Vessel Permit, Market Squid Brail Permit, or a Market Squid Light Boat Permit may be suspended, revoked, or cancelled by the commission upon conviction of a violation of regulations contained in Section 149, Title 14, CCR, or violation of the terms and conditions of the permit.
(k) Dissolution of Partnership or Corporation. If a transferable Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit is issued for a vessel that is owned by a bona fide partnership or corporation which becomes dissolved, the partnership or corporation shall notify the department of the name of the partner or shareholder who is the successor permitholder and the department shall reissue the permit to that partner or shareholder. Change of vessel ownership provisions defined in subsection (l) and transfer fees in subsection (i)(2) apply.
(l) Change of Vessel Ownership.
(1) If a transferable Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit is issued for a

vessel that is owned by an individual or by a bona fide partnership or corporation, and the individual, bona fide partnership, or corporation transfers the title of ownership of the vessel to another entity, the original entity to which the permit is issued must notify the department of the change in ownership, and submit a non-refundable transfer fee as specified in Section 705.
(2) Upon payment of fees, and surrender to the department of the original permit or permits, the department shall issue the applicable permit to the new owner of the vessel that is valid for the remainder of the fishing season. Gross tonnage endorsement provisions defined in subsection (n) below shall apply.
(3) Non-Transferable Market Squid Vessel Permits, Non-Transferable Market Squid Brail Permits and Non-Transferable Market Squid Light Boat Permits which are issued to individuals shall not be transferred to a new owner. Sale or transfer of ownership of a vessel that is authorized to fish under a non-transferable market squid permit shall render the permit null and void.
(m) Capacity Goals.
(1) The capacity goal for transferable and non-transferable Market Squid Vessel Permits is 55.
(2) The capacity goal for transferable and non-transferable Market Squid Brail Permits is 18.
(3) The capacity goal for transferable and non-transferable Market Squid Light Boat Permits is 34.
(4) Should the number of Market Squid Vessel Permits, Market Squid Brail Permits, or Market Squid Light Boat Permits issued by the department fall below the capacity goal for that permit class, the commission may prescribe criteria for issuance of additional permits of that class, which may include but is not limited to previous issuance of market squid vessel, brail or light boat permits, market squid catch or market squid logbook histories.
(n) Gross Tonnage Endorsement. Each Market Squid Vessel Permit or Market Squid Brail Permit shall be endorsed with the gross tonnage at the time of initial issuance. Any vessel owner transferring a Market Squid Vessel Permit or Market Squid Brail Permit shall also provide gross tonnage information for the replacement vessel as described below.
(1) The gross tonnage shall be determined as follows:
(A) If the owner of the vessel holds a Federal Coastal Pelagic Species Permit issued by the National Marine Fisheries Service for that vessel, the owner of the vessel shall submit a copy of the vessel owner's current valid Federal Coastal Pelagic Species Permit with the vessel's endorsed gross tonnage.
(B) If the owner of the vessel does not hold a Federal Coastal Pelagic Species Permit for the vessel, the gross tonnage will be determined by multiplying the length (L), breadth (B), and depth (D) of the vessel by 0.0067. Records of length, breadth, and depth used for determining gross tonnage will be those recorded on the vessel's United States Coast Guard documentation paper.
(2) The gross tonnage endorsement will remain in effect for the lifetime of each permit, regardless of the gross tonnage of a vessel to which it was transferred.
(3) In cases where a permit is transferred to a vessel with a smaller gross tonnage, the original gross tonnage endorsement will remain, and excess gross tonnage cannot be split out from the original permit endorsement for any purpose.
(4) In cases where two or more permits are transferred to a replacement vessel pursuant to guidelines in subsection (o), the replacement vessel shall be issued a transferable permit which reflects a gross tonnage endorsement which is recorded as either the sum of the gross tonnage endorsements from the original vessels, or the gross tonnage of the replacement vessel, whichever of the two values is less.
(o) Transfer of Permits to Replacement Vessels.
(1) Conditions for permit transferability as defined in this subsection shall provide the mechanism for achieving the capacity goals defined in subsection (m) of this Section over time.
(2) Definitions of Comparable Capacity.
(A) For purposes of permit transferability described in this subsection, two vessels are of comparable capacity if the gross tonnage, as defined in subsection (n) of this Section, of the replacement vessel is not in excess of ten percent greater than the gross tonnage of the originally permitted vessel [the replacement vessel's gross tonnage must be less than (the gross tonnage of the original vessel) plus (0.1 multiplied by the gross tonnage of the original vessel)].
(B) A replacement vessel shall be considered of comparable capacity in cases of permit transfers where the gross tonnage of the original vessel exceeds the gross tonnage of the replacement vessel by any amount. Gross tonnage endorsement provisions for the replacement vessel defined in subsection (n) shall apply.
(3) After August 31, 2005 the following conditions for transferability of permits to replacement vessels will be in effect for permits in each class as described:
(A) The owner of a vessel with a valid Transferable Market Squid Vessel Permit may transfer the permit to another person who is the owner of a replacement commercial fishing vessel of comparable capacity as defined in this subsection.
(B) If transfer is sought of a Transferable Market Squid Vessel Permit for a replacement commercial fishing vessel which is not of comparable capacity as defined in this subsection, one additional valid Transferable Market Squid Vessel Permit shall be transferred and surrendered to the department at the time of the transfer. Market Squid Vessel Permit transfers are not authorized in cases where the gross tonnage of the replacement vessel is not of comparable capacity to the sum of the gross tonnages of the two original vessels as defined above.
(C) A Transferable Market Squid Brail Permit issued to an individual, partnership or corporation may be transferred to another entity who is the owner of a replacement commercial fishing vessel of comparable capacity as defined in this subsection.
(D) A Transferable Market Squid Light Boat Permit issued to an individual, partnership or corporation may be transferred to another entity who is the owner of a replacement commercial fishing vessel.
(E) In the event of death of the holder of a Transferable Market Squid Vessel Permit, Transferable Market Squid Brail Permit, or a Transferable Market Squid Light Boat Permit, the estate must apply for transfer of the permit to another entity within one year of the permitholder's death.
(F) A Non-Transferable Market Squid Vessel Permit or a Non-Transferable Market Squid Brail Permit issued to an in-

dividual may not be transferred to another entity, but in the event the permitted vessel is lost, stolen or destroyed, or has suffered a major mechanical breakdown, the permit may be placed on a replacement vessel of comparable capacity as defined in subsection (m). A Non-Transferable Market Squid Light Boat Permit issued to an individual may not be transferred to another entity, but in the event the permitted vessel is lost, stolen or destroyed, or has suffered a major mechanical breakdown, the permit may be placed on a replacement vessel. A notarized, written request for transfer must be submitted, along with proof that the permitted vessel is lost, stolen, or destroyed in the form of a copy of the report filed with the United States Coast Guard or any other law enforcement agency or fire department investigating the loss. In the case of mechanical breakdown, the request shall include an estimate of the costs to repair the vessel from a marine surveyor or boat repair yard. The department shall not issue a permit for a replacement vessel pursuant to this subsection if the permitted vessel was reported lost, stolen, destroyed, or damaged for fraudulent purposes.

(4) The applicant for transfer must be the owner of a replacement commercial fishing vessel that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application.

(5) A written request for transfer of a market squid permit of any class shall be submitted to the department by the owner of the replacement vessel in the form of a notarized letter, accompanied by the nonrefundable transfer fee and shall include a copy of the permit or permits which are being considered for transfer, current proof of vessel ownership, and gross tonnage information as described in subsection (n), if applicable.

(6) Any market squid permit holder intending to transfer a permit shall submit a notarized letter to the department setting forth the conditions of the sale, and shall specify that the terms of the transfer as documented by the replacement vessel owner are valid and true.

(7) Upon determining that the applicant is qualified to transfer the permit to a replacement vessel, payment of all fees, and surrender to the department of the original permit or permits, the department shall issue the applicable permit to the owner of the replacement vessel that is valid for the remainder of the fishing season. Gross tonnage endorsement provisions defined in subsection (n) above shall apply.

(8) At the time the permit transfer is complete, vessels previously authorized to fish under conditions of a surrendered permit shall not take or attract squid for commercial purposes unless otherwise authorized in regulation or statute.

(p) Transfer Appeals. Any applicant who is denied transfer of a Market Squid Vessel Permit, Market Squid Brail Permit, or a Market Squid Light Boat Permit may appeal the denial to the department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked within 60 days of the date of the department's denial. The appeal shall be reviewed and decided by the department. The decision of the department may be appealed in writing to the commission within 60 days of the date of the department's written decision.

(q) Market Squid Brail Permit Upgrade. Purchase of a Transferable Market Squid Brail Permit by a permittee who holds a Transferable Market Squid Light Boat Permit may occur with surrender of a Transferable Market Squid Light Boat Permit. Non-Transferable Light Boat Permits are not eligible for upgrade.

(1) An application for upgrade to a Market Squid Brail Permit shall be submitted to the department by a Transferable Market Squid Light Boat permittee in the form of a notarized letter, and shall include a copy of the permit which is being sought for surrender, current proof of vessel ownership, and gross tonnage information as described in subsection (n).

(2) Upon determining that the applicant is qualified to upgrade the permit, payment of all permit and upgrade fees, and surrender to the department of the original permit, the department shall issue the replacement permit that is valid for the remainder of the fishing season. Gross tonnage endorsement provisions defined in subsection (n) above shall apply.

(r) Market Squid Brail Permit Upgrade Appeals. Any applicant who is denied upgrade of a Transferable Market Squid Light Boat Permit to a Transferable Market Squid Brail Permit may appeal the denial to the department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked within 60 days of the date of the department's denial. The appeal shall be reviewed and decided by the department. The decision of the department may be appealed in writing to the commission within 60 days of the date of the department's written decision.

NEARSHORE FISHERY

Nearshore Fishery Permits

Any person using hook and line to take, possess aboard a vessel, or land black–and–yellow rockfish, gopher rockfish, kelp rockfish, California scorpionfish, greenlings of the genus *Hexagrammos*, China rockfish, grass rockfish, California sheephead, and cabezon, must have a valid 2020-2021Nearshore Fishery Permit for one of the regional management areas described in §52.04, Title 14.

See §150(l), Title 14 for additional gear authorization.

Renewal Requirements:

Applicants must possess a valid 2020-2021 Commercial Fishing License and have possessed a valid transferable or non–transferable 2019-2020 Nearshore Fishery Permit.

Permits can only be renewed for the regional management area and in the category (transferable or non–transferable) that they were originally issued.

Permit Transfers: Refer to §150(g), Title 14.

A non–transferable Nearshore Fishery Permit becomes null and void upon the death of the permit holder. (§150(g)(7), Title 14).

See section 150 (g) (3) on page 107, which provides for a transferable permit to be transferred to another after death of the current permittee.

Title 14 Excerpts

§1.90. Nearshore Fish Stocks, Nearshore Fisheries, Nearshore Waters, and Shallow Nearshore Rockfish Defined

(a) Under the authority of §8587.1 of the Fish and Game Code, §8586 of the Fish and Game Code is made inoperative.
(b) "Nearshore fish stocks" means any of
the following:
(1) black rockfish (*Sebastes melanops*),
(2) black–and–yellow rockfish (*Sebastes chrysomelas*),
(3) blue rockfish (*Sebastes mystinus*),
(4) brown rockfish (*Sebastes auriculatus*),
(5) cabezon (*Scorpaenichthys marmoratus*),
(6) calico rockfish (*Sebastes dallii*),
(7) California scorpionfish (sculpin)
(*Scorpaena guttata*),
(8) California sheephead (*Semicossyphus pulcher*),
(9) China rockfish (*Sebastes nebulosus*),
(10) copper rockfish (*Sebastes caurinus*),
(11) gopher rockfish (*Sebastes carnatus*),
(12) grass rockfish (*Sebastes rastrelliger*),
(13) greenlings of the genus *Hexagrammos*,
(14) kelp rockfish (*Sebastes atrovirens*),
(15) monkeyface prickleback (a.k.a. monkeyface eel) (*Cebidichthys violaceus*),
(16) olive rockfish (*Sebastes serranoides*),
(17) quillback rockfish (*Sebastes maliger*),
and
(18) treefish (*Sebastes serriceps*),
(c) "Nearshore fisheries" means the commercial or recreational taking, posession, or landing of any species of nearshore fish stocks.
(d) "Nearshore waters" means ocean waters including around offshore rocks and islands extending from the shore to
a depth of 20 fathoms.
(e) "Shallow nearshore rockfish" means a subgroup of rockfishes (genus *Sebastes*)
including only black–and–yellow rockfish, China rockfish, gopher rockfish, grass rockfish, and kelp rockfish.

§52.04. Regional Management

Four regional management areas (consistent with the Nearshore FMPs Alternative 5 for Recommended Regional Management) exist off California as follows:
(1) North Coast Region: Nearshore waters between the California–Oregon border and a line extending due west true from a point on the mainland shore
at 40 degrees 10 minutes north latitude
near Cape Mendocino, Humboldt County,
(2) North–Central Coast Region: Nearshore waters between a line extending
due west true from a point on the mainland shore at 40 degrees 10 minutes north latitude near Cape Mendocino, Humboldt County, and a line extending
due west true from Point Año Nuevo, San Mateo County,
(3) South–Central Coast Region: Nearshore waters between a line extending due west true from Año Nuevo, San Mateo County, and a line extending due west true from Point Conception, Santa
Barbara County,
(4) South Coast Region: Nearshore waters between a line extending due west
true from Point Conception, Santa Barbara County, and the U.S.–Mexico border.

§52.10. Take of Sheephead, Cabezon, and Greenling

(a) Total Allowable Catches (TACs) and Allocations. Based on total allowable catches specified for each calendar year, catch may not exceed the following amounts:
(1) California sheephead. The statewide
allowable catch of sheephead is 205,500 pounds, allocated as follows:
(A) The commercial fishery is allocated 75,200 pounds.
(B) The recreational fishery is allocated 130,300 pounds.
(2) Cabezon. The statewide total allowable catch will not exceed the amount specified in 50 CFR Part 660, Subpart C.
(3) Greenlings of the genus *Hexagrammos*. The statewide total allowable catch will not exceed the amount specified in 50 CFR Part 660, Subpart C.
(b) Mechanism for Fishery Closures.
The Department will estimate from the current trends in catch and using the best available scientific information the time at which any commercial or recreational fishery allocation or total allowable catch for sheephead, cabezon, or greenlings specified in subsection (a) will be reached. The Department will close the fishery at the time the allocation or total allowable catch is reached or is projected to be reached prior to the end of the calendar year.
(c) The Department shall give the public
and the Commission no less than 10 days notice of any recreational fishery closure pursuant to this section via a Department news release.
(d) The Department shall give holders of nearshore fishery permits no less than 10 days notice of any commercial fishery closure pursuant to this section via a notification letter sent to the permittee's address on file with the Department. The Department shall give the public and the Commission no less than 10 days notice of any commercial fishery closure pursuant to this section via a Department news release.

§150. Nearshore Fishery Restricted Access Program

(a) Nearshore Fishery Permits issued pursuant to Fish and Game Code §8587,
are valid only in the regional management area specified in the permit.
(b) The Department shall issue a Nearshore Fishery Permit for a regional management area described in §52.04, to each nearshore fishery permittee who meets the regional qualifying criteria below. A person will receive only one Nearshore Fishery Permit for use in only one regional management area, and cannot hold a valid permit for more than one regional management area. A person meeting the qualifications for more than one regional management area must make a permanent, irrevocable decision prior to obtaining a Nearshore Fishery Permit for the 2003–2004 permit year to fish in one regional management area. The permit shall not be changed to another regional management area under any circumstances.
(f) Capacity Goal. The capacity goal for each nearshore re-

gional management area is as follows: 14 North Coast Region Nearshore Fishery Permits, nine North–Central Coast Region Nearshore Fishery Permits, 20 South–Central Coast Region Nearshore Fishery Permits, and 18 South Coast Region Nearshore Fishery Permits. The capacity goal for Non–Transferable Nearshore Fishery Permits is zero.
(g) Permit Transfers, Procedures, and Timelines.
(1) Pursuant to Fish and Game Code Section 8587.1(b), Fish and Game Code Section 7857(j) is made inoperative as applied to the commercial nearshore fishery.
(2) A person with a valid transferable nearshore fishery permit that has not been suspended or revoked may transfer his/her permit to a licensed California commercial fisherman. The permit shall be transferred for use in the same regional management area listed on the permit.
(3) Upon the death of a person with a valid transferable nearshore fishery permit, that person's estate shall immediately, temporarily relinquish the permit to the department's License and Revenue Branch. The estate may renew the permit as provided for in this section if needed to keep the permit valid. The estate of the decedent may transfer the permit pursuant to this section no later than two (2) years from the date of death of the permit holder as listed on the death certificate.
(4) The permit holder or the estate of the deceased permit holder shall submit the notarized transfer application and the nonrefundable permit transfer fee specified in Section 705 for each permit transfer. The transfer shall take effect on the date on the written notice of approval of the application given to the transferee by the department. The nearshore fishery permit shall be valid for the remainder of the permit year and may be renewed in subsequent years pursuant to this section.
(5) An application for a transfer of a nearshore fishery permit shall be deferred when the current permit holder is awaiting final resolution of any pending criminal, civil and/or administrative action that could affect the status of the permit.
(6) If a transferable nearshore fishery permit is transferred to a person with a valid non-transferable nearshore fishery permit, the non-transferable nearshore fishery permit shall become null and void and the permit shall be immediately surrendered to the department's License and Revenue Branch.
(7) Upon the death of a person with a valid non-transferable nearshore fishery permit, the permit shall become null and void and the estate shall immediately surrender the permit to the department's License and Revenue Branch.
(i) Nearshore Fishery Permit Renewal Requirements. Notwithstanding Fish and Game Code §8587, after April 1, 2004, Nearshore Fishery Permits for a regional management area will be issued annually by the Department only to those persons who have held a valid Nearshore Fishery Permit for that regional management area in the immediately preceding permit year.
(j) Application Deadline for Nearshore Fishery Permit Renewal. All applications
as specified in Section 705 and permit fees for renewal of Nearshore Fishery Permits must be received by the department, or, if mailed, postmarked on or before April 30 of each permit year.
Late fees, late fee deadlines, and late renewal appeal provisions are specified in
Fish and Game Code Section 7852.2.
(k) Presence of Permit Holder on Vessel.
At least one Nearshore Fishery Permit holder shall be on board at all times when taking, possessing aboard a boat, or landing nearshore fish stocks as described in §150.01, Title 14, CCR. If a support vessel is used, a permit holder shall be on each vessel when taking nearshore fish stocks.
(l) Gear Authorized for Use. Only dip nets (as defined in §1.42, Title 14, CCR), hook–and–line gear consistent with restrictions of §150.17, Title 14, CCR, and gear authorized for use under a gear endorsement issued pursuant to §150.03, Title 14, CCR, shall be used to take, possess aboard a vessel, or land nearshore fish stocks as described in §150.01, Title 14, CCR.
(m) Appeals.
(2) Renewal Appeals. Late renewal appeal provisions are specified in Fish and
Game Code Section 7852.2.
(3) Any person who is denied transfer of a transferable nearshore fishery permit may submit a written request for an appeal to the commission within 60 calendar days of the date of the department's denial.
(n) Fees. Notwithstanding Fish and Game Code Section 8587, the fees for a Nearshore Fishery Permit under the restricted access program shall be as follows:
(1) The department shall charge an annual fee for each transferable Nearshore
Fishery Permit as specified in Section 705.
(2) The department shall charge an annual fee for each Non-Transferable Nearshore Fishery Permit as specified in Section 705.
(3) The department shall charge a non-refundable fee for each permit transfer as specified in Section 705.
(o) Revocation of Permits. Any permit may be suspended, revoked, or cancelled by the Commission upon conviction of a violation of any provision of these regulations or Fish and Game Code pertaining to the commercial take
of nearshore fish stocks as described in
§150.01, Title 14, CCR, or violation of the
terms or conditions of the permit by the
holder thereof, his agents, servants, employees or those acting under his direction and control.

§150.01. Nearshore Fishery Permit Required

Notwithstanding §8587 of the Fish and Game Code, a nearshore fishing permit is required only for the commercial take of the following species of nearshore fish stocks: black–and–yellow rockfish, gopher rockfish, kelp rockfish, California scorpionfish, greenlings of the genus *Hexagrammos*, China rockfish, grass rockfish, California sheephead, and cabezon.

DEEPER NEARSHORE SPECIES

Deeper Nearshore Species Fishery Permit Required for any person taking, possessing aboard a vessel, or landing black rockfish, blue rockfish, brown rockfish, calico rockfish, copper rockfish, olive rockfish, quillback rockfish, and treefish. §150.02, Title 14, CCR, established a December 31, 1999 control date. Initial participation in this fishery after December 31, 1999 may not guarantee participation in a future restricted access program.

Renewal Requirements:
Applicants must possess a valid 2020-2021 Commercial Fishing License and have possessed a valid 2019-2020 Deeper Nearshore Species Fishery Permit. Permit transfers: Refer to 150.02(j), Title 14.
See section 150.02(j)(4) on page 108, which provides for a transferable permit to be transferred to another after death of the current permittee.

Control Date Established
Note: A control date of December 31, 1999 was established for the purpose of considering a future restricted access program for this fishery. Any applicant who is issued a 2019-2020 Deeper Nearshore Species Fishery Permit is not guaranteed eligibility under any future access program for this fishery that might be adopted by the Commission.

Title 14 Excerpts
§150.02 Control Dates for Other Nearshore Species; Permits to Commercially Take Deeper Nearshore Fish Species

(a) Permit Required. Effective April 1, 2003, any person taking, possessing aboard a boat, or landing any species of deeper nearshore fish listed in subsection
(b) below for commercial purposes shall possess a valid deeper nearshore species fishery permit issued to that person that has not been suspended or revoked, except that when using a boat
to take deeper nearshore species at least one person aboard the boat shall have a valid deeper nearshore species fishery permit.
(b) Permit Authorization. Notwithstanding §8587 of the Fish and Game Code, a deeper nearshore species fishery permit is required only for the commercial take of the following species of nearshore fish stocks: black rockfish, blue rockfish, brown rockfish, calico rockfish,
copper rockfish, olive rockfish, quillback
rockfish, and treefish.
(c) Permit Revocation. Deeper nearshore species fishery permits are revocable.
(d) Fees.
(A) The fee for a deeper nearshore species fishery permit is specified in Section 705.
(B) The nonrefundable fee to transfer a deeper nearshore species fishery permit is specified in Section 705.
(g) Renewal.
(1) Applicants seeking renewal of a deeper nearshore species fishery permit must have held a deeper nearshore
species fishery permit in the immediately preceding permit year.
(2) Applications as specified in Section 705 and permit fees for renewal of a deeper nearshore species fishery permit must be received by the department, or, if mailed, postmarked on or before April 30 of each permit year. Late
fees, late fee deadlines, and late renewal
appeal provisions are specified in Fish and Game Code Section 7852.2.
(3) Applications for renewal must be accompanied by evidence that the qualification requirements specified in subsection (g)(1) have been met.
(h) A control date of December 31, 1999
is established for the purpose of developing a restricted access commercial nearshore fishery for those persons taking nearshore fish stocks not covered under other nearshore control dates or nearshore restricted access programs established in §150, Title 14, CCR. Species subject to this control date include
only black rockfish, blue rockfish, brown
rockfish, calico rockfish, copper rockfish, monkeyface eel, olive rockfish, quillback rockfish, and treefish. Landings of these species made after this date may not apply toward qualifying for participation in a future restricted access program for this component of the nearshore fishery.
(i) This section does not apply to those nearshore species for which a Nearshore Fishery Permit is required pursuant to §150.01.
(j) Permit Transfers, Procedures, and Timelines.
(1) Pursuant to Fish and Game Code Section 8587.1(b), Fish and Game Code Section 7857(j) is made inoperative as applied to the commercial deeper nearshore fishery.
(2) Upon the effective date of these regulations, each person possessing a valid deeper nearshore species fishery permit that has not been suspended or revoked shall have his or her permit designated by the department as a transferable deeper nearshore species fishery permit.
(3) A person with a valid transferable deeper nearshore species fishery permit that has not been suspended or revoked may transfer his/her permit to a licensed California commercial fisherman.
(4) Upon the death of a person with a valid transferable deeper nearshore species fishery permit, the estate of a person with a valid transferable deeper nearshore species fishery permit shall immediately temporarily relinquish the permit to the department's License and Revenue Branch. The estate may renew the permit as provided for in this section if needed to keep the permit valid. The estate of the decedent may transfer the permit pursuant to this section no later than two (2) years from the date of death of the permit holder as listed on the death certificate.
(5) The permit holder or the estate of the deceased permit holder shall submit the notarized transfer application and the nonrefundable permit transfer fee specified in Section 705 for each permit transfer. The transfer shall take effect on the date of the written notice of approval of the application given to the transferee by the department. The deeper nearshore species fishery permit shall be valid for the remainder of the permit year and may be renewed in subsequent years pursuant to this section.
(6) An application for a transfer of a deeper nearshore species fishery permit shall be deferred when the current permit holder is awaiting final resolution of any pending criminal, civil and/or administrative action that could affect the status of the permit.
(7) Any applicant who is denied transfer of a deeper nearshore species fishery permit may submit a written request for an appeal to the commission within 60 calendar days of the date of the department's denial.

NEARSHORE FISHERY TRAP ENDORSEMENTS

Required for any person using trap gear to take black–and–yellow rockfish, gopher rockfish, kelp rockfish, California scorpionfish, greenlings of the genus *Hexagrammos*, China rockfish, grass rockfish, California sheephead, and cabezon.

Renewal Requirements:

The applicant must possess a) a valid transferable 2019-2020 Nearshore Fishery Permit, b) a valid 2019-2020 Trap Endorsement, c) a valid 2020-2021 Commercial Fishing License and d) a valid 2020-2021 General Trap Permit.

Endorsements can only be renewed for the regional management area and in the category (transferable or non–transferable) that they were originally issued.

Permit Transfers: Refer to §150.03(d), Title 14.

A non–transferable Nearshore Fishery Trap Endorsement becomes null and void upon the death of the permittee. (§150.03(d)(6), Title 14).

Title 14 Excerpts

§150.03. Nearshore Fishery Gear Endorsement Program

(a) The following regulations govern the qualification, issuance and appeals process of a gear endorsement program for the commercial take of nearshore fish stocks.

(b) Nearshore fish stocks are those listed in §150.01, Title 14, CCR.

(c) Qualifications for Gear Endorsement. A transferable gear endorsement shall be issued upon application only to a person who has a valid 2003-2004 transferable Nearshore Fishery Permit, issued pursuant to Section 150 for a specific regional management area as defined in Section 52.04. A non-transferable gear endorsement shall be issued upon application only to a person who has a valid 2003-2004 non-transferable Nearshore Fishery Permit, issued pursuant to Section 150, for a specific regional management area as defined in Section 52.04. The following qualifying criteria shall be used to determine eligibility for either a transferable or non-transferable trap endorsement:

(1) North Coast Region Trap Endorsement. A trap endorsement allows the permittee to use trap gear when taking nearshore fish stocks as described in Section 150.01 in addition to gear authorized under Section 150(l). A trap endorsement shall be attached to the North Coast Region Nearshore Fishery Permit issued to a person who has satisfied the following requirements:

(A) has a valid 2002-2003 general trap permit that has not been suspended or revoked, and

(B) has landed at least 1,000 pounds of nearshore fish stocks as described in Section 150.01 between January 1, 1994 and October 20, 2000 that were taken with trap gear.

(C) landings of nearshore fish stocks as described in Section 150.01 used to qualify must have been made at ports located within the North Coast Region as defined in Section 52.04 as documented by department landing receipts submitted in his name and commercial fishing license identification number pursuant to Fish and Game Code Section 8046.

(2) North-Central Coast Region Trap Endorsement. A trap endorsement allows the permittee to use trap gear when taking nearshore fish stocks as described in Section 150.01 in addition to gear authorized under Section 150(l). A trap endorsement shall be attached to the North-Central Coast Region Nearshore Fishery Permit issued to a person who has satisfied the following requirements:

(A) has a valid 2002-2003 general trap permit that has not been suspended or revoked, and

(B) has landed at least 1,000 pounds of nearshore fish stocks as described in Section 150.01 between January 1, 1994 and October 20, 2000 that were taken with trap gear.

(C) landings of nearshore fish stocks as described in Section 150.01 used to qualify must have been made at ports located within the North-Central Coast Region as defined in Section 52.04 as documented by department landing receipts submitted in his name and commercial fishing license identification number pursuant to Fish and Game Code Section 8046.

(3) South-Central Coast Region Trap Endorsement. A trap endorsement allows the permittee to use trap gear when taking nearshore fish stocks as described in Section 150.01 in addition to gear authorized under Section 150(l). A trap endorsement shall be attached to the South-Central Coast Region Nearshore Fishery Permit issued to a person who has satisfied the requirements of either (A), or (B) and (C) below:

(A) has a valid 2002-2003 finfish trap permit that has not be suspended or revoked, or

(B) has a valid 2002-2003 general trap permit that has not been suspended or revoked, and has landed at least 500 pounds of nearshore fish stocks as described in Section 150.01 in each of 3 calendar years during the period January 1, 1994 through October 20, 2000 that were taken with trap gear.

(C) landings of nearshore fish stocks as described in Section 150.01 used to qualify must have been made at ports located within the South-Central Coast Region as defined in Section 52.04 as documented by department landing receipts submitted in his name and commercial fishing license identification number pursuant to Fish and Game Code Section 8046.

(4) South Coast Region Trap Endorsement. A trap endorsement allows the permittee to use trap gear when taking nearshore fish stocks as described in Section 150.01 in addition to gear authorized under Section 150(l). A trap endorsement shall be attached to the South Coast Region Nearshore Fishery Permit issued to a person who has a valid 2002-2003 finfish trap permit that has not been suspended or revoked.

(d) Gear Endorsement Transfers, Procedures, and Timelines.

(1) Pursuant to Fish and Game Code Section 8587.1(b), Fish and Game Code Section 7857(j) is made inoperative as applied to the commercial nearshore fishery.

(2) A person with a valid transferable nearshore fishery gear endorsement that has not been suspended or revoked may transfer his/her nearshore fishery gear endorsement to a licensed California commercial fisherman with a valid Nearshore Fishery Permit for the same regional management area. The nearshore fishery gear endorsement shall be transferred for use in the same regional management area listed on the nearshore fishery gear endorsement.

(3) Upon the death of a person with a valid transferable nearshore fishery gear endorsement, the estate of a person with

a valid transferable nearshore fishery gear endorsement shall immediately, temporarily relinquish the nearshore fishery gear endorsement to the department's License and Revenue Branch. The estate may renew the nearshore fishery gear endorsement as provided for in this section if needed to keep the nearshore fishery gear endorsement valid. The estate of the decedent may transfer the nearshore fishery gear endorsement pursuant to this section no later than two years from the date of death of the nearshore fishery gear endorsement holder as listed on the death certificate.

(4) The nearshore fishery gear endorsement holder or the estate of the deceased nearshore fishery gear endorsement holder shall submit the notarized transfer application and the nonrefundable nearshore fishery gear endorsement transfer fee specified in Section 705 for each gear endorsement transfer. The transfer shall take effect on the date of the written notice of approval of the application given to the transferee by the department. The nearshore fishery gear endorsement shall be valid for the remainder of the permit year and may be renewed in subsequent years pursuant to this section.

(5) An application for a transfer of a nearshore fishery gear endorsement shall be deferred when the current nearshore fishery gear endorsement holder is awaiting final resolution of any pending criminal, civil and/or administrative action that could affect the status of the nearshore fishery gear endorsement.

(6) Upon the death of a person with a valid non-transferable nearshore fishery gear endorsement, the nearshore fishery gear endorsement shall become null and void and the estate shall immediately surrender the nearshore fishery gear endorsement to the department's License and Revenue Branch.

(f) Nearshore Fishery Permit Gear Endorsement Renewal Requirements.

After April 1, 2004, notwithstanding Fish and Game Code §8587, Nearshore Fishery Permit gear endorsements for a regional management area will be renewed annually by the Department only to a person who has held a valid Nearshore Fishery Permit gear endorsement for that regional management area in the immediately preceding permit year.

(g) Application Deadline for Nearshore Fishery Permit Gear Endorsement Renewal.

All applications as specified in Section 705 and permit fees for renewal of Nearshore Fishery Permit gear endorsements must be received by the department, or, if mailed, postmarked on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

(h) Appeals.

(1) Any applicant who is denied initial issuance of a Nearshore Fishery Permit gear endorsement for any reason may appeal to the Department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked, no later than March 31, 2004. The appeal shall be reviewed and decided by the Department. The decision of the Department may be appealed in writing to the Commission within 60 days of the date of the Department's denial.

(2) Renewal Appeals. Late renewal appeal provisions are specified in Fish and
Game Code Section 7852.2.

(3) Any applicant who is denied transfer of a transferable nearshore fishery gear endorsement may submit a written request for an appeal to the commission within 60 calendar days of the date of the department's denial.

(i) Fees. Notwithstanding Fish and Game Code Section 8587, the fees for a Nearshore Fishery Permit gear endorsement under the restricted access program shall be as follows:

(1) The department shall charge an annual fee for each Nearshore Fishery Permit gear endorsement as specified in Section 705.

(2) The department shall charge a non-refundable fee as specified in Section 705 for each gear endorsement transfer.

(j) Revocation of Nearshore Fishery Permit Gear Endorsement. Any Nearshore Fishery Permit gear endorsement may be suspended, revoked, or cancelled by the Commission upon conviction of a violation of any provision of these regulations or Fish and Game Code pertaining to the commercial take of nearshore
fish stocks as described in §150.01, Title
14, CCR, or violation of the terms or conditions of the permit by the holder thereof, his agents, servants, employees, or those acting under his direction and control.

(k) Notwithstanding Fish and Game Code §9001.5, a finfish trap permit is not required when taking nearshore fish stocks under the authority of a Nearshore Fishery Permit and trap endorsement issued pursuant to sections 150 and 150.03, Title 14, CCR. A general trap permit, issued pursuant to Fish and Game Code §9001, is required when taking nearshore fish stocks under the authority of a Nearshore Fishery Permit and trap endorsement issued pursuant to sections 150 and 150.03, Title 14, CCR.

§150.04. Control Date for Gear Endorsement Program for Other Nearshore Species

(a) A control date of October 20, 2000 is
established for the purpose of developing and implementing a gear endorsement program for the commercial nearshore fishery for nearshore fish stocks not covered under other nearshore control dates or nearshore restricted access programs established in §150, Title 14, CCR, or §150.03, Title 14, CCR.

Species subject to this control date include only black rockfish, blue rockfish, brown rockfish, calico rockfish, copper rockfish, monkeyface eel, olive rockfish, quillback rockfish, and treefish.

(b) In addition to any other requirements the Commission may adopt, in order to be considered for inclusion in a future gear endorsement program described in subsection (a), a person must have made at least one landing of the nearshore species described in subsection (a). This landing must be in his/her own name and commercial fishing license identification number on or before the control date in subsection (a) using a specified gear type (traps and/or hook and line and/or nets) as documented by a fish landing receipt prepared pursuant to Fish and Game Code §8043 and submitted to the Department pursuant to Fish and Game
Code §8046.

(c) This section does not apply to those nearshore species for which a Nearshore Fishery Permit is required pursuant to §150.01.

NEARSHORE FISHERY BYCATCH PERMITS

Required for any person using trawl or entangling nets (gill and trammel nets) to take black–and–yellow rockfish, gopher rockfish, kelp rockfish, California scorpionfish, greenlings of the genus Hexagrammos, China rockfish, grass rockfish, California sheephead, and cabezon.

Renewal Requirements:

To renew a 2019-2020 Nearshore Bycatch Permit, the applicant must possess: a) a valid 2020-2021 Commercial Fishinig License, b) a 2020-2021 Commercial Boat Registration, and c) have possessed a 2019-2020 Nearshore Fishery Bycatch Permit.

Nearshore Fishery Bycatch Permits are non–transferable and become null and void upon the death of the permittee. (§150.05(c), Title 14).

Other Restrictions:

The take of nearshore fish stocks under a nearshore fishery bycatch permit is limited to:

Management Area	Pounds Per Trip
North Coast Region	0
North–Central Coast Region	0
South–Central Coast Region	25
South Coast Region	50

Nearshore Fishery Bycatch permit holders cannot exceed federal or state cumulative trip limits.

FGC Excerpts

§8587.1. Commission May Adopt Regulations

(a) The Commission may adopt regulations as it determines necessary, based on the advice and recommendations of the Department, to regulate nearshore fish stocks and fisheries. Regulations adopted by the Commission pursuant to this section may include, but are not limited to, requiring submittal of landing and permit information, including logbooks; establishing a restricted access program; establishing permit fees; and establishing limitations on the fishery based on time, area, type, and amount of gear, and amount of catch, species, and size of fish.

(b) Regulations adopted by the Commission pursuant to this section may make inoperative any fishery management statute relevant to the nearshore fishery. Any regulation adopted by the Commission pursuant to this subdivision shall specify the particular statute to be made inoperative.

(c) The circumstances, restrictions, and requirements of §219 do not apply to regulations adopted pursuant to this section.

(d) Any regulations adopted pursuant to this section shall be adopted following consultation with fishery participants and other interested persons consistent with §7059.

§8589.5. Suspension or Revocation of Permits

The Commission shall temporarily suspend and may permanently revoke the nearshore fishing permit of any person convicted of a violation of this article. In addition to, or in lieu of, a license or permit suspension or revocation, the Commission may adopt and apply a schedule of fines for convictions of violations of this article.

Title 14 Excerpts

150.05. Nearshore Fishery Bycatch Permit Program

(a) A Nearshore Fishery Bycatch Permit authorizing the take, possession aboard a vessel, or landing of nearshore fish stocks as described in §150.01, Title 14, CCR, and in the manner and amount described in subsections (b) and (d) below may be issued to a person who meets the following conditions:

(b) Gear Authorized for Use. Only trawl or entangling nets shall be used to take, possess aboard a vessel, or land nearshore fish stocks as described in §150.01, Title 14, CCR, under a Nearshore Fishery Bycatch Permit issued pursuant to this section.

(c) Nearshore Fishery Bycatch Permits are non–transferable and the permit becomes null and void upon the death of the permit holder.

(d) Trip Limits.

(1) Nearshore Fishery Bycatch Permit holders are subject to all state and federal cumulative trip limits pursuant to sections 150.16 and 189, Title 14, CCR. Pursuant to sections 150.06 and 189, Title 14, CCR, no retention of nearshore fish stocks is allowed when the directed nearshore fishery is closed.

(2) Notwithstanding, §120.3, Title 14, CCR , and Fish and Game Code §8496, a person holding a Nearshore Fishery Bycatch Permit may take, possess aboard a vessel, or land nearshore fish stocks as described in §150.01, Title 14, CCR, under the following trip limits:

(A) North Coast Region. Zero (0) pounds of nearshore fish stocks may be taken per trip.

(B) North–Central Coast Region. Zero (0) pounds of nearshore fish stocks may be taken per trip.

(C) South–Central Coast Region. Twenty–five (25) pounds of nearshore fish stocks may be taken per trip.

(D) South Coast Region. Fifty (50) pounds of nearshore fish stocks may be taken per trip.

(f) Nearshore Fishery Bycatch Permit Renewal Requirements. Notwithstanding Fish and Game Code §8587, after April 1, 2004, Nearshore Fishery Bycatch Permits will be renewed annually by the Department only to a person who has held a valid Nearshore Fishery Bycatch Permit in the immediately preceding permit year.

(g) Application Deadline for Nearshore Fishery Bycatch Permit Renewal. All applications as specified in Section 705 and permit fees for renewal of Nearshore Fishery Bycatch Permits must be received by the Department, or, if mailed, postmarked on or before April 30 of each permit year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code §7852.2.

(h) Appeals.

(1) Any applicant who is denied initial issuance of a Nearshore Fishery Bycatch Permit for any reason may appeal to the Department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked, no later than March 31, 2004. The appeal shall be reviewed and decided by the Department. The decision of the Department may be appealed in writing to the Commission within 60 days of the date of the Department's denial.

(2) Renewal Appeals. Late renewal appeal provisions are specified in Fish and Game Code §7582.2

(i) Fees. The Department shall charge an annual fee for each Nearshore Fishery Bycatch Permit as specified in Section 705.

(j) Revocation of Nearshore Fishery Bycatch Permit. Any permit may be suspended, revoked, or cancelled by the Commission upon conviction of a violation of any provision of these regulations or Fish and Game Code pertaining to the commercial take of nearshore fish stocks as described in §150.01, Title 14, CCR, or violation of the terms or conditions of the permit by the holder thereof, his agents, servants, employees or those acting under his direction and control.

§150.06. Management Areas Defined; Closure Periods Defined

(a) Cowcod closure areas means both Area 1 and Area 2: Area 1, also termed the western cowcod conservation area adopted as federal groundfish regulations, is an area south of Point Conception bound by straight lines connecting the following points in the order listed:
33°50′ N. lat., 119°30′ W. long.;
33°50′ N. lat., 118°50′ W. long.;
32°20′ N. lat., 118°50′ W. long.;
32°20′ N. lat., 119°37′ W. long.;
33°00′ N. lat., 119°37′ W. long.;
33°00′ N. lat., 119°53′ W. long.;
33°33′ N. lat., 119°53′ W. long.;
33°33′ N. lat., 119°30′ W. long.;
33°50′ N. lat., 119°30′ W. long.;
The transit corridor through the cowcod closure Area 1 is bounded on the north by the latitude line at 33°00′ 30″ N. lat., and on the south by the latitude line at 32°59′ 30″ N. lat., and Area 2, also termed the eastern cowcod conservation area adopted as federal groundfish regulations, that is a smaller area west of San Diego bound by straight lines connecting the following points in the order listed:
32°42′ N. lat., 118°02′ W. long.;
32°42′ N. lat., 117°50′ W. long.;
32°36′ 42″ N. lat., 117°50′ W. long.;
32°30′ N. lat., 117°53′ 30″ W. long.;
32°30′ N. lat., 118°02′ W. long.;
32°42′ N. lat., 118°02′ W. long.;
(b) Seasonal closure periods and in–season closures enacted due to quota attainment for commercial rockfish, a subgroup of rockfish, lingcod or California scorpionfish noticed in the Federal Register by the National Marine Fisheries Service shall apply in state waters within the geographic boundary areas defined in Title 50, Code of Federal Regulations (CFR), Parts 600 and 660. See also §189, Title 14, California Code of Regulations for additional explanation regarding fishing for federal groundfish in state waters.
(c) Seasonal closures for commercial sheephead, cabezon, and greenlings of the genus *Hexagrammos*:
(1) For ocean waters between 42°00′ N. lat. (the Oregon/California border) and 40°10′ N. lat. (near Cape Mendocino, Humboldt County), closed time periods for sheephead, cabezon, and greenlings of the genus *Hexagrammos* shall be defined as the time periods closed to commercial take of shallow and deeper nearshore rockfishes for ocean waters between 40°10′ N. lat. (near Cape Mendocino) and 34°27′ N. lat. (at Point Conception, Santa Barbara County), noticed in the Federal Register by the National Marine Fisheries Service, or defined in Title 50, Code of Federal Regulations (CFR), Parts 600 and 660. Time periods closed to the commercial take of shallow or deeper nearshore rockfish fisheries enacted in–season due to quota attainment do not apply.
(2) For ocean waters between 40°10′ N. lat. (near Cape Mendocino) and 34°27′ N. lat. (at Point Conception, Santa Barbara County), closed time periods for sheephead, cabezon, and greenlings of the genus *Hexagrammos* shall be defined as the time periods closed to commercial take of shallow and deeper nearshore rockfishes in this area noticed in the Federal Register by the National Marine Fisheries Service, or defined in Title 50, Code of Federal Regulations (CFR), Parts 600 and 660. Time periods closed to the commercial take of shallow or deeper nearshore rockfish fisheries enacted in–season due to quota attainment do not apply.
(3) For ocean waters between 34°27′ N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border, closed time periods for sheephead, cabezon, and greenlings of the genus *Hexagrammos* shall be defined as the time periods closed to commercial take of shallow and deeper nearshore rockfishes in this area noticed in the Federal Register by the National Marine Fisheries Service, or defined in Title 50, Code of Federal Regulations (CFR), Parts 600 and 660. Time periods closed to the commercial take of shallow or deeper nearshore rockfish fisheries enacted in–season due to quota attainment do not apply.
See page 174 for Cowcod Conservation Area Map.

§150.16. Commercial Take of Nearshore Fishes

(a) Notwithstanding Section 8588(b) of the Fish and Game Code, minimum size limits (total length) are as follows:
(1) black-and-yellow rockfish (*Sebastes chrysomelas*) 10 in.
(2) cabezon (*Scorpaenichthys marmoratus*) 15 in.
(3) California scorpionfish or sculpin (*Scorpaena guttata)* 10 in.
(4) California sheephead (*Semicossyphus pulcher*) 13 in.
(5) China rockfish (*Sebastes nebulosus*) 12 in.
(6) gopher rockfish (*Sebastes carnatus*) 10 in.
(7) grass rockfish (*Sebastes rastrelliger*) 12 in.
(8) greenlings of the genus *Hexagrammos* (*Hexagrammos spp.*) 12 in.
(9) kelp rockfish (*Sebastes atrovirens*) 10 in.
(b) Species of nearshore fish stocks as defined in Section 1.90, Title 14, CCR, must be sorted by species prior to weighing and the weight reported separately on the Fish and Wildlife receipt.
(c) Any nearshore fish listed under this section that are taken in a nearshore fishery shall be measured immediately upon being brought aboard the vessel and released immediately if not in compliance with the size limits specified.
(d) Regulations adopted to modify the minimum size limits or to specify maximum size limits shall be based on the best available scientific information and adopted pursuant to the Administrative Procedure Act following public notice and not less than one public hearing.
(e) Cumulative trip limits for sheephead, cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, and subgroups of rockfish.
(1) A cumulative trip limit is the total number of pounds of a species or a species group that may be taken and retained, possessed, or landed by an individual commercial licensee in a cumulative trip limit period without a limit on the number

of landings or trips.
(2) Cumulative trip limit periods start at 0001 hours local time, end at 2400 hours local time, and are in two month periods as follows:
(A) January 1 through the last day of February,
(B) March 1 - April 30,
(C) May 1- June 30,
(D) July 1-August 31,
(E) September 1-October 31,
(F) November 1-December 31.
(3) Landings toward a cumulative trip limit value for a defined cumulative trip limit period provided in this subsection are summed by an individual's California commercial license number listed on fish receipts submitted to the department pursuant to Section 8043, Fish and Game Code.
(4) Any person landing species for which there is a cumulative trip limit established pursuant to this Section shall keep in their immediate possession copies of any and all reports of landings required by state laws or regulations throughout the cumulative limit period during which a landing occurred and for 15 days thereafter.
(5) Cumulative trip limit values noticed in the Federal Register by the National Marine Fisheries Service for the cumulative trip limit periods for shallow nearshore rockfish, deeper nearshore rockfish, and California scorpionfish apply to each individual California commercial licensee in addition to the federally-defined vessel-based limits. Landings are summed by an individual's California commercial license number listed on fish receipts submitted to the department pursuant to Section 8043, Fish and Game Code.
(6) Cumulative trip limits for sheephead, cabezon and greenlings.
(A) The cumulative trip limit per individual per two-month limit period when fishing is allowed pursuant to Section 150.06, Title 14, CCR, is as follows:

Year	Sheephead	Cabezon	Greenlings
January-February	2,000 pounds	500 pounds	250 pounds
March-April	2,000 pounds	500 pounds	250 pounds
May-June	2,400 pounds	500 pounds	250 pounds
July-August	2,400 pounds	500 pounds	250 pounds
September-October	2,400 pounds	500 pounds	250 pounds
November-December	2,400 pounds	500 pounds	250 pounds

(B) The department will evaluate year-to-date catch levels against total allowable catch limits defined in Section 52.10. Based on these data, when the department determines that cumulative trip limits defined in this Section need significant adjustment upward or downward (by 50 percent or more) in order to spread the allowable catches through the open season to the extent possible and prevent early attainment of the annual total allowable commercial catch, the cumulative trip limits defined in this Section may become inoperative and may be replaced with alternative limits as determined by the department. The department may perform these in-season analyses between May and September of each year; and provide notification of changes by October 15 of each year, as described in subsection (e)(6)(C).
(C) The department shall give nearshore fishery permittees no less than 10 days notice of any cumulative trip limit change pursuant to this Section via a notification letter sent to the permittee's address on file with the department.
(D) When allocations, total allowable catches or other catch limits defined in Section 52.10 are reached, and action to close the fishery is taken pursuant to Section 52.10 subsection (b), cumulative trip limits defined in this Section become inoperative.
(f) All other trip limits (including daily, weekly and cumulative trip limits) established for commercial rockfish, a subgroup of rockfish, or California scorpionfish noticed in the Federal Register by the National Marine Fisheries Service shall apply in state waters within the geographic boundary areas defined in Title 50, Code of Federal Regulations (CFR), Parts 600 and 660. See also Section 189, Title 14, California Code of Regulations for additional requirements regarding fishing for federal groundfish in state waters.

§150.17. Limitations on Number of Hooks and Area

Excepting the provisions of Fish and Game Code subsection 9027.5(c), it is unlawful to use more than 150 hooks on a vessel, or to use more than 15 hooks per line, to take nearshore fish stocks for commercial purposes in ocean waters within one mile of shore within Fish and Wildlife Districts 6, 7, and 10, or in ocean waters within one mile of the mainland shore in Fish and Wildlife Districts 17, 18, and 19.
See additional restrictions for Districts 17, 18, and 19 under the General Fishing Lines section starting on page 61 and for dip nets under the Round-Haul, Bait and Dip Nets section on page 37.

OCEAN ENHANCEMENT STAMP

FGC Excerpts

§6596.1. Requirement of valid sport fishing ocean enhancement validation or valid commercial fishing ocean enhancement validation: Fees

(a) In addition to a valid California sport fishing license and any other applicable license validation issued pursuant to this code, a person taking fish from ocean waters south of a line extending due west from Point Arguello for purposes other than for profit shall have a valid sport fishing ocean enhancement validation permanently affixed to his or her fishing license. A sport fishing ocean enhancement validation shall be issued upon payment of a base fee of three dollars and fifty cents ($3.50). A sport fishing license issued pursuant to paragraph (4) or (5) of subdivision (a) of Section 7149.05 is not subject to this subdivision.
(b) In addition to a valid California commercial passenger fishing boat license issued pursuant to Section 7920, the owner of any boat or vessel who, for profit, permits any person to fish therefrom, south of a line extending due west from Point Arguello, shall have a valid commercial fishing ocean enhancement validation issued for that vessel that has not been suspended or revoked.
(c) Any person who takes, possesses aboard a boat, or lands any white sea bass for commercial purposes south of a line extending due west from Point Arguello, shall have a valid

commercial fishing ocean enhancement validation issued to that person that has not been suspended or revoked.
(d) The base fee for a commercial ocean fishing enhancement validation is thirty-five dollars ($35).
(e) This section applies only to licenses, permits, reservations, tags, and other entitlements issued through the Automated License Data System.
(f) The base fees specified in this section are applicable to the 2004 license year, and shall be adjusted annually thereafter pursuant to Section 713.
(g) The commission shall adjust the amount of the fees specified in subdivision (f), as necessary, to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to those licenses.

PACIFIC MACKEREL

For information on Coastal Pelagic Species see page 41.

PINK SHRIMP

Pink shrimp permit holders are also subject to the provisions of §189, Title 14 and FGC §8841 and §8842.
Northern Pink Shrimp Trawl Vessel Permit (Transferable/Non–transferable)
Required for an owner of a registered commercial fishing vessel using trawl nets to take pink shrimp for commercial purposes north of a line drawn due west of Point Conception.
Renewal Requirements:
Before a Northern Pink Shrimp Trawl Vessel Permit can be renewed the owner must possess a valid: a) 2020-2021 Commercial Fishing License; b) 2020-2021 Commercial Boat Registration; and c) have possessed a valid 2019-2020 Northern Pink Shrimp Trawl Vessel Permit.
Logbook Requirements: Shrimp/Prawn Trawl Log.
Permit Transfers: Refer to §120.01(e), Title 14.
Northern Pink Shrimp Trawl Vessel Permit Transfer Applications - https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=42092&inline=1

Title 14 Excerpts
§120. Prawn or Shrimp Trawling

Prawns and shrimp may only be taken by trawl nets for commercial purposes in ocean waters pursuant to Fish and Game Code statutes and under authority of fishery permits established in Sections 120 through 120.3 of these regulations. Spot prawns may not be taken or possessed using trawl nets except as incidental to other trawl fishing activity as specified in subsection (e) below.
(a) Permits and Conditions.
Regulations of this section define the conditions under which permits to use or possess trawls for the taking of shrimp or prawns in ocean waters pursuant to §8842 are to be granted. "Permits" as used in this section refer only to Northern Pink Shrimp Trawl Permits defined in §120.2, Southern Pink Shrimp Trawl Permits defined in §120.2, and Golden and Ridgeback Prawn Trawl Permits defined in §120.3.
(b) Fishing Areas.
Trawling for shrimp or prawns shall be permitted only in those waters authorized by §8842 of the Fish and Game Code and not otherwise prohibited by other state or federal statutes or regulations. Pursuant to Subdivisions (b) and (d) of that Section, commencing January 1, 2009, trawling for shrimp or prawns is not authorized in waters lying between a line extending due west from False Cape and a line extending due west from Point Reyes, between two and three nautical miles from the nearest point of land on the mainland shore.
(c) Net Specifications.
(1) The net to be used for the capture of shrimp or prawns shall be an otter trawl.
(2) The mesh of any webbing used on the otter trawl shall not be less than 1 3/8 inches measured inside the knots.
(3) Nets used for the taking of shrimp or prawns under these regulations may be possessed on a boat only when the shrimp or prawn trawling season is open in that area, except that for a period of seven (7) days following the close of the season, shrimp or prawn nets may be possessed on a boat for the purpose of cleaning, drying, or maintaining such nets, provided that the boat remains in port during the time the net(s) is aboard.
(4) No other fishing net or web, the meshes of which are less than that prescribed in these regulations, may be possessed on any vessel which is operating under the provisions of a shrimp or prawn permit.
(d) Observers and Inspections.
(1) All fishing gear used under the provisions of these permits and regulations are subject to inspection by the department at any time.
(2) Pursuant to §105.5, Title 14, CCR, any authorized representative of the department shall be permitted to travel on the permittee's boat to observe shrimp or prawn trawling operations.
(3) Pursuant to Fish and Game Code subdivision 8841(d), any vessel fishing for prawns or shrimp permitted by California is subject to the requirements and policies of the federal groundfish observer program.
(e) Incidental Catch Provisions.
(1) Finfish. Limits on the incidental take of west coast groundfish species are specified in federal regulations of Title 50 CFR Part 660, and apply to state–managed trawl fisheries, including prawn or shrimp trawl fisheries, pursuant to §189, Title 14, CCR. Salmon may be taken and possessed incidentally to prawn or shrimp trawl fishing activities subject to §§8210.2 to 8226, and §8230 to §8237, inclusive, of the Fish and Game Code.
(2) Sea cucumbers. Any amount of sea cucumbers taken incidentally while prawn or shrimp trawling may be possessed if the owner or operator of the vessel possesses a permit to take sea cucumbers pursuant to §8405 of the Fish and Game Code.
(3) Spot prawns. Spot prawns shall not be possessed or landed as incidental catch in the pink shrimp fishery. Trawl loads of ridgeback and golden prawns shall not contain more than 50 pounds without restriction or 15 percent, by weight, of spot prawns. Trawl loads of finfish shall not contain more than 50 pounds without restriction or 15 percent, by weight, of spot prawns.
(f) Records.
Pursuant to §190 of these regulations, each prawn or shrimp trawl permittee or operator of a permitted vessel shall com-

plete and submit an accurate record of his fishing activities on a form (Shrimp/Prawn Trawl Log, DFG 120 (10/89), see Appendix A) provided by the department.
(g) Permit Revocation and Violations.
(1) Pursuant to Fish and Game Code subdivision 1052(b), any prawn or shrimp trawl permit shall be revoked if the applicant or permittee submits false information for the purposes of obtaining or renewing a permit.
(2) Any prawn or shrimp trawl permit may be suspended, revoked or cancelled by the commission pursuant to the process defined in subdivision 7857(b) of the Fish and Game Code, upon notification by the Department of a violation by a permit holder, or any person acting under authority of his or her permit, of provisions of the Fish and Game Code or regulations of the Fish and Game Commission relating to shrimp, prawns, trawl gear, and times or areas closed to fishing.
(3) Any prawn or shrimp trawl permittee shall be liable for any violations committed by him or her of provisions of the Fish and Game Code or regulations of the Fish and Game Commission relating to shrimp, prawns, trawl gear, and times or areas closed to fishing. The permit holder shall also be liable for violations committed by any other person operating under the authority of his or her permit. Additionally, any such other person is liable for his or her own violations.

§120.1. Pink Shrimp Trawling

(a) Permit Required. Any person using a trawl net to take, possess aboard a vessel, or land pink shrimp for commercial purposes shall have a pink shrimp trawl permit issued pursuant to §120.2 that has not been suspended or revoked.
(b) Season. Pink shrimp may be taken April 1 through October 31.
(c) Bycatch Reduction Device (BRD) Required. No shrimp trawl net may be possessed on board a vessel in the commercial pink shrimp fishery that does not include an approved bycatch reduction device.
(1) Approved BRDs. An Approved BRD is required for all trawl nets used in the pink shrimp trawl fishery and is described as one of the following types below. Approved BRDs shall not be modified in any way that interferes with their ability to allow fish to escape from the trawl.
(A) The Rigid–Grate Excluder (such as The Nordmore Grate). The grate consists of a series of rigid or semi–rigid vertical bars that form a panel which guides finfish out of an escape hole located in the top of the net. The device may include a funnel used to concentrate catch near the bottom of the panel to facilitate sorting and prevent shrimp loss but is not a required component. The panel may be hinged to facilitate rolling over a net reel. An approved Rigid–Grate Excluder must meet the following criteria:
1. The rigid or semi–rigid panel must completely cover some portion of the net in diagonal cross–section.
2. None of the openings between the vertical bars of the panel may exceed 2 inches.
3. The escape hole, when spread open, must expose a hole at least 100 square inches in surface area, which is the equivalent to removing 10–12 meshes in a straight line.
4. The escape hole must be forward of the panel and the farthest back point must end within four meshes of the point at which the rigid or semi–rigid panel connects to the main net at its farthest back point.
(B) The Soft–Panel Excluder. This device uses a mesh panel to guide fish out of an escape hole located in the top of the net. An approved soft–panel BRD must satisfy the following criteria:
1. The panel meshes must be constructed of net material with individual meshes no larger than 6 inches (stretch measure).
2. The panel must completely cover some portion of the net in diagonal cross–section and partial panels are not allowed.
3. The escape hole must, when spread open, expose a hole at least 100 square inches in surface area, which is equivalent to cutting 10–12 meshes in a straight line.
4. The escape hole must be positioned forward of the panel and end within four meshes of the point at which the panel connects to the main net at its farthest back point.
(C) The Fisheye Excluder. This device functions as a simple forward facing escape hatch that is maintained by a rigid frame. An approved fisheye BRD must meet the following criteria:
1. The escape hole must be forward facing so that finfish can swim towards the mouth of the net to exit through the fisheye.
2. The device must be placed on the top of the codend, no further forward than 84 codend meshes, counted from the pursing rings.
3. The escape hole must be no less than 6 inches in height and no less than 10 inches in width.
(2) Upon approval by the Commission, an experimental gear permit may be issued by the Department for purposes of testing the effectiveness of new or improved BRD designs pursuant to §8606 of the Fish and Game Code.
AB 1573 (also known as the California Fisheries Innovation Act of 2018) was passed in 2018, which repealed the experimental gear permit provisions in Section §8606 and added new Section §1022 to Fish and Game Code effective Jan 1, 2019.
(d) Net Removal. No shrimp trawl nets shall be removed from the vessel participating in the pink shrimp trawl fishery prior to the offloading of pink shrimp.
(e) Maximum Count per Pound. No vessel permitted in the pink shrimp trawl fishery shall land a load of pink shrimp having an average count greater than 160 shrimp per pound.

§120.2. Pink Shrimp Trawl Permits

(a) Permit Required.
(1) Northern Pink Shrimp Trawl Permit. On and after April 1, 2001, any person using a trawl net to take, possess aboard a vessel, or land pink shrimp for commercial purposes in ocean waters north of a line drawn due west of Point Conception shall have a northern pink shrimp trawl permit or a northern pink shrimp trawl individual permit that has not been suspended or revoked. All pink shrimp taken in ocean waters north of the aforementioned line incidental to other fishing activities shall be immediately returned to the water. For the purposes of this Section, vessel owner includes any person who has a lease-purchase agreement for the purchase of a vessel.
(2) Southern Pink Shrimp Trawl Permit. On and after April 1, 2001, any person using a trawl net to take, possess aboard a boat, or land pink shrimp for commercial purposes in ocean waters south of a line drawn due west of Point Conception shall have a southern pink shrimp trawl permit that has not

been suspended or revoked. The applicant must be the operator of a currently registered commercial fishing vessel. The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.

(b) Initial Permit Issuance.

(1) A northern pink shrimp trawl individual permit may be issued to the holder of a valid 2000-01 pink shrimp trawl individual permit who landed a minimum of 5,000 pounds of pink shrimp north of Point Conception in each of three of the fishing seasons from April 1, 1994 to October 31, 1999 as documented by department landing receipts submitted in their name and commercial fishing license identification number.

(2) A northern pink shrimp trawl vessel permit may be issued to the current owner of a vessel with a valid 2000-01 pink shrimp trawl vessel permit who landed a minimum of 5,000 pounds of pink shrimp north of Point Conception in each of three of the fishing seasons from April 1, 1994 to October 31, 1999, as documented by department landing receipts.

(3) A northern pink shrimp trawl vessel permit may be issued to an individual who does not qualify for a permit in (b)(1) or (2), above, and is the current owner of a commercial fishing vessel and who has been licensed as a California commercial fisherman for at least 20 years at the time of application and has participated in the pink shrimp trawl fishery for at least one of those years in this state as documented by department landing receipts that cumulatively total 5,000 pounds of pink shrimp landed by trawl nets in their name and commercial fishing license number. Any permit issued under this provision shall be nontransferable.

(4) Initial applications for all northern pink shrimp trawl permits shall be received by the department or, if mailed, postmarked no later than May 31, 2001. Initial late applications shall be received by the department or, if mailed, postmarked not later than June 30, 2001 and shall be accompanied by a $50 late fee. Initial late applications not received by the department or, if mailed, postmarked after June 30, 2001, will not be considered. A permit shall not be issued until the $50 late fee is paid.

(5) No individual or corporation that qualifies for a northern pink shrimp trawl vessel permit shall be issued a northern pink shrimp trawl individual permit.

(c) Vessel Length Endorsement.

(1) Each northern pink shrimp trawl vessel permit shall be endorsed with the overall length at the time of initial issuance. Vessel overall length is measured between the perpendiculars at the foremost portion of the hull at the stem, excluding any extensions commonly known as bowsprits, and the aftermost portion of the hull at the sternpost, excluding any extensions thereof. One of the following forms of documentation shall be submitted as proof of the vessel's overall length.

(2) Marine Survey Report. Before any northern pink shrimp trawl vessel permit is issued or transferred to another vessel, the owner of the vessel who will receive the permit may submit a marine survey completed by a certified marine surveyor on or after April 1, 1999 that clearly shows the vessel overall length.

(3) Federal Groundfish Permit. Before any northern pink shrimp trawl vessel permit is issued or transferred to another vessel, the owner of the vessel who will receive the permit may submit their current valid Federal Groundfish Permit with its endorsed length as documentation of the vessel's overall length.

(4) When a vessel is no longer available for an overall length measurement, as determined by the department, and does not have a current valid Federal Groundfish Permit, the department may consider: a Marine Survey dated prior to April 1, 1999, U.S. Coast Guard Documentation, or Department of Motor Vehicles registration records.

(d) Permit Renewal.

(1) Applicants for northern pink shrimp trawl permits must have held a valid northern pink shrimp trawl permit in the immediately preceding permit year. All applications for northern pink shrimp trawl permit renewal shall be received by the department or, if mailed, postmarked not later than April 30 each year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.

(2) A northern pink shrimp trawl individual permit shall be upgraded to a northern pink shrimp trawl vessel permit before April 1, 2003. The vessel that the northern pink shrimp trawl vessel permit is assigned to may be not more than five feet greater in overall length than the longest vessel on which the permittee made qualifying landings. The individual permittee is subject to the terms of permit renewal in Section 120.2(d)(1). Any northern pink shrimp trawl individual permit not upgraded to a northern pink shrimp trawl vessel permit before April 1, 2003 shall be deemed forfeit to the department.

(e) Permit Transfers.

(1) A northern pink shrimp trawl vessel permit may be transferred to a replacement vessel owned by the permittee within two years of the permitted vessel being lost, stolen, or destroyed. The replacement vessel may be up to but not more than five feet greater in overall length than the original permitted vessel. The original length endorsement will remain on the permit.

(2) A northern pink shrimp trawl vessel permit is otherwise transferable to another owner only if the vessel qualifying for the initial permit landed 90,000 pounds of pink shrimp by trawl north of Point Conception from April 1, 1994 to October 31, 1999. An individual permit, when upgraded to a vessel permit pursuant to Section 120.2(d)(2), shall be otherwise transferable to another owner only if the fishermen qualifying for the initial permit landed 90,000 pounds of pink shrimp by trawl north of Point Conception from April 1, 1994 to October 31, 1999.

(A) The transferable permit may not be transferred more than once every twelve months.

(B) The transferable permit may be transferred any number of times to a different vessel up to five feet greater in overall length than the original endorsement, or of equal or less overall length. The original length endorsement will remain on the permit.

(C) A transferable permit may be permanently changed to a nontransferable permit on written request of the vessel owner. The permit shall not be restored to a transferable permit under any circumstances.

(3) On the death of a transferable northern pink shrimp trawl vessel permittee an heir may apply to the department to

transfer that permit to him or her. The application for transfer shall be received by the department within two years of the death of the permittee.
(4) Any northern pink shrimp trawl vessel permit may be temporarily transferred, for up to one year, to a different vessel, if the permitted vessel is seriously damaged, has suffered a major mechanical breakdown, or is lost or destroyed. The request for temporary transfer shall include documentation of the damage, breakdown, loss or destruction.
(5) Any northern pink shrimp trawl vessel may be permanently retired from the fishery for any reason, and the permit transferred to a different vessel, up to but not more than five feet greater in overall length than the original length endorsement, which is owned by the same permittee.
(f) Appeal.
(1) Any applicant who is denied initial issuance of a northern pink shrimp trawl vessel permit or a northern pink shrimp trawl individual permit by the department for any reason may appeal that denial to the commission in writing, describing the basis for the appeal. The appeal shall be received by the commission or, if mailed, postmarked not later than March 31, 2002.
(2) Appeals for initial permit issuance may be based on medical conditions, vessel condition, purchase of a vessel during the moratorium period which had a pink shrimp vessel permit, economic conditions in the fishery, historic participation levels in the California pink shrimp fishery, oceanographic conditions and associated low availability of shrimp in the California area of the fishermen's residence, and incapacity of the vessel to participate in the fishery.
(3) Renewal Appeals. Late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.
(4) Any applicant who is denied transfer of a northern pink shrimp trawl vessel permit may appeal the denial to the department in writing not more than 90 days from the date of denial describing the basis for the appeal. The appeal shall be reviewed and decided by the department. The decision of the department may be appealed in writing to the commission within 60 days of the date of the department's decision.
(g) Fees and Applications.
(1) The annual fee and application for a transferable northern pink shrimp trawl vessel permit is incorporated by reference in Section 705.
(2) The fee to transfer a permit to a new owner is incorporated by reference in Section 705. No northern pink shrimp trawl vessel permit shall be transferred without a completed application and payment of fees.
(3) The fee to transfer a permit to another vessel owned by the same permittee is incorporated by reference in Section 705.
(4) The fee for a temporary permit transfer of up to one year is incorporated by reference in Section 705.
(5) The annual fee and application for a nontransferable northern pink shrimp trawl vessel permit is incorporated by reference in Section 705.
(h) Capacity Goal.
(1) The department shall evaluate the capacity goal every three years and report to the commission, with a recommendation regarding issuance of new permits.
(2) The capacity goal for transferable permits shall be a range from 75 up to the number of permits initially issued, and for nontransferable permits a range of 0 up to the number of permits initially issued.

ROCK CRAB

Rock Crab Trap Permit holders are subject to the provisions of FGC §§8275, 8281, 8282, 8284, 9000, 9000.5, 9001, 90021.7–9008 and 9011–9012, as well as CCR T14 §§125, 125.1, and 132.1 located under Dungeness crab, and 126, 180, 180.2, 180.4 and, 180.5, which are located under Trap Permits.

Northern Rock Crab Trap Permit

(Information for this permit is found under Non-Restrictive Commercial Fishing Permits.

Southern Rock Crab Trap Permit

Required for any person using traps to take, possess aboard a vessel, use as bait, or land rock crab, including brown, yellow and red rock crab (*Cancer antennarius*, *Cancer anthonyi,* or *Cancer productus*), for commercial purposes south of 36° N. lat. (at Lopez Point, Monterey County). At least one Southern Rock Crab Trap Permit holder must be aboard the boat at all times when taking, possessing aboard a boat, using as bait, or landing rock crab using trap gear. If a support vessel is used, a Southern Rock Crab Trap Permit holder must be on each vessel when taking rock crab.
Renewal Requirements:
Applicants must have possessed a valid 2019-2020 Southern Rock Crab Trap Permit and possess a 2020-2021 general trap permit.

Permit Required for Take Using Trap Gear

Effective April 1, 2005, any person using traps to take, possess aboard a vessel, use as bait, or land rock crab, as defined in Fish and Game Code Section 8275(c), for commercial purposes shall have a valid general trap permit issued pursuant to Fish and Game Code Section 9001 and either a northern or southern rock crab trap permit as described in this section that has not been suspended or revoked.

FGC Excerpts

§8275. Dungeness Crab; Market Crab; Owner; Reconstruction; Rock Crab; Under Construction

Unless the provision or context otherwise requires, the definitions in this section govern the construction of this article.
(a) "Dungeness crab" or "market crab" means crab of the species *Cancer* magister.
(b) "Reconstruction" means major work on the hull of a vessel to make that vessel operable in the California crab fishery if that work may reasonably be expected to be of a duration that will preclude operation of that vessel in the crab fishery for the length of the crab season or longer.
(c) "Rock crab" means any crab of the genus *Cancer* other than Dungeness crab and includes rock crab (*Cancer antennarius*), red crab (*Cancer productus*), and yellow crab (*Cancer anthonyi*).
(d) "Under construction" means having plans and materials and proceeding with work toward the completion of an operational Dungeness crab fishing vessel.

§8281. Possession and Transportation of Crab Meat, etc.
Crab meat and frozen whole crabs or parts thereof, which are taken during the open season, may be possessed, transported, and sold at any time, subject to the regulations of the Commission. The cost of inspection and marking, under the regulations of the Commission, shall be paid by the owner or seller of such crab meat, crabs, or part thereof.

§8282. Taking Rock Crab
(a) Subject to this article and Article 1 (commencing with §9000) of Chapter 4, and subject to the regulation of the Commission authorized under subdivision (c), rock crab may be taken in traps in any waters of the state at any time, except in Districts 9, 19A, 19B, and 21 and those portions of District 20 lying on the north and east sides of Santa Catalina Island north of Southeast Rock. Rock crab (*Cancer antennarius*), red crab (*Cancer productus*), or yellow crab (*Cancer anthonyi*), which is less than 4¼ inches, measured in a straight line through the body, from edge of shell to edge of shell at the widest part, shall not be taken, possessed, bought, or sold.
(b) Any person taking rock crab shall carry a measuring device and shall measure any rock crab immediately upon removal from the trap. If the person determines that the rock crab is undersize, the person shall return it to the water immediately.
(c) Upon the recommendation of the director regarding rock crab fishery management measures, and following a public hearing on the matter, at which findings are adopted, the Commission may adopt regulations to manage the rock crab resource consistent with Part 1.7 (commencing with §7050).

§8284. Taking with Traps; Species to be Release if Taken Incidentally
(a) Subject to this article and Article 1 (commencing with Section 9000) of Chapter 4, crab traps, as described in Section 9011, may be used to take Dungeness crab for commercial purposes. Any fish may be taken incidentally in crab traps being used to take Dungeness crab.
(b) Except as provided in Section 9011 or subdivision (c), any other species taken incidentally in a crab trap being used to take rock crab, shall be immediately released back to the water.
(c) The following species may be taken incidentally in crab traps being used to take rock crab under a permit issued pursuant to Section 9001 in Districts 19 and 118.5:
(1) Kellet's whelk.
(2) Octopus.
(3) Crabs other than of the genus *Cancer*, except as provided in Section 9011.

Title 14 Excerpts
§ 125. Commercial Rock Crab Permits
(a) Permit Required for Take Using Trap Gear. Effective April 1, 2005, any person using traps to take, possess aboard a vessel, use as bait, or land rock crab, as defined in Fish and Game Code section 8275(c), for commercial purposes shall have a valid general trap permit issued pursuant to Fish and Game Code Section 9001 and either a northern or southern rock crab trap permit as described in this Section that has not been suspended or revoked.
(1) Presence of Permit Holder Aboard a Vessel. At least one rock crab trap permit holder shall be on board at all times when taking, possessing aboard a vessel, using as bait, or landing rock crab using trap gear. If a support vessel is used, a rock crab trap permit holder shall be on each vessel when taking rock crab.
(A) Any person pulling or raising rock crab traps or receivers bearing a commercial fishing license number other than his/her own shall have in his/her possession from the permit holder assigned to said gear written permission to pull the traps and shall possess a valid northern rock crab trap permit or a southern rock crab trap permit depending on which area the traps are set as defined in Sections 125(c)(1) and (2).
(2) Crewmembers. Any licensed commercial fisherman working on a vessel utilizing commercial rock crab trap gear shall possess a valid general trap permit that has not been suspended or revoked. Crewmembers are not required to hold a rock crab trap permit.
(3) Fishermen holding lobster operator or crewmember permits issued pursuant to Fish and Game Code Section 8254 and Section 122, Title 14, CCR, taking rock crab incidentally as authorized in Fish and Game Code Section 8250.5 during the lobster fishing season specified in Fish and Game Code Section 8251 and in lobster trap gear as defined in Fish and Game Code Section 9010, are exempt from the rock crab trap permit requirements of this Section.

ATTENTION SALMON TROLLERS AND COMMERCIAL DEALERS

During the last decade, Department biologists have observed an increase in the number of adipose fin-clipped salmon during the monitoring of commercial salmon landings. In 2007, the state established a Constant Fractional Marking (CFM) Program in which at least 25 percent of all Chinook produced in California hatcheries each year are adipose fin-clipped and contain a coded-wire tag. Information from these tag recoveries will allow salmon biologists to determine the contribution of natural and hatchery salmon, by brood and stock, to the ocean fisheries by time and area, thus improving the ability of fishery managers to manage salmon resources and ocean fisheries on a sustainable basis. In addition, other state efforts are under way to help enhance and protect salmon stocks in California. These projects include restoration of natural spawning habitat, improvement of water quality and flow, improvement of hatchery management and release strategies, and improvement of spawner monitoring programs.
Salmon trollers and commercial dealers are reminded that FGC Section 8226 requires any person in possession of a salmon with a missing adipose fin to relinquish the head to the state, or agent of the state, at no charge, for recovery of the coded-wire tag embedded in its snout.

(4) Exemption from Tidal Invertebrate Permit. Tidal Invertebrate permits issued pursuant to Section 123, Title 14, CCR, are not required for the commercial take of rock crab.
(5) Revocation or suspension. A northern or southern rock crab trap permit may be revoked or suspended by the commission upon violation of the Fish and Game Code, or violation of regulations adopted by the Commission, by the holder thereof, his or her agent, employee, or person acting under his or her direction and control.
(b) Permit Conditions.
(1) Commercial rock crab trap permits are issued conditional upon all provisions of the Fish and Game Code and regulations of the Fish and Game Commission relating to crabs and traps.
(2) Each buoy marking any rock crab trap shall comply with marking requirements set forth in Section 180.5 of these regulations.
(3) Timed buoy release mechanisms capable of submerging a buoy attached to a trap, commonly known as "pop-ups," shall not be used on buoy lines attached to rock crab traps, and shall not be possessed by any commercial rock crab trap permittee on any vessel while taking or attempting to take rock crab.
(c) Permit Areas.
(1) The northern rock crab trap permit is required only in ocean waters between 42° 00'N. lat. (the Oregon/California border) and 36° 00'N. lat. (at Lopez Point, Monterey County).
(2) The southern rock crab trap permit is required only in ocean waters south of 36° 00'N. lat. (at Lopez Point, Monterey County).
(d) Northern Rock Crab Trap Permit Issuance.
(1) An individual is eligible to purchase a northern rock crab trap permit if he or she meets the following criteria:
(A) The individual is a licensed commercial fisherman; and
(B) The individual possesses a valid general trap permit issued pursuant to Fish and Game Code Section 9001 that has not been suspended or revoked.
(2) To apply for a permit, each year eligible individuals shall submit to the department the application indicated in, and fee specified in Section 705.
(e) Transferable Southern Rock Crab Trap Permit Issuance.
(1) 30 calendar days after the effective date of these regulations, each individual possessing a valid southern rock crab trap permit that has not been suspended or revoked shall have his or her permit designated by the department as a transferable southern rock crab trap permit. The permit holder may apply to transfer that permit to another person who possesses a valid commercial fishing license issued pursuant to Section 7852 of the Fish and Game Code that has not been suspended or revoked, and a valid general trap permit issued pursuant to Section 9001 of the Fish and Game Code that has not been suspended or revoked. Transfer applications shall be completed by the permit holder, or the estate of a deceased permit holder.
(2) The application to transfer a southern rock crab trap permit shall be in the form of a notarized letter from the existing permit holder or the permit holder's estate that identifies the transferee, and shall include the original or a copy of the transferable southern rock crab trap permit, a copy of the transferee's commercial fishing license and general trap permit, and the permit transfer fee specified in Section 705. The application shall be submitted to the department's License and Revenue Branch, 1740 N. Market Boulevard, Sacramento, CA 95834. Subject to the limitations described in subsection (e)(3), each eligible transferee shall be issued a southern rock crab trap permit that is valid for the remainder of the current permit year. The transferee may renew the southern rock crab trap permit in subsequent years pursuant to subsection (f).
(3) Not more than five (5) southern rock crab trap permits shall be transferred by the department during each permit year (April 1-March 31). Applications shall be processed in the order received in a permit year. Applications and transfer fees received after the annual limit of five (5) permit transfers has been reached shall be returned to the applicants. Applicants may resubmit their application on or after the first day of the following permit year for consideration. If on any given day the number of applications received is greater than the number of available transfers, the department shall conduct a manual drawing to determine which application(s) shall be processed.
(4) The transfer limit imposed by this subsection shall not apply in the event of the death of a permit holder. The estate of the decedent may transfer the valid permit pursuant to subsection (e)(2) not later than two (2) years from the date of death of the permit holder as stated on the death certificate.
f) Southern Rock Crab Trap Permit Renewal.
(1) Southern rock crab trap permits shall be renewed annually.
(2) An individual is eligible to apply for renewal of a southern rock crab trap permit if he or she meets the following criteria:
(A) The individual is a licensed commercial fisherman;
(B) The individual possesses a valid general trap permit issued pursuant to Fish and Game Code Section 9001 that has not been suspended or revoked; and
(C) The individual either held a valid southern rock crab trap permit during the immediately preceding permit year, or was issued a transferable southern rock crab trap permit pursuant to subsection (e).
(3) To apply for a permit, each year eligible individuals shall submit to the department the renewal application indicated in and fee specified in Section 705.
(4) All renewal applications indicated in and fees specified in Section 705 shall be received by the department, or, if mailed, postmarked on or before April 30 of each year. Late fees and late fee deadlines are specified in Fish and Game Code Section 7852.2.
(5) The eligibility requirements imposed by this subsection shall not apply in the event of the death of a permit holder. The estate of the decedent may renew the permit, for the purpose of maintaining its validity, for a period of two (2) years from the date of death of the permit holder as stated on the death certificate by contacting the department's License and Revenue Branch, 1740 N. Market Boulevard, Sacramento, CA 95834. If by the end of the two (2) year period the permit is not transferred pursuant to subsection (e)(2), the permit shall expire.
(g) Appeals.
(1) Southern Rock Crab Trap Renewal Appeals. Late renewal appeal provisions are specified in Fish and Game Code Sections 7852.2 and 7858.

(h) Fees.
(1) Northern rock crab trap permit. The department shall charge an annual fee as specified in Section 705.
(2) Southern rock crab trap permit. The department shall charge an annual fee as specified in Section 705.
(i) Restricted Access.
A control date of January 1, 2003 is established for the purpose of considering a future restricted access southern rock crab trap fishery. Landings on or after this date may not apply toward a permit in a future restricted access program for the southern rock crab trap fishery if one is developed.
(j) Landing Receipts.
All landing receipts for rock crab required pursuant to Fish and Game Code Sections 8043 and 8047 shall indicate the species of rock crab as brown, red, or yellow, describing *Cancer antennarius*, *C. productus*, or *C. anthonyi*, respectively.

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

(a) Rock crab, as defined in Fish and Game Code section 8275(c), less than 4 ¼ inches, measured across the carapace in a straight line through the body, from edge of shell to edge of shell at the widest part, shall not be taken, possessed, bought, sold, or used as bait.
(b) Measuring requirements. Any person taking rock crab for any commercial purpose or for use as bait shall carry a measuring device and shall measure any rock crab immediately. Undersized rock crab shall be immediately returned to the water.
(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).
(d) Pursuant to Fish and Game Code Section 9001.7, rock crab may be used as bait in finfish traps. However, consistent with Fish and Game Code Section 5508, rock crab may not be possessed or maintained in such a condition that their size cannot be determined. Additionally, consistent with Fish and Game Code Section 5509, rock crab may not be possessed or maintained in such a condition that the species cannot be readily identified.
(1) All rock crabs 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. The total pounds of all three species of rock crab to be used as bait from each landing shall be recorded in the space marked "Note Pad" on the landing receipt.
(2) Rock crabs used as bait in finfish traps as described in subsection (d) above shall be documented on board the fishing 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 rock 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.

SALMON

Salmon Vessel Permit

Required for an owner of a registered commercial fishing vessel used to take salmon for commercial purposes.

Renewal Requirements:

No new permits are available at this time. Before a salmon vessel permit can be renewed, the owner or the owner's agent must possess a valid: a) 2020-2021 commercial fishing license (resident or non–resident); b) 2020-2021 Commercial Boat Registration; and c) have possessed a valid salmon vessel permit. Vessel owners less than 70 years of age as of April 1, 2020 or their agents are required to purchase a 2020-2021 Commercial Fishing License, even if the owner does not intend to commercially fish for any species during the 2020-2021 license year or if there is a restricted commercial salmon fishing season.

Other Renewal Requirements:

Permits may ONLY be issued to the owner of the permitted vessel (as designated on USCG certificate of documentation or the Department of Motor Vehicles vessel registration) or to the owner's agent. A letter signed by the owner designating the agent must be submitted with the Commercial Boat Registration Application for the salmon vessel each year.

Exemptions For Vessel Owners 70 Years Of Age Or Older As Of April 1, 2020:

Salmon vessel owners 70 years of age or older as of April 1, 2020, are not required to purchase a commercial fishing license to renew their salmon vessel permit if he/she does not intend to fish commercially during the 2020-2021 license year. A salmon vessel owner who designates an agent 70 years of age or older must purchase a commercial fishing license before a salmon vessel permit can be issued unless the vessel owner is also 70 years of age or older as of April 1, 2020. Proof of age (copy of drivers license, Department of Motor Vehicles ID, birth certificate, etc.) must be submitted with the application and fees.
Owners of commercial passenger fishing vessels are still required to obtain a Commercial Boat Registration and Commercial Passenger Fishing Vessel License if they will allow anglers to sport fish for a fee for salmon from their vessel.

Owners of More Than One Salmon Vessel:

The first commercial fishing salmon stamp issued to the owner or owner's agent to renew a salmon vessel permit must be affixed to that person's commercial fishing license. Any commercial fishing salmon stamps purchased by that person to renew additional salmon vessel permits must be affixed to the commercial boat registration of each additional vessel (FGC §8234(b)).

"John Doe" Commercial Fishing Salmon Stamp: Vessel owners or their agents may submit a "John Doe" commercial fishing salmon stamp application when renewing their salmon vessel permit or may apply at a later date. "John Doe" commercial fishing salmon stamps are issued for use on a particular vessel and cannot be transferred from vessel to vessel. The person whose name is listed last on the "John Doe" commercial fishing salmon stamp application shall be the designated

crewmember and exempt from having a commercial fishing salmon stamp affixed to his/her commercial fishing license. Only one licensed commercial fisherman can be designated as a crewmember for each fishing trip.

Transfer of Salmon Vessel Permits:

The owner of a permitted salmon vessel may submit a request to transfer the permit to another vessel with the same or less fishing potential.

Transfer applications may be obtained from the Department, 1740 North Market Blvd., Sacramento, CA 95834, (916) 928–7470. The vessel owner must complete the transfer application and submit it to the Department with a nonrefundable transfer fee. Transfer application - https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=45823&inline=1

If a salmon vessel is lost, stolen, or destroyed, an application to transfer the vessel permit must be submitted within one year of the incident. Only the permittee at the time of the loss, theft, or destruction of the vessel may apply for the transfer of the vessel permit. (FGC §8239.1)

Other Restrictions:

The vessel permit must remain with the vessel upon change of ownership. The vessel permit shall be physically attached to the vessel and clearly visible at all times (FGC §§8230–8248).

It is unlawful to take salmon for commercial purposes in Districts 8 and 9 at the mouth of Humboldt Bay and in those portions of Districts 6 and 7 within three nautical miles north and south of a line drawn due west for three nautical miles from the center of the mouth of that bay (FGC §8214).

Salmon may not be taken for commercial purposes in District 6 at the mouths of the Smith and Klamath Rivers within three nautical miles north and south of a line drawn due west for three nautical miles from the center of the mouth of each of those streams, or during the months of August and September in District 7 at the mouth of the Eel River within two nautical miles north and south of a line drawn due west for two nautical miles from the center of the mouth of that stream (FGC §8219). See Federal Regulations for additional closures.

Salmon may only be taken by hook and line under the authority of a commercial fishing license and commercial fishing salmon stamp (FGC §§7852, 7860, 8210.2, 8217).

Undersized salmon may not be possessed or injured (FGC §8218).

Upon request of any Department employee or authorized agent, the head from any commercially caught salmon with a missing adipose fin must be immediately relinquished to the employee or agent, at no charge to the state, for the recovery of any embedded coded–wire tag. The adipose fin is the small fleshy fin between the dorsal fin and the tail on a salmon (FGC §8226).

Regulations regarding size limits, seasons, special area closures, gear restrictions, quotas, and hold inspections are dependent upon the status of the resources and regulations promulgated by the U.S. Secretary of Commerce (FGC §7652). Regulations are subject to change throughout the season and permit holders should contact the nearest Department office prior to fishing to determine current salmon fishing regulations.

Taking Salmon for Sport Purposes on a Commercial Salmon Vessel: FGC §8232.5 prohibits taking salmon for sport purposes on a commercial salmon vessel EXCEPT if the vessel is also registered as a commercial passenger fishing vessel and meets all of the following conditions:

The vessel is actually engaged in the business as a commercial passenger fishing boat;

Salmon are not taken on the boat for both commercial and sport purposes on the same day; and

The vessel has complied with all other local, state, and federal laws related to operating a commercial passenger fishing boat.

FG §8232.5 also allows salmon to be taken for sport purposes on a permitted salmon vessel in the Klamath Management Zone (KMZ) when the vessel is used for sport purposes while the commercial salmon season is closed or 24 hours after the commercial season closes in the KMZ, as designated by the federal Pacific Fishery Management Council. The KMZ is defined as that area from Humbug Mountain, Oregon, to Horse Mountain, California. Fort Bragg and Shelter Cove are not part of the KMZ.

FGC Excerpts

§7860. Stamp Required to Take Salmon for Commercial Purposes

(a) Except as provided in subdivision (f) or (g), no person who is 18 years of age or more and less than 70 years of age, on or before April 1 of the current license year, shall take salmon for commercial purposes or be on board a vessel on which salmon are taken for commercial purposes while salmon are being taken or transported unless that person has a commercial fishing salmon stamp issued pursuant to this section affixed to his or her commercial fishing license.

(b) Except as provided in subdivision (f) or (g), the operator of a vessel on which salmon are taken for commercial purposes shall not permit a person on board that vessel while salmon are being taken or transported unless that person was less than 18 years of age or 70 years of age or more on April 1 of the current license year or that person has a commercial fishing salmon stamp affixed to the person's commercial fishing license.

(c) Except as provided in this subdivision, the department shall issue a commercial fishing salmon stamp upon application therefor and payment of the fee of eighty-five dollars ($85.00). For any commercial salmon season preceded by a commercial salmon season in which the commercial troll salmon landings in this state equal or exceed 3,000,000 pounds dressed weight, as determined by the department, the fee shall be increased by twelve dollars and fifty cents ($12.50) for every 250,000 pounds over 3,000,000 pounds of dressed weight landings, except that the total fees as adjusted shall not exceed two hundred sixty dollars ($260).

(d) A commercial fishing salmon stamp is valid during the commercial salmon season of the year in which it was issued.

(e) Upon application and payment of an additional fee equal to that prescribed in subdivision (c), the department may issue an additional commercial fishing salmon stamp for a crewmember to the owner or operator of a vessel who holds a commercial fishing salmon stamp.

(f) Notwithstanding subdivision (a), one crewmember of a

vessel for which a commercial fishing salmon stamp is issued pursuant to subdivision (e) may be aboard that vessel and take salmon for commercial purposes as a crewmember on that vessel without obtaining a commercial fishing salmon stamp under the following conditions:
(1) The crewmember is designated by name and commercial fishing license number on a form furnished by the department before salmon are taken on the vessel when that crewmember is aboard.
(2) The crewmember has a valid commercial fishing license issued under Section 7850.
(3) The commercial fishing salmon stamp for the crewmember is affixed to the form prescribed in paragraph (1) on which the vessel registration number of the vessel is entered and on which the crewmember who is exempted by this subdivision is designated by the last entered name and commercial fishing license number.
(g) Persons who are exempt from the license requirements, or who are not required to be licensed, pursuant to Section 7850, are exempt from the requirements of this section.

§8043.2. Landing Receipt: Commercial Fisherman Selling Directly to Consumer

(a) A commercial fisherman licensed pursuant to Section 8033.5 who sells fish from a vessel directly to the ultimate consumer and who is required pursuant to Section 8043 to make a landing receipt shall make a landing receipt in either of the following ways:
(1) For each individual sale by that fisherman at the time of the sale.
(2) For each day that the fisherman is engaged in one or more sales to the ultimate consumers, the fisherman shall maintain an accurate tally sheet of sales, which shall include complete header and signature box information filled out prior to any sales, and the number of pounds by species of fish sold. The total of the daily sales shall be recorded at the completion of sales for that day on a landing receipt. A copy of the completed tally sheet shall be attached to the corresponding landing receipt. The original completed tally sheet shall be attached to the fisherman's copy of the corresponding landing receipt and maintained for a period of four years.
(b) A commercial fisherman licensed pursuant to Section 8033.5 who sells directly to the ultimate consumer, or a commercial fisherman who sells or delivers fish that the fisherman has taken to any person who is not licensed under Article 7 (commencing with Section 8030) to conduct the activities of a fish receiver, shall not be considered a weighmaster for purposes of Chapter 7 (commencing with Section12700) of Division 5 of the Business and Professions Code.
(c) A commercial fisherman selling his or her own catch to the ultimate customer, upon request by an authorized agent or employee of the department, shall immediately make available all fish in possession of the fisherman for inspection and sampling by the agent or employee. Pursuant to Section 8226, the fisherman shall relinquish the head from any sampled salmon with a missing adipose fin.

§8226. Recovery of Coded-wire Tag from Salmon Head

(a) Notwithstanding any measurement requirements under this code, and to implement the department's salmon tagging program, any person in possession of a salmon with a missing adipose fin, the small, fleshy fin on the back of the fish between the back fin and the tail, upon request by an authorized agent or employee of the department, shall immediately relinquish the head of the salmon to the state, at no charge, for recovery of any coded-wire tag. The head may be removed by the fish owner or, if removed by the official department representative, the head shall be removed in a manner to minimize loss of salmon flesh and the salmon shall immediately be returned to the rightful owner.
(b) It is unlawful to intentionally conceal, cull, or release into the waters, a salmon with a missing adipose fin that it is otherwise legal to possess.

§8231. Agent; Appeal; Change of Ownership; Commercial Salmon Vessel Permit; Fishing Potential; Owner; Permit; Permitted Vessel; Replacement Vessel; Review Board; Transfer

The following definitions govern the construction of this article:
(a) "Agent" means the person designated in writing by the owner as the owner's representative.
(b) "Change of ownership" means the transfer of ownership of a permitted vessel to a new owner.
(c) "Commercial salmon vessel permit" means an annual permit issued by the Department to an owner of a commercial fishing vessel for use of that vessel to take salmon for commercial purposes and shall not be considered personal property.
(e) "Permit" means a commercial salmon vessel permit as defined in subdivision (c).
(f) "Permitted vessel" means a commercial fishing vessel for which a permit is currently valid.
(g) "Replacement vessel" means a commercial fishing vessel for the use of which a permit is proposed to be transferred pursuant to this article.
(h) "Transfer" means the issuance of a permit for use of a replacement vessel.

§8232. Commercial Vessel Permits

It is unlawful to take or possess salmon for commercial purposes on a vessel unless all of the following conditions are met:
(a) The vessel is registered with the Department pursuant to §7881, and the owner of the vessel has a valid commercial salmon vessel permit for the use of that vessel.
(b) The permit for the use of the vessel is affixed to the vessel adjacent to the Department registration number unless otherwise authorized by the Department.
(c) The permit affixed to the vessel is visible at all times.

§8232.5. Take Salmon for Sport on Commercial Vessel

(a) Except as provided in this section, it is unlawful to take salmon for sport purposes on a permitted vessel.
(b) Subdivision (a) does not prohibit taking salmon for sport purposes under a sportfishing or a sport ocean fishing license, which is issued pursuant to Article 3 (commencing with §7145) of Chapter 1, on a vessel licensed as a commercial passenger fishing boat pursuant to §7920 and engaged in that business on any day when salmon are not being taken

for commercial purposes on that vessel.
(c) Subdivision (a) does not prohibit taking salmon for sport purposes under a sportfishing or a sport ocean fishing license, which is issued pursuant to Article 3 (commencing with §7145) of Chapter 1, on a permitted vessel in the Klamath Management Zone, as designated by the federal Pacific Fisheries Management Council, when the commercial salmon season is closed and after 24 hours after the time when salmon taken during the commercial salmon season are required to be landed.
(d) The use of a vessel pursuant to subdivision (c) shall be considered as being engaged or employed exclusively in the taking and possession of fish or other living resource of the sea for commercial purposes for purposes of subdivision (a) of §227 of the Revenue and Taxation Code.

§8233. Validity of Permits
Except as otherwise provided in this article, a permit shall be renewed prior to expiration. Each permit issued by the Department shall display the expiration date on the face of the permit.

§8233.3. Permit Issuance; Exceptions
Except as otherwise provided in this article, the Department shall issue a permit, upon application and payment of the renewal fees pursuant to §8235, that is valid for the subsequent permit year, to the owner of a permitted vessel that is registered with the Department pursuant to §7881.

§8233.4. Replacement Vessel - Permit Transfer
Except as otherwise provided in this article, the Department shall issue a permit, upon payment of the transfer fees pursuant to subdivision (a) of §8239 and surrender to the Department of the permit for the use of the permitted vessel, to the owner of a replacement vessel that is registered with the Department pursuant to §7881, if the transfer has been approved pursuant to §8241.

§8233.5. Change of Ownership of Vessel - Permit Change
Except as otherwise provided in this article, the Department shall change the designation of the holder of a permit, and with it shall go all rights, privileges, and obligations of a permit holder, including rights of renewal, upon receipt of a notice of change of ownership to a new owner of a permitted vessel. A permit changed pursuant to this section is valid for the permit year during which it is issued.

§8233.9. Application of Section 8101
Section 8101 does not apply to this article.

§8234. Issuance of Commercial Fishing Salmon Stamp
(a) The Department shall not issue a permit under this article unless one of the following first occurs:
(1) The applicant presents to the Department a commercial fishing salmon stamp issued to the owner or an agent of the owner. No commercial fishing salmon stamp shall be presented or accepted by the Department to authorize issuance of a permit under this section for more than one vessel.
(2) The applicant obtains a commercial fishing salmon stamp and pays the fees for the stamp.
(3) On or before April 1 of the current license year, the owner is 70 years of age.
(b) The first commercial fishing salmon stamp issued to an owner, or that owner's agent, shall be affixed to the commercial fishing license of that owner or agent. Any additional commercial fishing salmon stamps issued to the owner or the owner's agent pursuant to paragraph (1) of subdivision (a) for purposes of obtaining permits for use of additional commercial salmon fishing vessels shall be affixed to each additional vessel's registration issued pursuant to §7881.

§8235. Renewal of Permit; Fees and Requirements
(a) The owner of a permitted vessel, or that owner's agent, may apply for renewal of the permit annually on or before April 30, upon payment of the fees established under subdivision (b), without penalty. Upon receipt of the application and fees, the Department shall issue the permit for use of the permitted vessel in the subsequent permit year only to the owner of the permitted vessel.
(b) The Department shall fix the annual fee for the renewal of the permit in an amount it determines to be necessary to pay the reasonable costs of implementing and administering this article.
(c) If an owner to whom a permit has been issued, or that owner's agent, applies for renewal of the permit, the application for renewal shall be received or, if mailed, postmarked on or before April 30. An application received or, if mailed, postmarked after April 30 shall be assessed a late fee subject to §7852.2. Department shall issue the permit for use of the permitted vessel in the subsequent permit year.
(d) The Department shall suspend late fees otherwise due under subdivision (c) and shall issue a permit for use of the permitted vessel in the subsequent permit year if the Department is unable to accept applications for renewal of permits by March 1.
(e) Except as provided in subdivision (c), the Department shall not renew a permit for which the application for renewal is not received, or, if mailed, is received or postmarked after expiration of the permit.

§8236. Renewal of Permit; Notification by Department
(a) The Department shall send a written notice of renewal and a permit renewal application to the owner of each currently permitted vessel at the most recent address of that owner in the records of the Department. The notice shall be sent by first-class mail before March 1. The Department shall mail a copy of the notice for renewal to all associations and groups known to the Department to be representing commercial salmon fishermen. The Department shall also provide blank permit renewal applications at appropriate offices of the Department.
(b) The notice shall include all of the following:
(1) Instructions on how to apply for renewal of a permit.
(2) Information on the provisions of subdivisions (c) and (e) of §8235.
(c) Failure to receive the notice under this section does not exempt or excuse the owner from the requirement of annual renewal of the permit on or before the permit expiration date.

§8237. Department Shall Change Designation of Permit Holder

(a) The Department shall change the designation of the holder of a permit to the new owner of a permitted vessel upon change of ownership of the permitted vessel, whether the change of ownership is by contract, by operation of law, or otherwise.

(b) The permit shall not be transferred to any other vessel, except by the issuance of a permit for use of the replacement vessel pursuant to subdivision (c) and Sections 8239 to 8241, inclusive.

(c) The owner of the permitted vessel may seek to retire the permitted vessel from the commercial salmon fishery and apply for transfer of the permit, to be issued pursuant to §8241, for use of a replacement vessel.

§8238. Vessel Classification System - Adoption

(a) On or before January 1, 1991, the department, in consultation with the commercial salmon fishing review board, created pursuant to former Section 8247, shall establish and adopt, in the manner prescribed in former Section 8238.3, as that section read on January 1, 1991, a vessel classification system to determine the fishing potential of prospective vessels for applications for new, original permits.

(b) Commencing January 1, 2020, for applications to transfer a permit to a replacement vessel, the department shall determine the fishing potential of the permitted vessel and the replacement vessel by multiplying the length of the vessel by the breadth of the vessel by the depth of the vessel based on figures provided to the department in a vessel marine survey conducted by a licensed marine surveyor or on a current certificate of documentation issued by the United States Coast Guard.

§8238.1. Use of Vessel Classification System

The vessel classification system shall be used by the department for issuance of new original vessel permits pursuant to Section 8243.

§8239. Conditions for Approval and Issuance of Replacement Vessel Permit

A transfer may be approved and a permit issued for use of a replacement vessel pursuant to §8241 under all of the following conditions:

(a) The vessel owner submits a written request for the transfer to the Department on a form provided by the Department and pays a nonrefundable transfer fee of two hundred dollars ($200).

(b) The permit for the permitted vessel is current, and the owner of the permitted vessel makes assurances in the application that any renewal of the permit that becomes due during the application processing period will be made.

(c) Proof of ownership is submitted to the department for the permitted vessel and replacement vessel.

(d) The vessel owner submits a vessel marine survey conducted by a licensed marine surveyor or a current certificate of documentation issued by the United States Coast Guard that contains the necessary information for the department to establish that the replacement vessel has the same fishing potential as, or less fishing potential than, the permitted vessel.

(e) Under penalty of perjury, the vessel owner signs the application for transfer and certifies that the included information is true to the best of their information and belief.

(f) The same transfer has not been requested within the previous 12 months or the same transfer has not previously been denied and that denial is final, unless the application or supporting information are different than that contained in the previous application, as determined by the Department.

(g) Except as provided in Section 8239.1, the permit has not been transferred to a replacement vessel during the same permit year.

(h) The permittee has written authority from the legal owner, if other than the permittee or mortgager, if any, to transfer the vessel permit from the permitted vessel.

§8239.1 Lost, Stolen, or Destroyed Vessel Transfers

Unless otherwise prohibited, the department shall accept a transfer application within two years after the date that a permitted vessel was lost, stolen, or destroyed, notwithstanding any inability to physically examine the permitted vessel to determine its salmon fishing potential. Only the permittee at the time of the loss, theft, or destruction of the vessel may apply for the transfer of the vessel permit. Proof that a vessel is lost, stolen, or destroyed shall be in the form of a copy of the report filed with the United States Coast Guard or any other law enforcement agency or fire department investigating the loss. The department shall only transfer a permit pursuant to this section if the permit remains valid during the entire period following the loss, theft, or destruction, and while the transfer application is pending. If the permittee does not submit a transfer application within two years after the permitted vessel was lost, stolen, or destroyed, or if the department denies the transfer application later than two years after a permitted vessel was lost, stolen, or destroyed, the permit is null and void.

§8239.2. Repealed by SB262

§8239.6. Validity of Replace Vessel Permit

A permit issued for the use of a replacement vessel under §8241 is valid for the balance of the permit year for which the permit for the use of the permitted vessel was originally issued or last renewed, and the permit issued under this section authorizes the use of the replacement vessel only for that period.

§8239.9. Repealed by SB262

§8240. Conditions for Denial of Permit for Replacement Vessel

(a) The Department shall not issue a permit for use of a replacement vessel if the permitted vessel was reported as lost, stolen, or destroyed by fraudulent means or for fraudulent purposes.

(b) The Department shall not issue a permit for use of a replacement vessel if the application contains or is accompanied with fraudulent or willfully misleading information.

(c) The Department shall not issue a permit for use of a replacement vessel or to a new owner of a permitted vessel if the permit for the permitted vessel expires and is not re-

2020 Sea Cucumber Season

	Districts	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
SEA CUCUMBER DIVING													
Giant Red Sea Cucumber - All Year	All												
Warty Sea Cucumber													
Open 6/15/2019 to 2/29/2020	All		29	CLOSED			15						
Open 06/15/2020 to 02/28/2021			28				15						
SEA CUCUMBER TRAWLING													
Giant Red Sea Cucumber - All Year	All Federal Waters												
Open 06/16/2019 to 03/14/2020	California Halibut Trawl Grounds		14	CLOSED			16						
Open 06/16/2020 to 03/14/2021													
Warty Sea Cucumber													
Open 6/15/2019 to 2/29/2020	All Federal Waters		29	CLOSED			15						
Open 06/15/2020 to 02/28/2021			28				15						
Open 06/16/2019 to 02/29/2020	California Halibut Trawl Grounds		28	CLOSED			16						
Open 06/16/2020 to 02/28/2021													

OPEN CLOSED

newed. Except as provided in §8235, an owner of a permitted vessel shall renew the permit before the expiration date even if that owner has a transfer application pending.
(d) The Department may refuse to issue a permit for use of a replacement vessel or to issue a permit to a new owner of a permitted vessel on any grounds for which a permit may be suspended or revoked.

§8241. Determination for Issuance of Replacement Vessel Permit

The department shall issue the permit for use of a replacement vessel if it determines that the conditions specified in Section 8239 have been satisfied and the replacement vessel has the same fishing potential as, or less fishing potential than, the permitted vessel.
(b) The replacement vessel's fishing potential will not substantially increase fishing capacity over that which resulted from the operation of the permitted vessel.
(c) The applicant owns the replacement vessel.
(d) The conditions in this article are satisfied.

§8242. Commercial Salmon Fishery Permit - Conditions

A person seeking to gain entry into the commercial salmon fishery may obtain a permit under either of the following conditions:
(a) By legally obtaining the ownership of a permitted vessel and notifying the Department of the change of ownership of the permitted vessel.
(b) By applying to obtain a new, original permit issued by the Department pursuant to Sections 8244 and 8245.

§8246. Grounds for Revocation of Salmon Fishing Privileges

(a) At any time after notice of an order suspending or revoking of a person's commercial salmon fishing privilege is issued by the Commission, and before the order of suspension or revocation is final, the Commission may, with the agreement of the person subject to the action, compromise or dismiss the action to suspend or revoke the commercial salmon fishing privilege in the best interests of the state, or the Commission may compromise or dismiss the action with the agreement of the person subject to the action on terms and conditions, which may include, but are not limited to, the payment of civil damages, the reduction of a revocation to a suspension for a specified period of time, or any other terms and conditions.
(b) The Commission, after notice and opportunity for hearing and consultation with the review board, may suspend or revoke the commercial fishing privilege, authorized under a license issued for the purposes of §7850, for any violation of a term or condition of an agreement to compromise or dismiss a separate suspension or revocation action that was made pursuant to subdivision (a).
(c) If the Commission orders a suspension or revocation of a person's commercial salmon fishing privilege, any permit issued pursuant to this article shall be renewed when the next renewal is due or the permit shall expire as provided in §8233.

2020 RED SEA URCHIN FISHERY CLOSURE DATES (NORTH Of Monterey-San Luis Obispo County Line) (§120.7 (L), Title 14, CCR)

JUNE						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
S	M	T	W	T	F	S
30	31					1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

SEPTEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

2020 RED SEA URCHIN FISHERY CLOSURE DATES (SOUTH Of Monterey-San Luis Obispo County Line) (§120.7 (L), Title 14, CCR)

JUNE						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

JULY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
10	20	21	22	23	24	25
26	27	28	29	30	31	

AUGUST						
S	M	T	W	T	F	S
30	31					1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

SEPTEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

OCTOBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

CLOSED

(d) Subdivision (b) does not apply if an action is brought to recover civil damages under §2014 from the person subject to action under this section.

§8246.2. Adoption of Regulation to Determine Civil Damages

(a) The Commission, in consultation with the Department, shall adopt regulations for the determination of civil damages provided for in subdivision (b) of §8246 that give due consideration to the appropriateness of the civil damages with respect to all of the following factors:
(1) The gravity of the violation.
(2) The good faith of the convicted licensee.
(3) The history of previous violations.
(4) The damage to the fishery.
(5) The cost of restoration of the fishery.
(b) Civil damages imposed under subdivision (b) of §8246 shall be due and payable on or before a date which is 30 days after the compromise is entered into.

§8246.4. Permit Obtained by Fraudulent Means - Revocation

The Commission, after notice and opportunity for hearing, shall revoke a commercial salmon vessel permit issued pursuant to this article if the vessel permit was obtained by fraudulent means.

§8246.6. Appeals for Revocation, Refusal, or Denial of Permit

A person whose commercial salmon fishing vessel permit is revoked by the Commission or who has been denied a permit transfer may appeal the revocation or denial to the Commission by submitting the appeal in writing to the Commission within 60 days of the decision.

§8246.7. Grounds for Reversal of Revocation

(a) The Commission shall reverse an order of revocation, order the permit renewed, or order the approval of a permit transfer only if it finds one of the following grounds:
(1) The permittee failed to submit an application and pay the fees for renewal on or before April 30 pursuant to §8235 and the failure to renew a permit until after the expiration date was due to death, physical illness, mental incapacity, or being called to active military duty, and the person was not reasonably able to have an agent renew the permit.
(2) A lienholder of a permitted vessel, if the vessel is the property of the lienholder as a result of foreclosure, surrender, or litigation, can show loss due to the nonrenewal of a permit by the permittee, and the nonrenewal occurred without the knowledge of the lienholder.
(3) If, in the case of permit revocation because of fraud, evidence is provided to the Commission disputing the charges of fraud. If the Commission finds there was no fraud after consideration of all of the evidence, the Commission may order the revocation annulled, and, if the permit expiration date has passed during the pendency of the hearing on the appeal, the Commission may order the Department to renew the permit upon payment of the fees.
(4) The denial of the permit transfer was arbitrary or capricious.
(b) Each appeal shall be heard and considered separately on its own merits.

§8246.8. Regulations and Enforcement

The Commission and the Department may make and enforce regulations that may be necessary or convenient for carrying out any power, authority, or jurisdiction delegated to it under this article.

§8248. Provisions of Article are Severable.

If any provision of this article or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

SARDINE

FGC Excerpts

§8150.5. Taking Sardines; Restrictions; etc.

(a) Sardines may not be taken or possessed on any boat, barge, or vessel except pursuant to §8150.7.
(b) This section does not prohibit the possession or use of sardines imported into this state under a bill of lading identifying the country of origin.
(c) Imported sardines may be used for dead bait under regulations adopted by the Commission.

§8150.7. Intent of Legislature to Rehabilitate Sardine Resource

It is the intent of the Legislature that the sardine resource be managed with the objective of maximizing the sustained harvest. The department shall manage the sardine resource in conformance with the federal fishery regulations as recommended by the Pacific Fishery Management Council and as adopted by the Secretary of Commerce.

§8154. Receive, Possess, or Sell Sardines; Exceptions

No person shall receive, possess, or sell sardines for any purpose except for that purpose specified on the fish receipt completed at the time of landing of those sardines pursuant to §8043.

§8870. Restrictions for Use

Dip nets may be used subject to the following restrictions:
(a) In districts 1, 1½, 2, 3, and 4, dip nets may not be baited, and may not measure more than six feet in greatest breadth.
(b) In District 19, hand–held dip nets 30 feet or less in greatest breadth may be used. In that district dip nets may not be used within 750 feet of any pier, wharf, jetty, or breakwater, except to take anchovies, squids, and sardines for bait, and to take smelt.
(c) In District 20, hand-held dip nets 30 feet or less in greatest breadth may be used.

SEA CUCUMBER

Sea cucumber permit holders are also subject to the provisions of §190, Title 14.

Sea Cucumber Condition Codes
Two landing condition codes have been established to differentiate sea cucumber landed in a "cut" or "eviscerated" state and sea cucumber landed in a "whole" or "uncut" state. The following codes must be used when completing landing receipts submitted to the Department.

The new codes are as follows:
07 - Sea cucumber landed in a whole or uncut state
08 - Sea cucumber landed in a cut, slit, or eviscerated state

Sea Cucumber Permit (Diving or Trawl)
When taking sea cucumbers by diving, each diver must have a valid sea cucumber diving permit issued to that person. When taking sea cucumbers by methods other than diving, at least one person aboard each commercial fishing vessel must have a valid sea cucumber trawl permit.

Renewal Requirements: Applicant must have possessed a valid 2019-2020 sea cucumber diving or trawl permit. The gear type used to take sea cucumbers is non–transferable. Permits can only be renewed in the gear type that they were originally issued.

Logbook Requirement: Permit holders using trawl nets to take sea cucumber are required to complete and submit an accurate record of fishing activities on a Shrimp/Prawn Trawl Log. A diver must complete and submit a commercial dive fishing log.

Permit Transfers: Refer to FGC §8405.2

Title 14 Excerpts
§ 128. Commercial Taking of Sea Cucumber.
(a) Closed Season. Warty sea cucumber may not be taken for commercial purpose from March 1 through June 14.
(b) All warty sea cucumber taken during the closed season shall be immediately returned to the water. Warty sea cucumber may not be possessed aboard or landed from any commercial fishing vessel during the closed season.
(c) Pursuant to Section 190 of these regulations, each sea cucumber dive permit holder shall complete and submit an accurate record of his/her sea cucumber fishing activities on the logbook form incorporated by reference under Section 120.7, of these regulations. The completed daily records shall be sent to the department address specified on the logbook.

FGC Excerpts
§8405.1 Application Requirements; Fees; Records; Renewal; Denial
(a) Applicants for a sea cucumber permit shall specify by gear type, either trawl or dive, the method in which the applicant intends to take sea cucumbers. The gear type of a sea cucumber permit, either trawl or dive, shall not be transferable.
(b) The fee for a sea cucumber permit shall be two hundred fifty dollars ($250).
(c) Each permittee shall complete and submit an accurate record of all sea cucumber fishing activities on forms provided by the Department.
(d) In order to renew a sea cucumber permit for any permit year, an applicant shall have been issued a sea cucumber permit in the immediately preceding permit year. Applications for renewal of a sea cucumber permit shall be received by the Department or, if mailed, postmarked, by April 30 of the permit year.

§8405.2 Transfer of Permit. (Inoperative 4-1-2020)
(a) A valid sea cucumber permit may be transferred by the permittee if the permittee has previously held a valid sea cucumber permit for any four permit years and landed at least 100 pounds of sea cucumbers in each of those permit years, as documented by landing receipts with the name of the permittee shown on the receipts.
(b) A valid sea cucumber permit that has not been suspended or revoked may be transferred only to a person who has a valid commercial fishing license issued pursuant to Section 7852, that has not been suspended or revoked. A sea cucumber permit shall not be transferred to a person who has had a sea cucumber permit suspended or revoked while the suspension or revocation is in effect.
(c) An application for transfer of a permit shall be in the form of a notarized letter and shall be submitted to the department, with reasonable proof as the department may require to establish the qualifications of the permitholder and the person the permit is to be transferred to, accompanied by payment to the department of a nonrefundable transfer fee of two hundred dollars ($200). The transfer shall take effect on the date notice of approval of the application is given to the transferee by the department. The sea cucumber permit shall be valid for the remainder of the permit year and may be renewed in subsequent years.
(d) A sea cucumber trawl permit may be transferred to a qualified person as provided in subdivisions (b) and (c) to take sea cucumbers by diving or by use of trawl nets. A sea cucumber dive permit may be transferred to a qualified person as provided in subdivisions (b) and (c) only to take sea cucumbers by diving. The transferee shall specify the gear type, either trawl or dive, that the transferee intends to use to take sea cucumbers. The gear type of the sea cucumber permit, either trawl or dive, shall not be transferable.
(e) (1) Upon the death of a sea cucumber permitholder, the deceased person's sea cucumber dive or trawl permit may be transferred by his or her heirs, assignees, or estate to a qualified person as provided in subdivision (b), upon payment of the fee described in subdivision (c), and in accordance with subdivisions (a) and (d). The estate of the decedent may transfer the permit pursuant to this chapter no later than two years from the date of death of the permitholder, as listed on the death certificate.
(2) For purposes of a transfer under this subdivision, the heirs, assignees, or estate shall renew the permit as specified in Section 8405.1 to keep the permit valid until transferred.

§8405.3 Adoption of Regulations; Maximum Number of Permits; Revocation; Change in Fees. (Inoperative 4-1-2020)
(a) The Commission, upon recommendation of the Department or upon its own motion and in consultation with the sea cucumber fishing industry, may adopt regulations, including provisions governing seasons, gear restrictions, hours of op-

RED SEA URCHIN FISHERY MODIFIED-PREFERENCE POINT DRAWING SYSTEM

Permit Count*	289	279	269	259	249	239	229	219	209	199	189	179	169	159	149 or less
Preference Group	1	1	1	1	-	1	1	1	1	-	1	1	1	1	One new permit issued when one retired
Random Group	-	-	-	-	1	-	-	-	-	1	-	-	-	-	One new permit issued when one retired

New permits issued to *Preference* or *Random* groups when the permit count at March 13 renewal deadline is at or below the listed permit count. This group ratio of four Preference Group to one Random Group continues even when the permit count is 149 or less.
*This permit count number may change due to unforeseen circumstances and only acts as a guideline.

eration, and any other measures that it determines may reasonably be necessary to protect the sea cucumber resource and to assure a sustainable sea cucumber fishery or to enhance enforcement activities.
(b) The number of sea cucumber permits issued for the April 1, 1997, to March 31, 1998, inclusive, permit year shall constitute the maximum number of permits available for all subsequent permit years for the sea cucumber fishery. The Department may establish by regulation a method, if necessary, to reissue any sea cucumber permit not renewed or transferred. The permit type of a sea cucumber permit, either trawl or dive, that is reissued shall not be transferable.
(c) The Commission may permanently revoke the sea cucumber permit of any person convicted of the unlawful taking of any California halibut while operating pursuant to a sea cucumber permit. The Commission may revoke the sea cucumber permit of any person convicted of any other violation of this code or regulation adopted pursuant thereto while operating pursuant to a sea cucumber permit. Any revocation of a permit pursuant to this subdivision shall be in addition to any action the Department may take pursuant to §12000.
(d) Subsequent to the 1997–98 permit year, the Department, using existing funds, may determine the actual costs to the Department of enforcing this article. The Commission, upon recommendation of the Department, may adjust the fee for the issuance or transfer of a permit to an amount not to exceed three hundred fifty dollars ($350), to reflect the actual cost of enforcing this article.

SEA URCHIN DRAWING

Sea Urchin Diving Permit Drawing Requirements

Number of Permits Available:
In order to reduce the permit capacity for this fishery, (Title 14, §120.7) one (1) new permit will be available for every eleven (11) that are retired until the permit capacity goal of 150 is reached. Once the permit capacity is 149 or less, one (1) new permit will be issued when one (1) is retired. A drawing will not be held if there are no new permits available.
New permit holders will be selected by a Modified-Preference Point Drawing in which the first four (4) permits will be available to applicants with the greatest number of points attained since 2006 and the next one (1) permit available through a random drawing. Applicants may view their preference points by logging onto their customer profile at www.ca.wildlifelicense.com/InternetSales and clicking on the link "View My Draw Application/Preference Points" at the top of the page. An applicant shall earn one (1) preference point each time the applicant participates in a drawing for sea urchin diving permit.

Eligibility Requirements:
Applicants must be 16 years of age or older, possess a valid California Commercial Fishing License and have possessed a valid 2018-2019 and 2019-2020 sea urchin crewmember permit. Each applicant shall receive a drawing receipt printed from the terminal or downloaded from the Internet. The receipt shall contain the applicant's name and permanent identification number, proof of entry into the drawing, and their current preference points for the drawing.

Deadline to Apply:
Applicants shall apply by March 31 of each year and pay the non-refundable processing fee as specified in §705, Title 14, CCR. Each applicant may submit only one application.

Where to Apply:
Applications for new sea urchin diving permits shall be made available each year through the Department's License and Revenue Branch's Automated License Data System (Department), at Department license sales offices, the Department's Internet Sales site, and at Department's license agents authorized to sell commercial fishing licenses.

Drawing:
Successful applicants and a list of alternates shall be determined by drawing within 20 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.

Deadline to Submit Permit Fee:
Successful applicants will be notified by certified mail. Successful applicants shall submit the fee for a Sea Urchin Diving Permit, as specified in Fish and Game Code Section 9055 to the department's License and Revenue Branch by 5:00 p.m. on or before or, if mailed, postmarked no later than May 15 each year. If the deadline to submit the fee falls on a weekend or holiday payment will be accepted until the close of business on the first state business day following the deadline to submit payment.

SEA URCHIN

Sea urchin permit holders are also subject to the provisions of §123 and §190, Title 14, CCR.

Sea Urchin Crewmember Permit

Required for each person who is assisting taking sea urchins and who does not qualify for a sea urchin diving permit. A sea urchin crewmember cannot dive for sea urchins (§120.7, Title 14).

Sea Urchin Diving Permit

Required for each commercial fisherman who takes sea urchins for profit.

Renewal Requirements:

Applicant must have possessed a valid 2019-2020 sea urchin diving permit.

Logbook Requirement: Each permittee is required to keep a Commercial Dive Fishing Log. For fishing north of the Monterey–San Luis Obispo County line, logs must be sent to the Department's Fort Bragg office. For fishing south of the Monterey–San Luis Obispo County line, logs must be sent to the Department's Los Alamitos office. Logs must be submitted on or before the 10th of each month following the month to which the records pertain.

Other Restrictions:

Rakes, airlifts, or other hand held appliances may be used to take sea urchins, under a revocable non–transferable permit issued by the Department and subject to such regulations as may be prescribed by the Commission (FGC §9054). The sea urchin fishing season is November to May, seven days per week; and June to October, Monday–Thursday north of the Monterey-San Luis Obispo county line, and Monday-Friday south of the Monterey-San Luis Obispo county line. Minimum commercial size limits: 3¼ inch diameter south of the Monterey–San Luis Obispo County line: 3½ inch diameter north of that line. Up to 30 undersize red sea urchins may be in any load.

Refer to Title 14, §120.7 (p)(1) and (2) on page 130 for further information on size limits by area.

FGC Excerpts

§9054. Rakes, Airlifts, etc. for Taking Sea Urchins; Permits

Sea urchins shall not be taken for commercial purposes except under a valid sea urchin diving permit issued to that person that has not been suspended or revoked, subject to regulations adopted by the Commission. Rakes, airlifts, or other handheld appliances may be used to take sea urchins. The Commission may, whenever necessary to prevent overutilization or to ensure efficient and economic operation of the fishery, limit the number of permits that may be issued. The Commission, as it determines appropriate to protect the resource, may limit the number of permits either on a statewide basis or within selected geographical areas.

Title 14 Excerpts

§120.7. Taking of Sea Urchins for Commercial Purposes

(a) Permit Required.

(1) Any person taking or assisting in the taking of sea urchins for commercial purposes shall have obtained a valid sea urchin permit and shall be in possession of said permit when engaged in such activities. A sea urchin diving permit is not required to operate or assist in operating a vessel used to take sea urchins, however, no person without a valid sea urchin diving permit shall engage in diving from a vessel from which sea urchins are being taken or possessed for commercial purposes, unless authorized by the Department's marine region regional manager or his or her designee for the purposes of sea urchin management or research.

(2) To provide an economic incentive for cooperative sea urchin management and research activity, and notwithstanding any other portion of this section, the Department may authorize the holder of a valid sea urchin diving permit to harvest (take, possess, land and/or sell) red sea urchins during a closed season or in a closed area, subject to such restrictions regarding date(s), location(s), time(s), size, poundage or other matters as specified by the Department. Any data collected during such harvest activity shall be made available to the Department. The form of this authorization shall be a letter from the Department's marine region regional manager or his or her designee issued to the permittee and containing all conditions of use.

(b) Classes of Permits.

(1) Sea Urchin Diving Permit. Sea urchin diving permits will be issued to licensed commercial fishermen 16 years of age or older who have qualified for permits pursuant to subsection (c).

(2) Sea Urchin Crewmember Permit. Sea urchin crewmember permits will be issued to licensed commercial fishermen 16 years of age or older who do not qualify for sea urchin diving permits.

(c) Permit Renewal

(1) Applicants for renewal of sea urchin diving permits must have held a valid, unrevoked sea urchin diving permit in the immediately preceding permit year (April 1–March 31).

(2) Applications for renewal of sea urchin diving permits shall be received by the department or, if mailed, postmarked no later than April 30. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code §7852.2.

(d) Number of Permits.

(1) All qualified prior sea urchin diving permittees shall be eligible to receive diving permits regardless of the number issued.

(2) If the number of diving permits issued to prior permittees is less than 150, the number of new sea urchin diving permits to be issued shall only be the difference between the number of diving permits issued to prior permittees in the immediately preceding permit year (ending March 31) and 150.

(3) While the number of diving permits issued to prior permittees is greater than 150, only one new sea urchin diving permit shall be available for every 11 permits that are retired pursuant to Fish and Game Code subsection 7852.2(c).

(e) Applications for New Permits:

(1) A drawing shall be held annually for any new sea urchin diving permits that become available for issuance.

(2) Applications for new sea urchin diving permits shall be made available each year through the department's Auto-

mated License Data System, at department license sales offices, the department's Internet Sales site, and at department's license agents authorized to sell commercial fishing licenses.
(3) Applicants shall apply by March 31 of each year.
(4) Applicants shall possess a valid Commercial Fishing License and a valid sea urchin Crewmember permit for each of the two permit years immediately preceding the permit year when the drawing is done.
(5) Applicants shall pay the nonrefundable processing fee as specified in Section 705 for each drawing application.
(6) Each applicant shall receive a drawing receipt printed from the terminal or downloaded from the Internet. The receipt shall contain the applicant's name and permanent identification number, proof of entry into drawing, and their current preference points for the drawing.
(7) Applicants shall not submit more than one drawing application for the same license year.
(f) Drawings for New Permits
(1) The department shall award any new permits using a Modified-Preference Point drawing system.
(2) The Modified-Preference Point drawing system shall award proportions of permit quota using the following drawing methods:
(A) Preference Point Drawing: Permits in the preference quota are awarded based on the following order of priority: accumulated preference point totals (highest to lowest), and computer-generated random number (lowest to highest).
(B) Random Drawing: Permits in the random quota are awarded according to computer-generated random number (lowest to highest), without consideration of accumulated preference points.
(3) The available new permit quantity shall be split into separate quotas. Every fifth permit that becomes available shall belong to the random quota while all other permits shall belong to the preference quota. This four-to-one ratio for sorting will continue indefinitely.
(4) Successful applicants and a list of alternates shall be determined by drawing within 20 business days following the application deadline date. If the drawing is delayed due to circumstances beyond the department's control, the department shall conduct the drawing at the earliest date possible.
(5) Alternates shall be selected using a Preference Point Drawing.
(6) Successful applicants will be notified as soon as practical. Successful applicants shall submit the fee for a Sea Urchin Diving Permit, as specified in Fish and Game Code Section 9055 to the department's License and Revenue Branch by 5:00 p.m. on or before or, if mailed, postmarked no later than May 15 each year. If the deadline to submit the fee falls on a weekend or holiday payment will be accepted until the close of business on the first state business day following the deadline to submit payment.
(7) Should the available permit quota remain unfilled after that date, the alternate list shall be used to award any available permits.
(8) An applicant shall earn one (1) preference point each time the applicant participates in a drawing for sea urchin diving permit.
(9) Successful applicants or alternates that are issued a sea urchin diving permit shall lose all accumulated preference points for the drawing.
(10) Preference points shall not be transferred to another person.
(11) The department shall maintain records of preference points earned by each applicant based on the identification number assigned to each customer by the department's Automated License Data System. The customer's identification number, Get Outdoors ID (GO ID) will be printed on each drawing receipt issued by the Automated License Data System. Applicants shall notify the department's License and Revenue Branch in Sacramento in writing of any changes or corrections regarding name, mailing address, or date of birth.
(12) Persons not applying in the sea urchin diving permit drawing for five (5) consecutive years starting in 2018 shall have their preference points for the sea urchin drawing reduced to zero (0). For the purposes of this subsection, persons whose applications are disqualified from drawing shall be considered the same as persons not applying.
(13) Eligible commercial fisherman that applied in the sea urchin diving permit drawing from 2006-2017 and were not awarded a sea urchin diving permit in any of these years shall be assigned one preference point for each year they applied in these drawings.
(g) Fee. The applicant for a sea urchin crewmember permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.
(h) Renewal Appeals. Late renewal appeal provisions are specified in Fish and Game Code §7852.2.
(i) Vessel Identification. When sea urchins are taken under these regulations, the vessel's commercial registration number shall be displayed on both sides of the boat. The number shall be black, at least 10 inches high, and on a white background. All permittees aboard the boat shall be mutually responsible for the proper display of the vessel's commercial registration number.
(j) Conditions of the Permit:
(1) No person shall take or possess lobsters or abalone aboard any boat used to take sea urchins under these regulations on any day that sea urchins have been taken or are to be taken.
(2) Hydraulic lifts and air lifts shall be used only in such a manner that no rocks or other mineral matter, aquatic plants, fish or other aquatic life except sea urchins, shall be removed from the bottom or otherwise disturbed.
(k) Revocation of Permits. Any permit may be suspended, revoked, or canceled by the Commission upon breach or violation of any fish and wildlife regulation pertaining to the take of sea urchins or abalone; or violation of the terms or conditions of the permit by the holders thereof, their agents, servants, employees or those acting under their direction and control.
(l) Exemption from Tidal Invertebrate Permit. A sea urchin diver or sea urchin crewmember operating under the provisions of this section is not required to possess a Tidal Invertebrate Permit, but is subject to the provisions of section 123, Title 14, CCR.
(m) Logbooks. Pursuant to Section 190 of these regulations, each permittee shall complete and submit an accurate record of all sea urchin fishing activities on a form Commercial Dive Fishing Log (DFW 120.7) REV. 12/08/17, incorporated herein by reference, provided by the department. The completed

daily records shall be sent to the department address specified on the logbook on or before the tenth day of each month following the month to which the records pertain.
(n) Fishing Season.
(1) Red sea urchin shall not be taken for commercial purposes on Friday, Saturday, and Sunday north of the Monterey-San Luis Obispo county line from June 1 through October 31.
(2) Red sea urchin shall not be taken for commercial purposes on Saturday and Sunday south of the Monterey-San Luis Obispo county line from June 1 through October 31.
(3) During any closed period, no red sea urchins may be possessed on any commercially registered vessel, except that any commercially registered vessel may transport red sea urchins after any closure goes into effect, provided that the vessel is in port no later than 0800 hours on the first day of the closed period.
(o) Closed Areas.
(1) Sea urchins shall not be taken for commercial purposes in state marine reserves or state marine parks. Specific regulations in state marine conservation areas may prohibit the commercial take of sea urchins as per subsection 632(b).
(2) The South Caspar Point area in Mendocino County is closed to all commercial fishing for sea urchins. This area is bounded on the north by a line extending 90° magnetic from sea to the mouth of Caspar Creek (north bank) in Caspar Cove, on the south by the northern boundary of the Point Cabrillo State Marine Conservation Area and its westward extension to the 120–foot depth contour, on the west by 120–foot depth contour line connecting the north and south boundary lines, and on the East by the mainland shore. The Point Cabrillo State Marine Conservation Area remains closed to the take of all forms of marine life except as permitted in subsection 632(b).
(p) Size Limit.
(1) In Southern California (south of the Monterey-San Luis Obispo county line) no more than thirty (30) red sea urchins between one and one-half (1½) and three and one-quarter (3 1/4) inches in shell diameter, not including the spines or any portion of their ball-and-socket attachment to the shell, per permittee per load, may be taken, possessed, sold, or purchased.
(2) In northern California (north of the Monterey–San Luis Obispo county line) no more than thirty (30) red sea urchins between one and one-half (1½) and three and one-half (3½) inches in shell diameter, not including the spines or any portion of their ball-and-socket attachment to the shell, per permittee per load, may be taken, possessed, sold, or purchased.
(3) Every sea urchin permittee shall carry and use an accurate measuring device, to determine the size of red sea urchins being taken as specified herein, while diving for sea urchins for commercial purposes.
(q) Authorization of an Assistant for a Sea Urchin Diver Permittee.
(1) The holder of a sea urchin diving permit may designate a licensed commercial fisherman as a sea urchin diver assistant upon written approval from the department, provided that:
(A) The sea urchin diving permit has not been suspended or revoked;
(B) The permittee has become physically unable to dive due to a severe unforeseen or catastrophic long-term (expected to be for one year or longer) or permanent injury or disease; and,
(C) The injury or disease occurred after entering the sea urchin fishery.
(2) The department may authorize, in writing, the particular licensed commercial fisherman to be designated by the permittee as a sea urchin diver assistant, providing the following conditions have been met:
(A) The permittee provides documentation within 90 days of the request to the department from a qualified physician that the permittee suffers from a disease or injury and it will prevent the permittee from diving. Such conditions shall not include short or long–term common illnesses, conditions caused or primarily exacerbated by aging, or any other condition which appears to be marginal or common, such as routine back or neck problems;
(B) The permittee has no violations or pending violations for which his or her permit could be revoked; and
(C) The proposed sea urchin diver assistant has a valid California commercial fishing license and has not had any California commercial fishing license or permit suspended or revoked; has never been convicted, and no charges are pending for a violation of any provision of the Fish and Game Code or Title 14, California Code of Regulations.
(3) Special Provisions:
(A) The authorized sea urchin diver assistant may take or assist in the taking of sea urchin only when in the company of the permittee and only for the duration of the permit year in which the authorization is issued.
(B) The permittee shall have no authority to, and shall not dive for sea urchin while a valid letter authorizing the permittee to designate an assistant exists, regardless of whether or not the assistant is actively diving.
(C) The authorized sea urchin diver assistant shall have no right to ownership or transfer of the permit beyond that which is otherwise provided by law.
(D) The sea urchin diving permit, in addition to the sea urchin diver assistant authority shall be subject to revocation, suspension, or other actions provided in law or regulation, upon violations committed by the sea urchin diver assistant, when acting under the authority of a sea urchin diver assistant. The assistant shall take no actions authorized pursuant to a sea urchin diver permit without the consent of the permittee.
(E) The Department shall review the authority authorized pursuant to this section at least once every year and may withdraw the authority if any of the conditions are not met.
(4) Fee Requirement. Any person authorized as a sea urchin diver assistant pursuant to this subsection shall annually pay a fee to the Department equal to the amount required of permittees pursuant to Fish and Game Code §9055.
(5) Required Possession of Department Authorization. The sea urchin diver assistant shall carry the Department's letter of authority whenever conducting activities authorized pursuant to the subsection.

SPOT PRAWN TRAPPING

Spot prawn trap vessel permit holders are subject to the provisions of §§180.1 and 180.3, Title 14 as well as §§180, 180.2 and 180.5, Title 14, which are located under Trap Permits.

Spot Prawn Trap Vessel (Tier 1, 2, 3)
Required for an owner of a registered commercial fishing vessel using traps to take spot prawn for commercial purposes (§180.03, Title 14, of the CCR).
Renewal Requirements:
Before a Spot Prawn Trap Vessel Permit can be renewed the owner must possess a valid: a) 2020-2021 Commercial Fishing License; b) 2020-2021 Commercial Boat Registration for the qualified vessel; c) 2020-2021 General Trap Permit; and d) have possessed a valid 2019-2020 Spot Prawn Trap Vessel Permit (Tier 1, Tier 2, or Tier 3).
Permits can only be renewed in the category (Tier 1, Tier 2, or Tier 3) that they were originally issued.
Tier 1 Permit Transfer: Refer to §180.03, Title 14.
Tier 2 and Tier 3 Permits become null and void upon the death of the permittee.
Other Restrictions for Tier 1 and Tier 3 Permittees:
Maximum of 500 traps except that not more than 300 traps may be used from any vessel to take spot prawns within three miles of the mainland shore between a line drawn due west from Point Arguello, Santa Barbara County, and the California–Oregon boundary.
Other Restrictions for Tier 2 Permittees:
May use a maximum of 150 traps at any one time and not land more than 5,000 pounds of spot prawn during any permit year.

Title 14 Excerpts
§180.1 Spot Prawn, Pandalus platyceros, Fishing
Spot prawns may only be taken by trawl nets for commercial purposes pursuant to subsection 120.3(g) of these regulations, or by traps, pursuant to sections 180, 180.2, 180.5 and this section.
(a) No trap may be used to take spot prawns from November 1 through January 31, between a line drawn due west from Point Arguello, Santa Barbara County and the United States - Mexico boundary. No trap may be used to take spot prawns from May 1 through July 31 between a line drawn due west from Point Arguello, Santa Barbara County, and the California-Oregon boundary.
(1) Spot prawn traps may be set and baited no earlier than 0600 hours (6:00 a.m.) on January 31 in waters south of a line drawn due west from Point Arguello, and no earlier than 0600 hours (6:00 a.m.) on July 31 in waters north of a line drawn due west from Point Arguello.
(2) In areas in which the season closure begins November 1, all traps must be removed from the water prior to November 1, weather and sea conditions permitting. In areas in which the season closure begins May 1, all traps must be removed from the water prior to May 1, weather and sea conditions permitting. In the event that a permittee is unable to comply with this subdivision, then that person must notify the nearest department office via telephone or FAX and certified mail not later than 1600 hours (4:00 p.m.) on November 1 or May 1, whichever is applicable, stating the reason for the delay and the anticipated date of trap removal. Notification does not relieve the permittee of responsibility for complying with this subdivision unless approved by the department.
(3) All spot prawns taken in any trap during the closed season shall be immediately returned to the water and no spot prawn may be possessed aboard, or landed from, any vessel operating under authority of a spot prawn trap permit in any area during the closed season in that area.
(b) All spot prawn traps shall be made of mesh with a minimum inside measurement of 7/8 inch by 7/8 inch, such that a 7/8 inch square peg passes through the mesh without stretching the mesh. (Note: Fathom Plus Traps may be used to take spot prawns.)
(c) Trap Limits.
(1) Tier 1 and Tier 3 trap limits. Not more than 500 traps may be used from any Tier 1 or Tier 3 vessel to take spot prawns except that not more than 300 traps may be used from any Tier 1 or Tier 3 vessel to take spot prawns within three miles of the mainland shore between a line drawn due west from Point Arguello, Santa Barbara County, and the California-Oregon boundary.
(2) Tier 2 trap limits. Not more than 150 traps may be used from any Tier 2 vessel.
(d) Each buoy marking any spot prawn trap shall comply with marking requirements set forth in Section 180.5 of these regulations.

§180.3 Restricted Access Spot Prawn Trap Fishery.
(a) Control Date. A control date of January 1, 1999, is established for the purpose of developing a restricted access spot prawn trap fishery. Only those vessels which have made at least one spot prawn landing with trap gear before this date may be considered for inclusion in the restricted access trap fishery. Additional vessels which have made landings of spot prawns with trawl gear between 1994 and 2001 also may be considered for inclusion in the restricted access spot prawn trap fishery (trawl conversion program).
(b) Permit Requirement, Classification of Permits and Permit Conditions. Effective April 1, 2002, no person shall use a vessel to land spot prawns for commercial purposes using traps authorized pursuant to Sections 8591 and 9001 of the Fish and Game Code, unless the owner of that vessel has a general trap permit, issued pursuant to §9001 of the Fish and Game Code, and a spot prawn trap vessel permit for that vessel that has not been suspended or revoked.
(1) Tier 1 Permits. Spot prawn trap vessel permits issued pursuant to subsection (c)(1) shall be considered as Tier 1 permits, and permitted vessels are authorized to use the number of traps specified for Tier 1 permits pursuant to §180.1(c), Title 14.
(2) Tier 2 Permits. Spot prawn trap vessel permits issued pursuant to subsection (c)(2) shall be considered as Tier 2 permits, and permitted vessels are authorized to use the number of traps specified for Tier 2 permits pursuant to §180.1(c), Title 14. Permitted vessels with Tier 2 permits may not exceed a maximum of 5000 pounds of spot prawns landed in any permit year. The revenue from any landings in excess of 5000 pounds in any permit year shall be forfeited to the Department.
(3) Tier 3 Permits. Spot prawn trap vessel permits issued pursuant to subsection (c)(3) shall be considered as Tier 3 permits, and permitted vessels are authorized to use the number of traps specified for Tier 3 permits pursuant to §180.1(c), Title 14. Tier 3 permits shall also be known as trawl conversion permits.

(g) Annual Spot Prawn Trap Vessel Permit Renewal. Applications as specified in Section 705 for renewal of a spot prawn trap vessel permit shall be received by the department, or, if mailed, postmarked, by April 30 of each year. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.
(h) Presence of Owner on Vessel. An owner of the vessel to which the spot prawn trap vessel permit has been issued must be on the vessel when spot prawns are being taken or landed, except that one additional operator may be designated during a license year by informing the Department office in Monterey.
(i) Revocation of Permit. A spot prawn trap vessel permit shall be revoked if the permittee: submits false information for the purposes of obtaining a spot prawn trap vessel permit.
(j) Transfer of a Spot Prawn Trap Vessel Permit to Another Vessel. A transfer of a spot prawn trap vessel permit to another vessel may be approved for use on a replacement vessel only if all of the following criteria are met:
(1) In the form of a notarized letter, the owner of the vessel which has a valid Spot Prawn Trap Vessel Permit shall submit a request for transfer of a Spot Prawn Trap Vessel Permit to the Department.
(2) The vessel owner pays the nonrefundable transfer fee specified in subsection (m) to the Department.
(3) Unless the vessel was lost, stolen, or destroyed, a permit may not be transferred more than once during any permit year.
(4) The spot prawn trap vessel permit for the permitted vessel is valid, and has not been suspended or revoked.
(5) The owner of a vessel with a valid Spot Prawn Trap Vessel Permit has written authority from the legal owner and/or partners, or mortgager, of the replacement vessel, to which the permit shall be transferred, to transfer the Spot Prawn Trap Vessel Permit from the permitted vessel to the replacement vessel.
(k) Change of Ownership of a Spot Prawn Trap Vessel Permit.
(1) All Tier 1 spot prawn trap vessel permits shall be transferable to another person, but not more than once within any 3-year period. Upon the death of the permittee, transfer of a Tier 1 spot prawn vessel permit may be considered if the estate submits a notarized letter for the change of ownership to the Department, within one year of the death of the permittee as listed on the death certificate.
(2) A change of ownership of a Tier 1 spot prawn trap vessel permit to another person may be approved only if the vessel owner submits a notarized statement for change of ownership to the Department. Thereafter, upon notice to the Department, the person purchasing the spot prawn trap vessel permit may use that permit for the taking and landing of spot prawns for any and all of the unexpired portion of the permit year, provided the following requirements are met:
(A) the person purchasing the permit shall have a valid commercial fishing license issued pursuant to Section 7852 of the Fish and Game Code that has not been suspended or revoked, and a general trap permit issued pursuant to Section 9001 of the Fish and Game Code that has not been suspended or revoked.
(B) the person is the owner of a commercial fishing vessel that has been registered with the department pursuant to Section 7881 of the Fish and Game Code that has not been suspended or revoked. The person receiving the permit shall be eligible for a permit, pursuant to the provisions of this section, for the use of that vessel in subsequent years.
(3) Notwithstanding the transfer of ownership provisions in subsection (k) for Tier 1, upon the death of a spot prawn trap vessel Tier 1 permittee the estate may apply to the department to transfer that permit to the estate. The request for transfer shall be received by the Department within one year of the death of the permittee.
(4) The vessel owner pays the non-refundable transfer fee specified in subsection (m) to the Department.
(5) Tier 2 spot prawn trap vessel permits shall not be transferred to another person. Tier 2 permits shall become null and void upon death of the permit holder.
(6) Tier 3 spot prawn trap vessel permits shall not be transferred to another person. Tier 3 permits shall become null and void upon death of the permit holder.
(l) Appeals.
(1) Any applicant who is denied initial issuance of a spot prawn trap vessel Tier 1 or Tier 2 permit for any reason may appeal that denial to the Department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked no later than March 31, 2003. Any applicant who is denied initial issuance of a Tier 3 spot prawn trap vessel permit for any reason may appeal that denial to the Department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked no later than September 30, 2005. The appeal shall be reviewed and decided by the Department. The decision of the Department may be appealed in writing to the Commission within 60 days of the date of the Department's decision.
(2) Renewal Appeals. Late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.
(3) Any applicant who is denied transfer of a spot prawn trap vessel permit may appeal the denial to the Department in writing describing the basis for the appeal. The appeal shall be reviewed and decided by the Department. The decision of the Department may be appealed in writing to the Commission within 60 days of the date of the Department's decision.
(m) Fees.
(1) Tier 3 Initial Issuance Fee. The department shall charge a fee for each Tier 3 spot prawn trap vessel permit of $1,015.
(2) Annual Renewal Fee. The department shall charge an annual fee for each Tier 1 and Tier 2 spot prawn trap vessel permit as specified in Section 705. The department shall charge an annual renewal fee for each Tier 3 spot prawn trap vessel permit as specified in Section 705. Late fees, late fee deadlines, and late renewal appeal provisions are specified in Fish and Game Code Section 7852.2.
(3) Vessel Transfer Fee. The department shall charge a non-refundable fee as specified in Section 705 for each vessel transfer.
(4) Change of Ownership Fee. The department shall charge a non-refundable fee as specified in Section 705 for each change of ownership of the spot prawn trap vessel permit.
(5) Initial Issuance Late Fees. The department shall charge a non-refundable late fee of $50 if an application for initial issuance of a Tier 1 or Tier 2 spot prawn trap vessel permit is received from July 1 to July 31, 2002. The department shall

charge a non-refundable late fee of $50 if an application for initial issuance of a Tier 3 spot prawn trap vessel permit is received from March 1 to March 31, 2005.

SWORDFISH

Swordfish permit holders are subject to the provisions of §190, Title 14. Swordfish are also subject to the provisions of federal regulations for Highly Migratory Species. For up–to–date information regarding federal regulations, see http://www.westcoast.fisheries.noaa.gov/fisheries/migratory_species/highly_migratory_species.html.

FGC Excerpts

§8394. Swordfish; Taking Requirements

Swordfish shall not be taken, possessed aboard a boat, or landed by a person for commercial purposes except under a valid swordfish permit. At least one person aboard the boat shall have a swordfish permit issued to that person that has not been revoked or suspended, subject to regulations adopted by the Commission.

Title 14 Excerpts

§107. Broadbill Swordfish.

Federal logbook requirement for swordfish - harpoon

(a) Permit Required.

(1) The owner or operator of a vessel taking broadbill swordfish for commercial purposes shall have obtained a valid swordfish permit and shall be in possession of said permit when engaged in such activities.

(2) To Whom Issued. The department shall issue a permit to the owner or operator of a currently registered vessel.

(b) Vessel Identification. Permittees vessel shall display its assigned permit number in 10" high x 2" wide black Roman alphabet letters and Arabic numerals. Figures shall be black on a white background on both sides of the superstructure of the vessel. Numbers shall be displayed at all times while operating under a swordfish permit.

(c) Conditions of Permit. Provisions of the Fish and Game Code relating to commercial fish except as modified by the provisions of these regulations, shall be a condition of all permits to be fully performed by the holders thereof, their agents, servants, employees, or those acting under their direction or control.

(d) Cost of Permit. See Section 8394.5 of the Fish and Game Code.

(e) Methods of Take.

(1) Swordfish may be taken only with hand-held hook and line, deep set buoy gear authorized under federal law, or handthrusted harpoon.

(2) Aircraft may be used to directly assist a permittee or any person in the taking of any species of fish while operating under a swordfish permit.

Only aircraft with current FAA registration which are registered with the department pursuant to Section 7892, Fish and Game Code, and aircraft pilots licensed pursuant to Section 7850, Fish and Game Code, may conduct flights for permittees. Such aircraft shall display the letters "SW" on the underside of each wing in block Roman alphabet at least 24 inches high x 3 inches wide, black in color and on a white background.

(f) Notification Procedure. The department shall notify permittees if the director, pursuant to Section 8577 of the Fish and Game Code, closes the swordfish harpoon fishery or any area where the fishery is conducted. The department shall notify permittees by mail and by public announcement on VHF/Channel 16 between 0800 hours and 1000 hours during normal business days. Radio transmissions shall commence 48 hours prior to the effective date of a closure and shall continue for 24 hours after the effective date of such action. It shall be the responsibility of the permittee to daily monitor the named radio channel during the specified hours.

(g) Revocation of Permits. Any permit may be revoked and canceled by the commission upon breach or violation of any fish and game law or regulation or violation of the terms or conditions of the permit by the holders thereof, their agents, servants, employees or those acting under their direction and control.

§107.1. Possession of Gill Nets by Swordfish Permittees.

(a) Except as provided in subsection (b), any person operating under the authority of a swordfish permit as specified in §107 of these regulations may not possess a gill net aboard a swordfish permit vessel, except that set gill nets may be possessed, provided that the intent to use such gear has been declared on the application for a swordfish permit.

(b) Drift gill nets may be possessed onboard a swordfish permit vessel and used by a swordfish permittee who also possesses a valid permit which authorizes the use of a drift gill net to take swordfish.

TANNER CRAB

Tanner crab permit holders are subject to the provisions of §§180.5 and 190, Title 14.

Logbook requirement: General Trap Log.

Title 14 Excerpts

§126.1 Commercial Take of Tanner Crab.

(a) Permit Required for Take and Possession Using Trap Gear. Any vessel using traps to take, possess aboard a vessel, or land Tanner crab (*Chionoecetes* spp.) for commercial purposes shall have a valid Tanner Crab Trap Vessel Permit. Tanner crab taken incidentally in other trap fisheries may not be possessed and must be immediately returned to the water unless the vessel is issued a Tanner Crab Trap Vessel Permit. A Tanner Crab Trap Vessel Permit is not required to incidentally take, possess or land Tanner crab with gear other than trap gear. For purposes of this Section, the term "Tanner crab" includes all species of the genus Chionoecetes.

(1) Permit Issuance Provisions.

(A) An applicant is eligible to purchase a Tanner Crab Trap Vessel Permit for placement on a vessel if the following conditions are met:

(1) The vessel must be issued a valid commercial boat registration pursuant to Fish and Game Code §7881.

(2) The applicant must hold a valid commercial fishing license issued pursuant to Fish and Game Code §7850.

(3) The applicant must submit an application and permit fee as specified in Section 705.

(B) There are no deadlines or late fees for purchase of a Tanner Crab Trap Vessel Permit. The sale of Tanner Crab Trap Vessel

Permits is not restricted and therefore permits are not subject to renewal requirements.
(2) Permit Fee. The Department shall charge a fee as specified in Section 705 for a Tanner Crab Trap Vessel Permit.
(3) Other Permits Required,
(A) Any person who operates or assists on any vessel for purposes of taking, transporting or landing Tanner crab under authority of a Tanner Crab Trap Vessel Permit shall possess a valid commercial fishing license issued pursuant to Fish and Game Code §7850, unless expressly exempted by that Section.
(B) Any person operating under authority of Fish and Game Code §7850 who operates or assists on any vessel when trap gear is aboard for purposes of taking, transporting or landing Tanner crab under authority of a Tanner Crab Trap Vessel Permit shall also possess a valid General Trap Permit issued pursuant to Fish and Game Code §9001.
(4) Tanner Crab Trap Construction Requirements, Specifications, and Limits.
(A) State Trapping Requirements. As a condition of this permit, Tanner crab traps and commercial Tanner crab trap fishing activities are subject to statutes and regulations that define and specify the following general trap requirements: trap logbooks and submission requirements, trap destruction devices, disturbing traps of another, trap servicing intervals not to exceed 96 hours, trap marker buoys, and other trap and buoy identification requirements. These statutes and regulations are defined in Fish and Game Code sections 9001, 9002, 9003, 9004, 9005, 9006, 9007, and 9008, and sections 180, 180.2, 180.5, and 190, Title 14, CCR.
(B) Trap Construction and Dimensional Requirements.
1. Escape Ports. Every Tanner crab trap shall have at least three openings of at least 4.5 inches in diameter in the side or upper panels of the trap to allow for escapement of undersized crab. The 4.5–inch measurement of the opening shall be taken at its smallest inside diameter. The openings may be constructed with a rigid opening such as a ring or as part of a mesh panel. At the time of measurement, the trap shall be set upright as if it were in use. If the opening is non–rigid or contained within pliable mesh, the smallest inside diameter measurement shall be taken so that a rigid cylindrical measuring device 4.5 inches in its outside diameter and at least three inches in length shall be able to pass easily through the opening.
2. Trap Dimensional Requirements. Tanner crab traps must not be more than 10 feet long and not more than 10 feet wide and not more than 42 inches high, as measured by the greatest distance in each dimension.
(C) Trap Destruction Devices. Traps utilized under authority of a Tanner Crab Trap Vessel Permit must contain a trap destruction device meeting the requirements for Tanner crab traps specified in §180.2, Title 14, CCR.
(D) Prohibition on Pop–Ups. Timed buoy release mechanisms capable of submerging a buoy attached to a trap, commonly known as "pop–ups," shall not be used on buoy lines attached to Tanner crab traps, and shall not be possessed by any commercial vessel while taking, attempting to take, or possessing Tanner crabs.
(E) Depth Requirement. Tanner crab traps shall only be placed or otherwise used in water depths greater than 300 fathoms.
(F) Vessel Buoy Marking Requirement. In addition to the trap and buoy marking requirements specified in Fish and Game Code section 9006 and 9007, every string of traps shall be marked with a buoy on each end of the string that is marked with the vessel's commercial boat registration number issued by the Department pursuant to Fish and Game Code §7881. A vessel fishing under authority of a Tanner Crab Trap Vessel Permit may only take, possess aboard a vessel, transport, deliver, or land Tanner crab from traps marked with the vessel's own registration number. The vessel's registration number on each buoy shall be preceded by the letters "TC." The numbers and letters shall be in a color which contrasts with the color of the buoy. A line thickness no less than 1/8 inch shall be used to create letters and numbers which shall be no less than two (2) inches in height and no less than one (1) inch in greatest width. The permit holder shall maintain the buoys so that the registration numbers and the letters "TC" are legible and easily determined.
(G) Disturbing Traps Prohibited. It is unlawful to willfully or recklessly disturb, move or damage any trap or attachment thereof that belongs to another owner and that is marked with a vessel registration number and the letters "TC." However, a person aboard a permitted vessel may pull or raise a trap marked with a buoy bearing a vessel registration number and the letters "TC" other than his own, but must have written permission in his or her immediate possession from the permittee whose vessel registration number is marked on the buoy. This subsection does not apply to employees of the Department while engaged in the performance of official duties. Employees of the Department may disclose the name, address, and registration number of Tanner Crab Trap Vessel permittees to representatives of public safety agencies to assist in the return of traps and attachments to their proper owners. This subsection does not create any duty on any state or local agency to remove or move a trap, line, or buoy that may endanger the public safety and does not create any liability to Part 2 (commencing with §814) of Division 3.6 of Title 1 of the Government Code.
(H) Trap and String Limits. No more than 480 traps may be submerged or otherwise used per permitted vessel. Not more than six strings with not more than 80 traps per string shall be submerged or otherwise used. All traps must be fished on a string of traps. For purposes of this Section, "string" means individual traps that are connected by line or other means.
(5) Processing at Sea. Vessels may process crabs at sea and land them in a condition other than whole pursuant to the requirements of this Section.
(A) For purposes of this Section, the term "processing" shall not be equated to the term or activity of "Process fish" as defined in Fish and Game Code §8031.
(B) If Tanner crab is not landed in the round, the whole–weight conversion factor that shall be applied is 1.61. At the time the landing receipt is completed pursuant to Fish and Game Code §8043, the processed weight shall be recorded in the "Pounds" section and the converted whole weight, in pounds, shall be recorded in the space marked "Note Pad" on the landing receipt.
(C) For purposes of landing tax payments as required and specified by Fish and Game Code sections 8041 and 8051, for Tanner crab landed in processed condition, tax payments

shall be computed and paid based on the converted whole weight.
(6) Cumulative Vessel Trip Limits.
(A) A cumulative trip limit is the total number of pounds of Tanner crab that may be taken and retained, possessed, or landed by a vessel in a two–month period without a limit on the number of landings or trips. The cumulative trip limit per vessel per designated two–month limit period is 250,000 pounds of whole crab. For purposes of calculating catch against a cumulative vessel trip limit, all landings of processed crab shall be converted to the whole–weight equivalent as described in subsection (a)(5)(B).
(B) Cumulative trip limit periods start at 0001 hours local time, end at 2400 hours local time, and are in two month periods as follows:
1. January 1 through the last day of February,
2. March 1–April 30,
3. May 1–June 30,
4. July 1–August 31,
5. September 1–October 31,
6. November 1–December 31.
(C) All landings made in a vessel's registration number listed on landing receipts submitted to the Department pursuant to Fish and Game Code §8043 count toward the cumulative trip limit for the two month period that corresponds to the date on the receipt. Such receipts must accurately record the weight of Tanner crab landed.
(D) Copies of all landing receipts which document the catch of Tanner crab shall be kept onboard the fishing vessel throughout, and for 15 days following, each period for which cumulative landings by individual vessels are limited.
(E) When the seasonal catch limit defined in subsection (b) is reached and action to close the fishery is taken, cumulative trip limits defined in this subsection become inoperative.
(7) Incidental Landings and Allowances.
(A) No more than five percent of the total possessed or landed catch by weight may be comprised of invertebrates other than Tanner crab. All crab and other invertebrates taken in Tanner crab traps, except for crab of the genus *Cancer* (including but not limited to Dungeness crab and rock crab) may be landed and sold incidentally under authority of a Tanner Crab Trap Vessel Permit.
(B) All finfish taken in Tanner crab traps, with the exception of sablefish, shall immediately be returned to the water. Sablefish may be landed if authorized pursuant to Federal groundfish regulations.
(C) No invertebrates or finfish taken in Tanner crab traps may be used as bait.
(8) Observer Requirements and Cooperation with Observer Programs.
(A) Each permittee is required to carry an observer onboard to gather biological, fishery and bycatch information during Tanner crab fishery operations according to the specifications defined in this subsection. The permittee shall contract with either a National Marine Fisheries Service (NMFS)–certified observer provider firm, or a private individual who is certified either as a NMFS observer or as a crab observer by the Alaska Department of Fish and Wildlife. The Tanner Crab Trap Vessel permittee shall be liable for a violation of any terms or conditions of this subsection.
1. Prior to contracting, the permittee is required to acquire Department approval of the selected provider firm or private individual. The Department shall review the qualifications of the observer with whom the vessel wishes to contract with, and may reject the individual or firm. Request for Department approval shall be directed to the Department's Marine Region Regional Manager or his or her designee, and must be sought by phone at (562) 342–7108, and in writing to the Department's office at 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720. Requests for approval must be made at least 60 days prior to the planned commencement of fishing activity. At the time the request is made, the permittee must also notify the Department of the anticipated start date of fishing activity.
2. As a condition of the contract, the observer shall collect biological and fishery data as requested by the department. Data to be collected by the observer shall include vessel identification, date and time, information on catch, incidental take, sex ratio, size, maturity, condition and quality factors, weight, discards, gear specifications, vessel position and depth, trap soak time, number of traps set and pulled, and a summary of the vessel's daily activities and interactions with other vessels or fisheries compiled in a daily observation report. As needed, the department may request the observer to provide additional information that is similar in scope and nature to the aforementioned items. The permittee is required to ensure that while aboard, the observer is gathering data at all times when the vessel is engaged in fishing activity.
3. The Department will provide all necessary sampling materials, equipment and a computer to the selected provider firm or individual for the observer's use aboard the vessel. The permittee shall ensure that the sampling materials, equipment and computer are returned to the Department following completion of the observer's duties. Observer safety equipment needs and safety specifications shall be arranged by the permittee with the selected provider firm or private individual, and shall not be the responsibility of the Department.
4. The contract between the permittee and the selected provider firm or private individual shall specify that data collected aboard the vessel shall be the property of the Department.
5. The permittee shall ensure that all data collected or reported by the observer shall be delivered to the Department office at 4665 Lampson Avenue, Suite C, Los Alamitos, CA 90720 on or before the 10th day of each month following the month to which the observer's records pertain. Observer records that are mailed shall be postmarked on or before the 10th day of each month following the month to which the records pertain.
6. The permittee shall ensure that the data and all reports and documentation are collected by the observer on paper data sheets, entered into a computer provided by the Department, and provided to the Department in electronic format according to the submission procedures described in this subsection. Paper data sheets used onboard the vessel shall be included with the electronic data submitted to the Department.
(B) As a condition of a Tanner Crab Trap Vessel Permit, the permittee is required to have an observer onboard at the time the vessel's fishing activity commences each fishing season, and during all fishing operations that occur over the 60 con-

secutive days that follow. A vessel's fishing activity commences at the time that a trap is deployed for purposes of commercially harvesting Tanner crab.
(C) All vessels and persons operating under authority of a Tanner Crab Trap Vessel Permit are subject to provisions of §105.5, Title 14, CCR. The crew must allow personnel designated by the Department to board any commercial fishing vessel, conveyance, or other mechanical device used under authority of a Tanner Crab Trap Vessel Permit, to observe or inspect equipment, procedures, crabs, other invertebrates or fish.
(9) Permit Revocation and Violations.
(A) Pursuant to Fish and Game Code subsection 1052(b), a Tanner Crab Trap Vessel Permit shall be revoked if the applicant or permittee submits false information for the purposes of obtaining a permit.
(B) Any Tanner Crab Trap Vessel Permit may be suspended, revoked or cancelled by the Commission upon notice by the Department of a violation by a permit holder, or any person acting under authority of his or her permit, of Fish and Game Code sections 9001, 9002, 9003, 9004, 9005, 9006, 9007, and 9008, sections 105.5, 180, 180.2, 180.5, and 190, Title 14, CCR, the regulations of this Section, or other provisions of the Fish and Game Code or regulations of the Fish and Game Commission relating to crabs, traps, and times or areas closed to fishing.
(C) The Tanner Crab Trap Vessel Permit holder shall be liable for any violations committed by him or her of Fish and Game Code sections 9001, 9002, 9003, 9004, 9005, 9006, 9007, and 9008, sections 105.5, 180, 180.2, 180.5, and 190, Title 14, CCR, the regulations of this Section, or other provisions of the Fish and Game Code or regulations of the Fish and Game Commission relating to crabs, traps, and times or areas closed to fishing. The Tanner Crab Trap Vessel Permit holder shall also be liable for violations committed by any other person operating under the authority of his or her permit. Additionally, any such other person is liable for his or her own violations.
(b) Seasonal Catch Limit. For the period from April 1 through March 31 of the following year, a total of not more than two million pounds of Tanner crab may be landed in California. For purposes of this catch limit, all landings of processed crab shall be converted to the whole–weight equivalent as described in subsection (a)(5)(B).
The directed trap fishery closure shall be implemented as follows:
(1) Mechanism for Fishery Closure. The Department will estimate from the current trends in catch and using available scientific information the time at which the catch limit will be reached. The Department will close the directed trap fishery at the time the catch limit is reached or is projected to be reached prior to the end of the fishing year.
(2) The Department shall give holders of Tanner Crab Trap Vessel Permits described in subsection (a) no less than 10 days notice of the closure via a notification letter sent to the permittee's address on file with the Department. The Department shall give the public and the Commission no less than 10 days notice of the closure via a Department news release.
(3) When the Tanner crab catch limit has been reached, Tanner crab may continue to be taken incidentally in other fisheries where a Tanner Crab Trap Vessel Permit is not required.
(c) Minimum Size Limit. Any species of Tanner crab must have a minimum carapace width of 5 inches measured by the greatest straight–line distance across the carapace at a right angle to a line midway between the eyes to the posterior margin, not including spines. Every person taking Tanner crabs shall carry a measuring device and any Tanner crab that is found to be undersized shall immediately be returned to the water.
(d) Male–Only Fishery. Only male Tanner crabs may be retained and landed. All female Tanner crabs shall immediately be returned to the water.
(e) Prohibition on Use as Bait. Tanner crabs may not be used as bait in any commercial fishery.
(f) Tidal Invertebrate Permits. Tidal Invertebrate Permits issued pursuant to §123, Title 14, CCR, are not required for the commercial take of Tanner crab.

TIDAL INVERTEBRATES

Tidal Invertebrates Permit

Information for this permit is found under Non-Restrictive Commercial Fishing Permits. Tidal Invertebrate Permit holders are subject to the provisions of FGC §§8340-8346, 8500, 8510, 8598 as well as CCR T14 §123.
See page 8 for a list of species that can and cannot be taken in California waters for commercial purposes, or be possessed unless otherwise authorized.
Commercial fishermen taking only lobster, sea cucumber, squid, crab or sea urchin need not possess the permit but are subject to the provisions of CCR T14 §123 and must have the appropriate permits to take such species as required by FGC §§8254, 8405, 8421, 9001 and 9054.

Title 14 Excerpts
§123. Tidal Invertebrates

Marine invertebrates shall not be taken for commercial purposes in any tide pool or tidal area, including tide flats or other areas between the high tide mark and 1,000 feet beyond the low tide mark of any natural or constructed shoreline, except as otherwise provided in this section. Revocable Tidal Invertebrate Permits may be issued by the department in accordance with the following regulations:
(a) Qualifications of Permittee.
The applicant must be a licensed commercial fisherman. If a vessel is used in taking or transporting tidal invertebrates for commercial purposes, the vessel must be currently registered and all fishermen on the vessel must possess a valid Tidal Invertebrate Permit.
(b) Application and fees.
The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.
(c) Permit Exemption.
Commercial fishermen taking only lobster, sea cucumber, squid, crab or sea urchin need not possess the permit as required in this section but are subject to the provisions of this section and must have the appropriate permits to take such species as required by Fish and Game Code sections 8254, 8405, 8421, 9001 and 9054, and regulations adopted pursuant thereto.
(d) Provisions of this section do not apply to commercial fish-

ermen taking freshwater clams or crayfish in inland waters.
(e) Permit Conditions.
(1) Under the terms of a Tidal Invertebrate Permit issued pursuant to this section only the following invertebrates may be take for commercial purposes: barnacles, chiones, clams, cockles, sand crabs, limpets, mussels, sand dollars, octopuses, shrimp, sea hares, starfish, worms and native oysters subject to the following restrictions:
(A) Marine worms shall not be taken in any mussel bed, nor shall any person pick up, remove, detach from the substrate any other organisms, or breakup, remove, alter or destroy any rock or other substrate or surfaces to which organisms are attached to obtain marine worms.
(B) Clams may only be taken in accordance with restrictions listed pursuant to Fish and Game Code sections 8340-8343, and 8346.
(2) Marine invertebrates may not be taken for commercial purposes in state marine reserves or state marine parks. Commercial take of marine invertebrates may be limited in state marine conservation areas pursuant to specific regulations in subsection 632(b).

FGC Excerpts
§8500. Commercial Taking Restrictions
Except as otherwise expressly permitted in this chapter, no mollusks, crustaceans, or other invertebrates may be taken, possessed aboard a boat, or landed for commercial purposes by any person in any tide pool or tidal area, including tide flats or other areas between the high tidemark and 1,000 feet beyond the low tidemark, unless a valid tidal invertebrate permit has been issued to that person that has not been suspended or revoked. The taking, possessing, or landing of mollusks, crustaceans, or other invertebrates pursuant to this section shall be subject to regulations adopted by the commission.

TRAP PERMITS
Dungeness crab vessel permitholders are subject to the provisions of §§180.2 and 180.5, Title 14, and FGC §§9002–9008 and 9011–9012. Rock crab permitholders are subject to the provisions of §§180, 180.2, and 180.5, Title 14, and FGC §§9002–9008 and 9011–9012. Lobster operator permitholders are subject to the provisions of §180.2, Title 14, and FGC §§9002 –9010. Spot prawn vessel permitholders are subject to the provisions of §§180, 180.2 and 180.5, Title 14. Finfish trap permitholders are subject to the provisions of §§180, 180.2, 180.4 and 180.5, Title 14 and FGC §§8400, 8403, 9000–9008, 9020 and 9022.

Dungeness crab, rock crab, and lobster trap fisheries are subject to the provisions of §126, Title 14, CCR
Crabs not in the genus *Cancer* (non-*Cancer* crabs) may be taken incidentally in trap fisheries targeting rock crab, Dungeness crab, or California spiny lobster, subject to the provisions of CCR T14 §126. Effective January 1, 2019, species in the family Lithodidae (box and king crabs) are subject to a 25-pound possession and landing limit, while the sheep (spider) crab are subject to a total allowable catch of 95,000 pounds. When possessing or landing species in the Lithodidae family, an equal or greater amount of the target species (rock crab, lobster, or Dungeness crab) must also be possessed or landed. Additionally, non-*Cancer* crabs may be used as bait in finfish traps. All non-*Cancer* crab must be brought ashore in the whole and recorded on landing receipts regardless of intended use.

Title 14 Excerpts
§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.

FGC Excerpts
§8400. Baitfish; Taking Restrictions
(a) California killifish (*Fundulus parvipinnis*), mudsuckers (*Gillichthys mirabilis*), and yellowfin gobies (*Acanthogobius flavimanus*) may only be taken for commercial purposes with baitfish traps in the tidewaters of Districts 3½ , 4, 4 $^{1}/_{8}$, 4¾ , 17,

and 21, in the tidewaters of District 10 south of the City and County of San Francisco, in the Salton Sea, and in Imperial and Riverside Counties.
(b) Shiner perch (*Cymatogaster aggregata*), staghorn sculpin (*Leptocottus armatus*), mudsuckers (*Gillichthys mirabilis*), and yellowfin gobies (*Acanthogobius flavimanus*) may only be taken for commercial purposes with baitfish traps in Districts 11, 12 and 13 and in the tidewaters of Districts 2 and 2½ .
(c) Any unauthorized species taken incidentally in baitfish traps in the districts specified in subdivisions (a) and (b) shall be immediately released.
(d) Baitfish traps, as described in §9020, may be used subject to Article 1 (commencing with §9000) of Chapter 4.

§8403. Fin Fish; Taking
(a) To the extent not in conflict with §8607, marine species of finfish which are classified as groundfish may be taken under the regulations of the Commission.
(b) Marine species of finfish, including, but not limited to, finfish which are classified as groundfish, may be taken with finfish traps, subject to Article 1 (commencing with §9000) of Chapter 4, under regulations of the Commission. The regulations may limit the number of finfish traps which any vessel may use, designate the areas in which the traps may be used, and prescribe other limitations on the use of finfish traps.
(c) Any other species not otherwise prohibited may be taken in a finfish trap.

§9000. Use Trap to Take Fin Fish, Mollusk, or Crustacean, Commercially
(a) Except as expressly authorized in this article, no person shall use a trap to take any finfish, mollusk, or crustacean in the waters of this state for commercial purposes.
(b) Traps may be used to take finfish in ocean waters only as authorized by this article.
(c) Freshwater baitfish traps that are used as provided in §8463 are not subject to this article.

§9000.5. Descriptions
For the purposes of this article, the following terms have the following meanings:
(a) "Bucket trap" means a plastic bucket of five gallons or less in capacity.
(b) "Deeper nearshore species" means those finfish identified as deeper nearshore species in regulations adopted by the Commission pursuant to Section 8587.1.
(c) "General trap permit" means a valid permit to take fish for commercial purposes issued pursuant to Section 9001 that has not been
suspended or revoked.
(d) "Korean trap" means a molded plastic cylinder that does not exceed 6 inches in diameter and does not exceed 24 inches in length.
(e) "Nearshore species" means those finfish identified as such in regulations adopted by the commission pursuant to Section 8587.1.
(f) "Popup" means a mechanism capable of releasing a submerged buoy at a predetermined time.

§9001. Permit for Trapping Fin Fish, Mollusks, or Crustaceans Commercially
(a) Finfish, mollusks, or crustaceans shall not be taken by a person with traps for commercial purposes in ocean waters except under a valid general trap permit issued to that person that has not been suspended or revoked.
(b) Any person who operates or assists in operating any trap to take finfish, mollusks, or crustaceans, other than lobster or Dungeness crabs, as defined in §8275, or who possesses or transports finfish, mollusks, or crustaceans on any boat, barge, or vessel when any trap is aboard, shall have a general trap permit issued to that person that has not been revoked or suspended while engaged in the activity.
(c) The fee for the general trap permit shall be thirty-five dollars ($35.00).
(d) This section does not apply to the taking of lobster under §9010 or to the taking of Dungeness crab under §9011.

§9001.6. Taking Hagfish
Hagfish may be taken under a general trap permit, if all of the following criteria are met:
(a) Korean traps and bucket traps may be used to take only hagfish under this article.
(b) No more than a total of 500 Korean traps or a total of 200 bucket traps may be possessed aboard a vessel or in the water or combination thereof.
(c) No permittee may possess both Korean traps or bucket traps and other types of traps aboard a vessel at the same time. When Korean traps or bucket traps are being used or possessed aboard a vessel, no species of finfish other than hagfish shall be taken, possessed aboard, or sold for commercial purposes.
(d) Pop–ups shall not be used on buoy lines attached to Korean traps or bucket traps, and shall not be possessed by a commercial fisherman aboard a vessel when taking hagfish.

§9001.7. Finfish Traps; Limitations
Finfish, other than sablefish and hagfish, may be taken under a general trap permit if all of the following criteria are also met:
(a) Every person aboard the vessel possesses a valid general trap permit that has not been suspended or revoked.
(b) If nearshore species are present, at least one person aboard the vessel possesses a valid nearshore fishery permit and a nearshore fishery trap endorsement that has not been suspended or revoked.
(c) If deeper nearshore species are present, at least one person aboard the vessel possesses a valid deeper nearshore species fishery permit that has not been suspended or revoked.
(d) During the period from one hour after sunset to one hour before sunrise, finfish traps that are left in the water shall be unbaited with the door secured open. If, for reasons beyond the control of the permittee, all trap doors cannot be secured open prior to one hour after sunset, the permittee shall immediately notify the Department.
(e) Pop–ups shall not be used on buoy lines attached to finfish traps, and shall not be possessed aboard a vessel when taking finfish under a general trap permit.
(f) Trap destruction devices used on finfish traps shall conform to the current regulatory requirements for those devices

pursuant to §9003 and as adopted by the Commission.
(g) No finfish traps shall be set within 750 feet of any pier, breakwall, or jetty in District 6, 7, 17, 18, 19, 19A, 19B, 20, 20A, 20B, or 21.
(h) No more than 50 finfish traps may be used in state waters along the mainland shore.
(i) The mesh of any finfish trap used pursuant to this section shall measure not less than two inches by two inches.
(j) The following fish shall not be used as bait in finfish traps:
(1) Lobster.
(2) Crabs of the genus *Cancer*, except rock crab, yellow crab, and red crab, as identified in §8282, which may be used as bait under the authority of a rock crab trap permit issued pursuant to §8282.
(3) Any other finfish or invertebrate to which a minimum size limit applies that is used or possessed in a condition so that its size can not be determined.
(k) Lobster may be possessed aboard or landed from any vessel on which finfish are also present, if every person aboard the vessel has a valid lobster permit that has not been suspended or revoked and complies with Article 5 of Chapter 2 of the Fish and Game Code, this article, and the regulations adopted pursuant thereto.

§9001.8. Taking Sablefish; General Trap Limits - Designated Southern California Ocean Waters

Sablefish may be taken under a general trap permit in ocean waters between a line extending due west true from Point Arguello in Santa Barbara County and the United States–Mexico international boundary line, if all of the following criteria are also met:
(a) The trap shall be six feet or less in its greatest dimension.
(b) The mesh of any trap used for sablefish pursuant to this section shall measure not less than two inches by two inches.
(c) The traps may be used only in waters 200 fathoms or deeper.
(d) No permittee may possess aboard a vessel at the same time, sablefish traps and any other commercial fishing gear, except that spot prawn traps may be possessed during spot prawn trap open fishing periods as established by the Commission and if the permittee has a valid spot prawn trap vessel permit that has not been suspended or revoked.

§9002. Disturb, etc., Traps of Another

(a) Except as provided in subdivisions (b), (c), and (d), it is unlawful to willfully or recklessly disturb, move, or damage any trap which belongs to another person and that is marked with a buoy identification number pursuant to §9006.
(b) A person, who has been issued a general trap permit under §9001 and has it in his or her possession, may pull or raise a trap marked with a buoy, if the buoy is marked with a buoy identification number pursuant to subdivision (b) of §9006. A person pulling or raising a trap marked with a buoy identification number, other than his or her own buoy identification number, shall have written permission in his or her possession from the other person who holds the buoy identification number that is marked on the buoy.
(c) Subdivision (a) does not apply to employees of the Department while engaged in the performance of official duties.
(d) (1) Subdivision (a) does not apply to publicly employed safety personnel, including, but not limited to, lifeguards, marine safety officers, harbor patrol officers, and peace officers, who, while engaged in the performance of their official duties, may remove a trap, buoy, or line located in or near breaking surf or adjacent to a public beach if they believe that the trap poses a public safety hazard. If any of those persons remove a trap, a buoy, or a trap or buoy line, any captured marine life shall be immediately returned to the ocean.
(2) Any person described in this subdivision who removes a trap and any attachments thereto identified by a buoy identification number shall make an attempt to contact the person whose permit or license number is marked on the buoy by personal contact, by telephone, by recorded message left on a telephone answering machine, by regular United States Postal Service, or by other means, advising where the property is located. Those persons shall have no responsibility to secure the trap or attachments against loss or damage.
(3) Employees of the Department may disclose the name, address, and buoy identification numbers of currently permitted or licensed persons to representatives of public safety agencies described in this subdivision to assist in the return of traps and attachments to their proper owners or operators.
(4) If the person whose permit or license number is marked on the buoy has been notified pursuant to this subdivision but has not retrieved the trap within seven days of notification, or if that person cannot be identified within seven days after the trap has been removed, the trap may be discarded.
(5) This subdivision does not create any duty on any state or local agency to remove or move a trap, line, or buoy that may endanger the public safety and does not create any liability pursuant to Part 2 (commencing with §814) of Division 3.6 of Title 1 of the Government Code.

§9002.5 Retrieval of Lost or Abandoned Commercial Crab Traps (Inoperative 4/1/2029)

(a) Notwithstanding Section 9002, the department, in consultation with the Dungeness crab task force, shall establish a retrieval program to provide for the retrieval of lost or abandoned commercial Dungeness crab traps by June 30, 2019.
(b) The retrieval program developed pursuant to subdivision (a) shall be consistent with all of the following:
(1)(A) The department shall establish a retrieval permit that grants a person who obtains a retrieval permit the authority to retrieve Dungeness crab traps located in ocean waters belonging to another person without written permission from that person during both of the following periods of time:
(i) The closed season of the Dungeness crab commercial fishery, as described in Section 8276.
(ii) A period of time other than the time period described in clause (i) in which the director restricts the take of Dungeness crab pursuant to Section 8276.1 or regulations adopted pursuant to that section, if the director authorizes retrieval permitholders to retrieve traps during that time period.
(B) The department may establish any qualifications it deems necessary for a person to obtain a retrieval permit.
(C) The department shall require a permit fee in an amount necessary to fully recover, but not exceed, all reasonable administrative and implementation costs to the department of the retrieval program.
(2) Notwithstanding Chapter 4 (commencing with Section

2080) of Title 6 of Part 4 of Division 3 of the Civil Code or any other law, any Dungeness crab trap retrieved under the authority of a retrieval permit shall become the property of the retrieval permitholder.
(3) The department shall require a retrieval permitholder to notify the former trap owner of the retrieval of a Dungeness crab trap and to offer to sell the trap to the former owner for a reasonable recovery fee, as determined by the retrieval permitholder, based on the cost of trap retrieval and storage of the trap. The department shall impose per-trap fees on any former trap owner who refuses to pay the recovery fee to the retrieval permitholder. The department shall set the rate of these per-trap fees at a level sufficient to recover any costs to the department from handling noncompliance with the gear retrieval program and to reimburse the retrieval permitholder for the reasonable cost of trap retrieval, storage, and disposal of crab traps belonging to a former owner who refuses to pay the recovery fees for those traps and, upon appropriation by the Legislature, shall use the proceeds of the per-trap fees for these purposes. The department shall annually adjust the per-trap fees pursuant to Section 713.
(4) Notwithstanding Section 8022, the department may release contact information to a retrieval permitholder for purposes of the retrieval program under terms and conditions as the department deems necessary to preserve the confidentiality of the information released. Any release of information pursuant to this section shall not constitute a waiver of any applicable exemptions from disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).
(5) The department may deny an application for renewal or transfer of a Dungeness crab vessel permit until the applicant pays any fees imposed pursuant to paragraph (3).
(6) The department shall submit the proposed retrieval program developed pursuant to this section to the Dungeness crab task force for review, and shall not implement the retrieval program until the task force has had 60 days or more to review the proposed retrieval program and recommend any proposed changes. The director may implement the retrieval program earlier than 60 days after it is submitted to the Dungeness crab task force for review, if recommended by the task force.
(c) This section shall become inoperative on April 1, 2029, and, as of January 1, 2030, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2030, deletes or extends the dates on which it becomes inoperative and is repealed.

§9003. Destruction Devices

Every trap shall have at least one destructive device which meets specifications approved by the Department. In order to minimize the adverse effects on living marine resources, the specifications for destruction devices shall provide for a device that destructs rapidly enough to facilitate escape of substantial proportion of all species confined in the trap from any trap that cannot be raised.

§9004. Trap Raising Intervals; Abandonment Prohibited

Every trap shall be raised, cleaned, serviced, and emptied at intervals, not to exceed 96 hours, weather conditions at sea permitting, and no trap shall be abandoned in the waters of this state.

§9005. Buoy Markers Required

Every trap or string of traps shall be marked with a buoy. The department shall implement regulations by January 1, 2020, requiring standardized gear marking for those fisheries in which the department determines it is appropriate. As part of the regulations, the department shall establish a fee for each fishery requiring standardized gear marking pursuant to this section and shall set and adjust each fee in an amount to fully recover, but not exceed, all reasonable administrative and implementation costs of the department relating to the standardized gear marking requirement.

§9006. Buoy I.D. Number Requirements

Every trap used to take finfish or crustaceans shall be marked with a buoy. Each buoy shall be marked to identify the operator as follows:
(a) For a trap used to take lobster the commercial fishing license identification number followed by the letter "P."
(b) For a trap used to take Dungeness crab or hagfish, the commercial fishing license identification number only.
(c) For a trap used to take finfish other than sablefish or hagfish, the commercial fishing license identification number followed by the letter "Z."
(d) For a trap used to take sablefish, the commercial fishing license identification number followed by the letter "B."

§9007. Removal of Traps Without Buoy or With Unmarked Buoy

Any trap used without a buoy, or with a buoy which is not marked pursuant to §9006, is a public nuisance and shall be removed from the waters of this state by any person authorized to enforce this code.

§9008. Traps Used in Violation of this Code

Any trap used in violation of this code, or any regulations adopted pursuant thereto, is a public nuisance and, except as provided in §9007, shall be seized pursuant to Article 3 (commencing with §8630) of Chapter 3.

§9011. Crab Trap Requirements

(a) (1) Subject to Article 6 (commencing with Section 8275) of Chapter 2, Dungeness crab, as defined in Section 8275, may be taken with Dungeness crab traps.
(2) A Dungeness crab trap may have any number of openings of any size. However, every Dungeness crab trap shall have at least two rigid circular openings of not less than 4 1/4 inches, inside diameter, on the top or side of the trap. If both of the openings are located on the side of the trap, at least one of the openings shall be located so that at least one-half of the opening is in the upper half of the trap.
(3) Subject to Article 6 (commencing with Section 8275) of Chapter 2, rock crab may be taken incidentally with a Dungeness crab trap used pursuant to this subdivision to take Dungeness crab, provided that the incidental taking occurs only during the season when it is lawful to take both species. A rock crab, taken incidentally with a Dungeness crab trap,

that does not comply with Article 6 (commencing with Section 8275) of Chapter 2, shall be immediately returned to the waters from which it was taken.
(b)(1) Subject to Article 6 (commencing with Section 8275) of Chapter 2, rock crab, as defined in Section 8275, may be taken with rock crab traps.
(2) A rock crab trap may have any number of openings of any size. However, a rock crab trap constructed of wire mesh with an inside mesh measurement of not less than 1 7/8 inches by 3 7/8 inches, with the 3 7/8 inch measurement parallel to the floor, shall have at least one rigid circular opening of not less than 3 1/4 inches, inside diameter, located on any outside wall of the rearmost chamber of the crab trap and shall be located so that at least one-half of the opening is in the upper half of the trap. Rock crab traps constructed of other material shall have at least two rigid circular openings of not less than 3 1/4 inches, inside diameter, on the top or side of the rearmost chamber of the trap. If both of the openings are located on the side of the trap, at least one of the openings shall be located so that at least one-half of the opening is in the upper half of the trap. No rigid circular opening, as required, shall extend more than 1/2 inch beyond the plane of the wall side or top of the trap in which it is located, and it shall be clearly accessible to any crab which may be in the trap.
(3) Subject to Article 6 (commencing with Section 8275) of Chapter 2, Dungeness crab may be taken incidentally with a rock crab trap used pursuant to this subdivision to take rock crab, provided that the incidental taking occurs only during the season when it is lawful to take both species. A Dungeness crab, taken incidentally with a rock crab trap, that does not comply with Article 6 (commencing with Section 8275) of Chapter 2, shall be immediately returned to the waters from which it was taken.
(4) A person shall not possess any lobster aboard a vessel while the vessel is being used pursuant to this subdivision to take rock crab.
(c) On or before January 1, 2013, the department shall report to the appropriate policy and fiscal committees of the Legislature the impacts, if any, of the changes made to this section by Chapter 478 of the Statutes of 2009. The report shall include information about citations issued pursuant to this section relating to both rock crab and Dungeness crab for the years 2010 to 2012, inclusive.

§9012. Take Crab Commercially and for Sport on Same Day from Vessel Prohibited; Restrictions on Use in Districts 6, 7, 8, and 9

(a) No vessel may be used to take and land crab for both commercial and sport purposes in the same day.
(b) In Districts 6, 7, 8, and 9, no trap shall be used to take Dungeness crab if that trap is attached to another trap or other traps by a common line.

§9015. Prawn and Shrimp Trap Requirements

(a) Subject to Article 18 (commencing with §8590) of Chapter 2, prawns or shrimp, as defined in §8590, may be taken with prawn traps or shrimp traps under a general trap permit issued pursuant to §9001.
(b) A prawn trap or a shrimp trap shall be six feet or less in its greatest dimension. Every opening from the exterior to the interior of a prawn trap or a shrimp trap shall be five inches or less in any dimension.

§9020. Bait-fish Trap Requirements

(a) Subject to §8400, California killifish (*Fundulus parvipinnis*), mudsuckers (*Gillichthys mirabilis*), yellowfin gobies (*Acanthogobius flavimanus*), shiner perch (*Cymatogaster aggregata*), and staghorn sculpin (*Leptocottus armatus*) may be taken with baitfish traps under a general trap permit issued pursuant to §9001.
(b) A baitfish trap shall not exceed 12 inches in width, 12 inches in height, and 36 inches in greatest length with entrance at small ends of funnels or fykes not to exceed 2 inches in diameter.

§9022. Finfish Trapping; Restricted Districts; Exceptions

(a) Notwithstanding §9000, traps used to take finfish may not be used in Districts 10, 11, and 12, except for bait fish traps as provided for in Sections 8400 and 9020.
(b) Except as otherwise provided in subdivision (a), all marine species of finfish subject to §8403 may be taken with one or more finfish traps as prescribed by the Commission under a general trap permit issued pursuant to §9001.

Title 14 Excerpts

§180. Traps

Revocable, non–transferable permits to use traps for commercial purposes may be issued by the Department to take fish, mollusks and crustaceans except market crabs (*Cancer* magister) and lobster under the following conditions:
(a) Permits will include conditions under which traps shall be used to take fish, mollusks, or crustaceans. No person shall use any trap except as authorized in a permit. The taking of spot prawns shall be subject to the conditions of this section and section 180.1.
(b) Every person who takes or assists in taking fish, mollusks, or crustaceans with any trap or who possesses or transports fish, mollusks, or crustaceans on any boat, barge, or vessel when any trap is aboard, shall have in his possession a valid permit issued to him pursuant to this section while engaged in any such activity.
(c) The Department may inspect the traps at any time.
(d) Records. Pursuant to section 190 of these regulations, each permittee may be required by the Department to complete and submit an accurate log of the fishing operations on a form (Daily Trap Log, DFG 180A (10/89) or Daily Sablefish Trap Log, DFG 180B (10/89) provided by the Department.
(e) Traps must be marked by buoys as specified by the Department.
(f) All traps must have at least one destruct device of a type authorized by the Department.
(g) The permit may be suspended temporarily by the Director for a breach or violation of the terms of the permit by the holder thereof, or any member of his crew on the designated vessel. In addition, the permit may be temporarily suspended or denied by the Director if he determines that the trap or its operation is detrimental to any of the ocean's living marine resources. The Commission shall be notified of any such suspension, and subsequently may revoke or reinstate the permit or fix the period of its suspension after written notice to

the permittee and after he has been afforded an opportunity to be heard. In the event a permit is denied by the Director the applicant may apply to the Commission for an experimental gear permit under §8606 of the Fish and Game Code. *AB 1573 (also known as the California Fisheries Innovation Act of 2018) was passed in 2018, which repealed the experimental gear permit provisions in Section §8606 and added new Section §1022 to Fish and Game Code effective Jan 1, 2019.*

(h) The permit number of the boat operator shall be displayed on both sides of the boat in 10 inch black numbers on a white background. All permittees aboard the boat shall be mutually responsible for the proper display of the numbers.

(i) Cost of Permit. The fee for this permit shall be the amount specified in §9001, Fish and Game Code.

(j) Exemption from Tidal Invertebrate Permit. A commercial fisherman operating under the provisions of a commercial trap permit and lobster operator permit is not required to possess a Tidal Invertebrate Permit, but is subject to the provisions of §123.

§180.2. Trap Destruction Devices

Pursuant to the provisions of §9003 of the Fish and Game Code, every trap used to take finfish, mollusks, or crustaceans shall contain at least one destruction device that complies with the specifications described in this Section. The use of any structures or materials that defeat or interfere with the purpose of the destruct device is prohibited.

(a) Escape openings.

(1) Each trap destruct device shall create an unobstructed escape opening in the top or upper half of the trap of at least 5 inches in diameter when the destruct attachment material corrodes or fails, except for traps used under authority of a Tanner Crab Trap Vessel Permit.

(2) Traps used under authority of a Tanner Crab Trap Vessel Permit shall have an unobstructed escape opening in any sidewall or on the top of the trap; the escape opening shall not be on the floor of the trap. The opening shall measure not less than 11 inches taken at its smallest inside diameter. If the opening is non–rigid or contained within pliable mesh, the smallest inside diameter measurement shall be taken so that a rigid cylindrical measuring device 11 inches in its outside diameter and at least 6.5 inches in length shall be able to pass easily through the opening.

(b) The escape opening on each trap must be closed with one of the following destruct attachment materials:

(1) 14 gauge (.080 + or – .003 inch) or smaller metal hog rings excluding stainless steel or other non–corrodible materials;

(2) untreated cotton twine size No. 21–thread or less, except that traps used to take Dungeness, Tanner or rock crabs are limited to a single strand of untreated cotton twine size No. 120 or less;

(3) 24 gauge (.028 + or – .003 inch) or smaller uncoated bare metal crimps excluding stainless steel or other non–corrodible materials;

(4) magnesium pins not larger than one–quarter (.25) inch in diameter which may be used to hold together each half of plastic or fiberglass traps or may be used to attach the lid or door; or

(5) The use of rubber straps attached to metal or plastic hooks with a single loop of untreated cotton twine size No. 120 or less may be used to close the trap provided they are attached in such a manner as to aid the destruct process. The use of any rubber strap or non–corrosive material that defeats or interferes with the purpose of the destruct panel is prohibited.

§180.4. Finfish Trap Construction

The entrance funnels of finfish traps used in waters between Point Arguello, Santa Barbara County, and Point Montera, San Mateo County, shall have a rigid inside entrance diameter of not greater than 5.00 inches. Funnels constructed of a readily deformable material such as "chicken wire" and commonly referred to as "pulled" shall have a rigid metal ring of not greater than 5.00 inches in diameter permanently affixed in each entrance funnel.

§ 180.5. Trap Buoy Identification

(a) Pursuant to the provisions of Section 9005 of the Fish and Game Code, every trap or string of traps placed in waters of the state to take fin fish, mollusks or crustaceans for commercial purposes shall be marked with a buoy.

(b) Notwithstanding requirements set forth in Fish and Game Code Section 9006, starting May 1, 2020:

(1) Every buoy marking a commercial trap used in a fishery described below shall be marked exclusively with the Identification Letter specific to that fishery.

(2) At least one buoy marking each trap, or each end of a string of traps, shall be marked with the Identification Number followed by an Identification Letter.

(3) Identification Numbers and Identification Letters shall be as follows:

(c) All Identification Numbers shall be at least one and one-half (1.5) inches in height and drawn with a line no less than ¼ (0.25) inch thick.

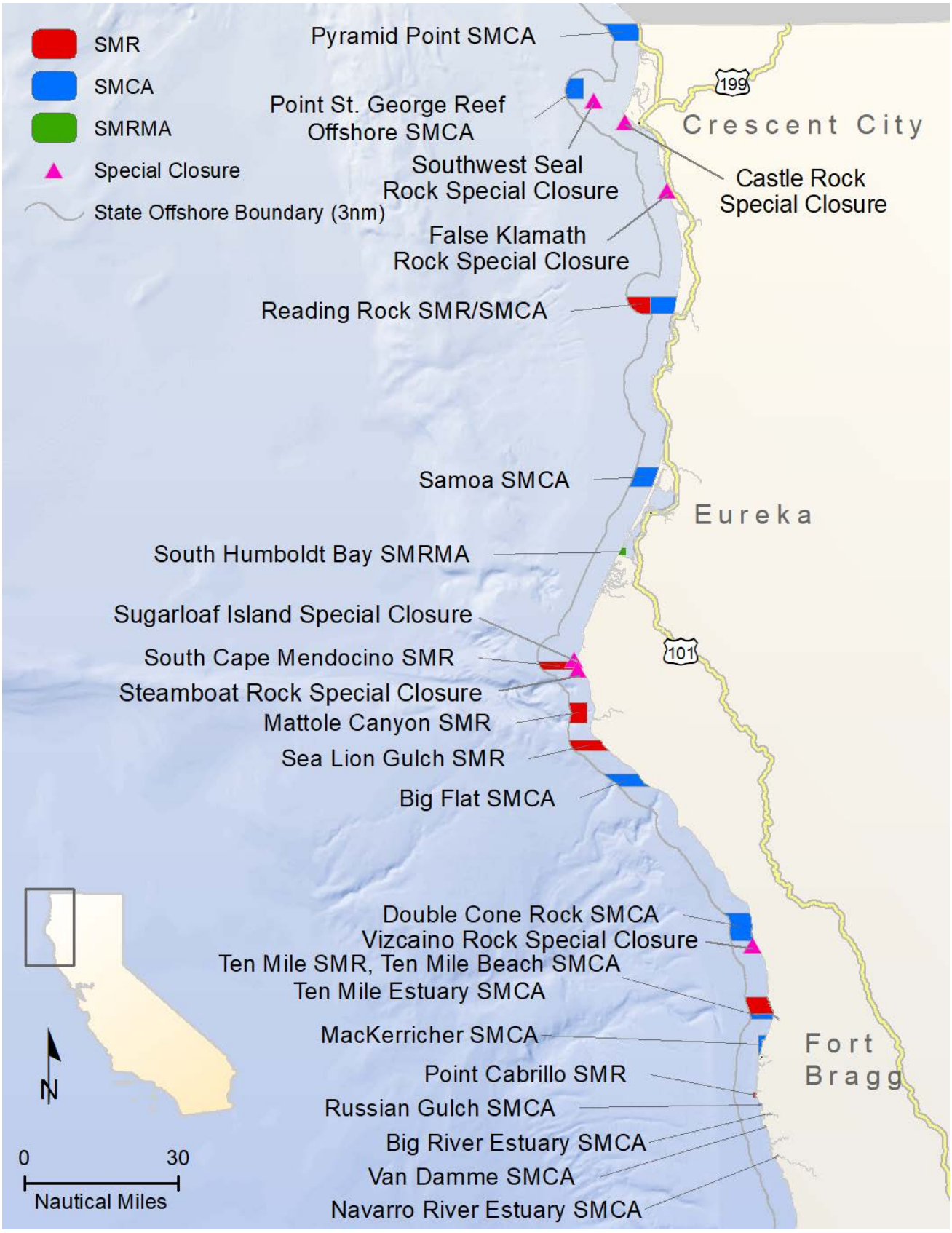
(d) Identification Letters shall be at least three (3) inches in height and drawn with a line no less than ¼ (0.25) inch thick. Every buoy shall be marked as follows:

Fishery & Gear Type	Identification Number	Identification Letter
Lobster Trap	Operator's commercial fishing license identification number	P
Rock Crab Trap	Operator's commercial fishing license identification number	X
Tanner Crab Trap	Vessel's commercial boat registration number	T
Spot Prawn Trap	Operator's commercial fishing license identification number	S
Coonstripe Shrimp Trap	Operator's commercial fishing license identification number	C
Nearshore Finfish Trap	Operator's commercial fishing license identification number	Z

(1) Buoys that are four (4) inches in diameter or greater shall have Identification Letters marked on four opposing sides;

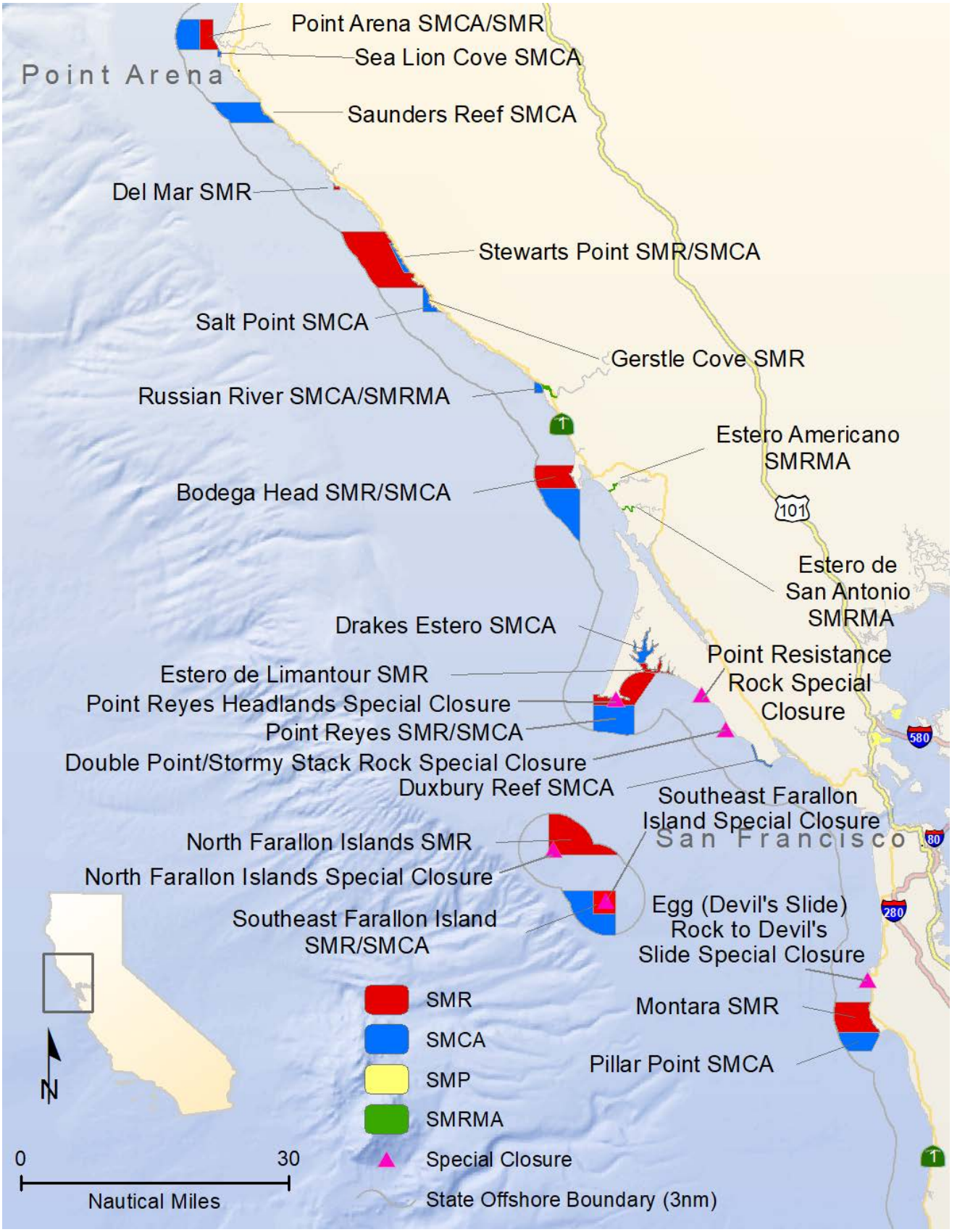
NORTHERN CALIFORNIA MARINE PROTECTED AREAS

For more information, see the MPA section of this Digest, or visit wildlife.ca.gov/MPAs or your local CDFW office.



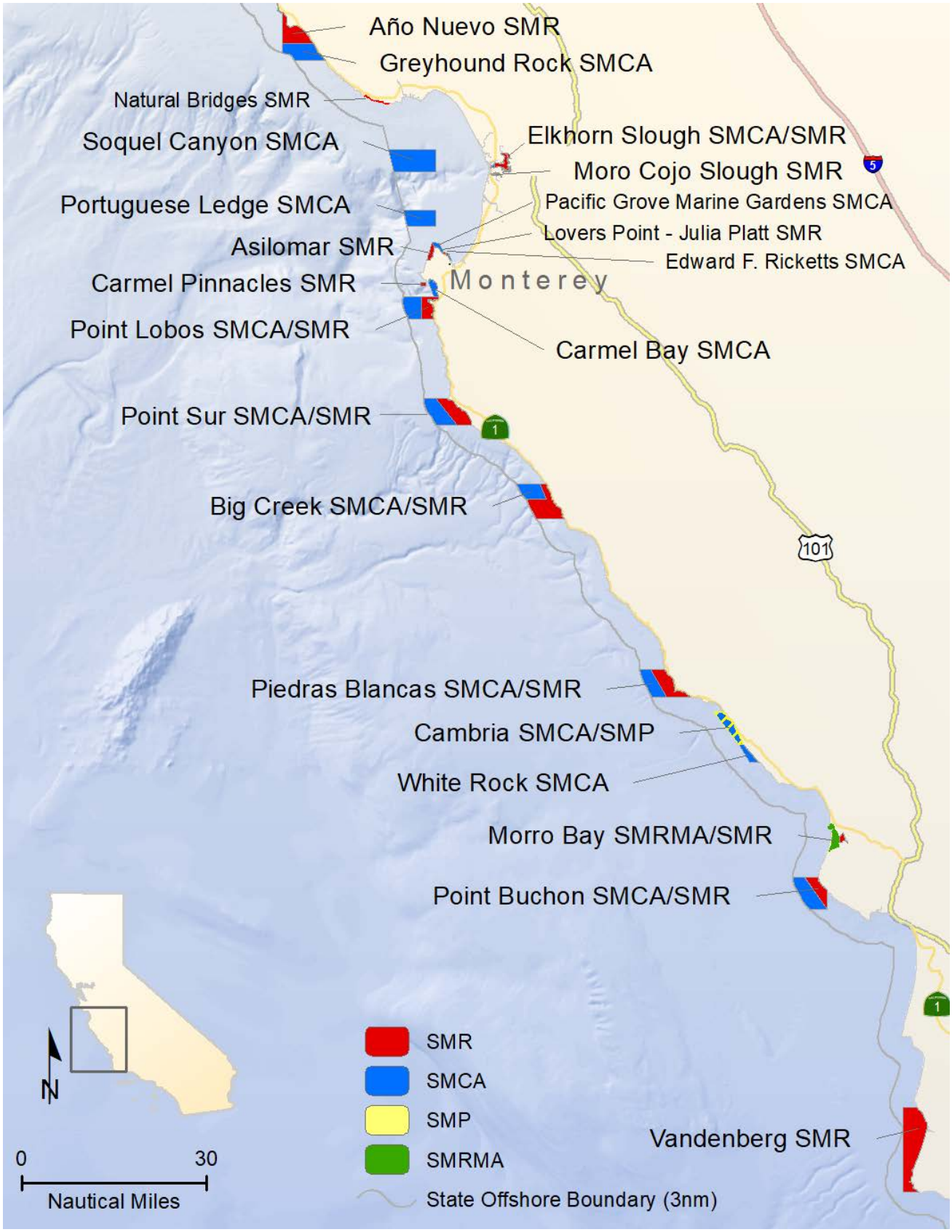
NORTH CENTRAL CALIFORNIA MARINE PROTECTED AREAS

For more information, see the MPA section of this Digest, or visit wildlife.ca.gov/MPAs or your local CDFW office.



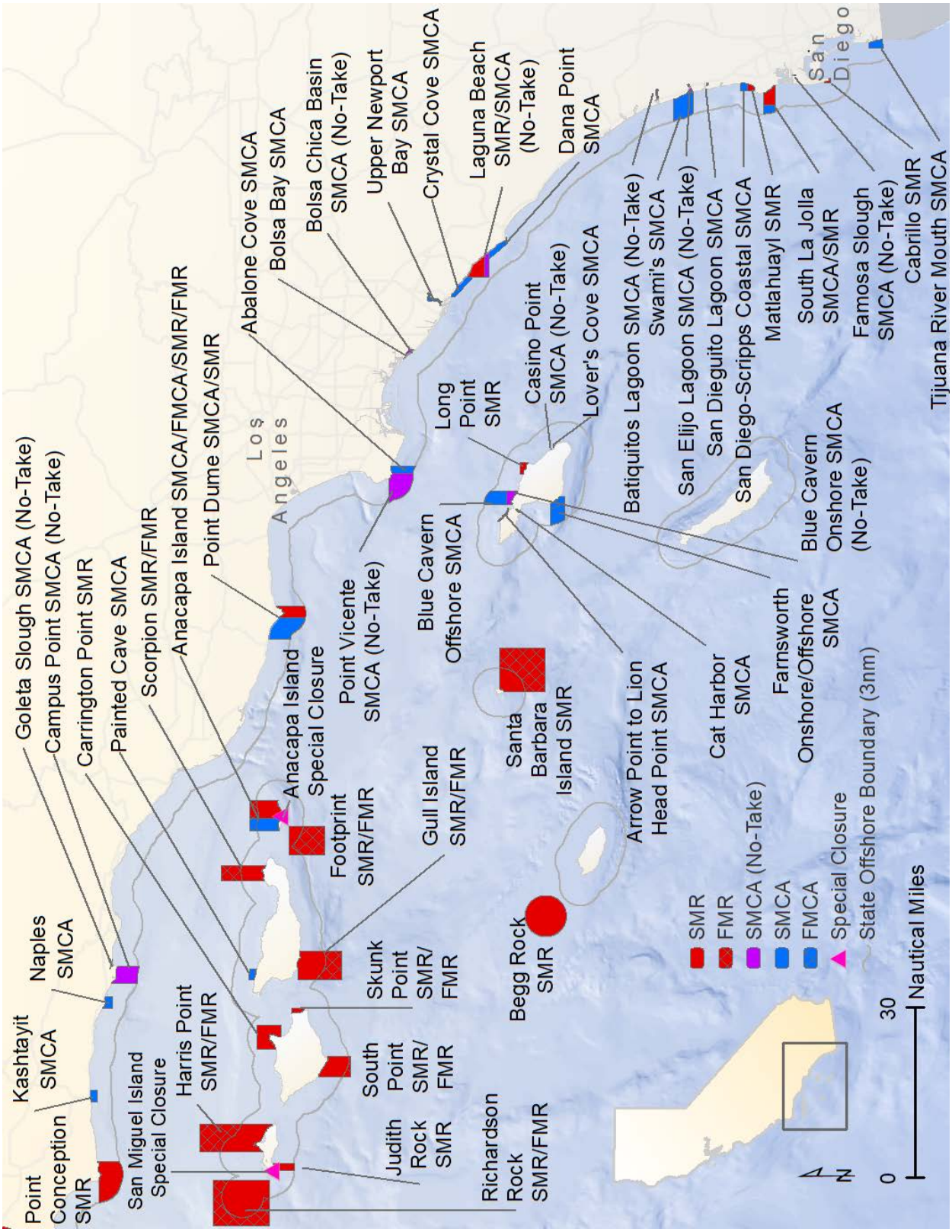
CENTRAL CALIFORNIA MARINE PROTECTED AREAS

For more information, see the MPA section of this Digest, or visit wildlife.ca.gov/MPAs or your local CDFW office.



SOUTHERN CALIFORNIA MARINE PROTECTED AREAS

For more information, see the MPA section of this Digest, or visit wildlife.ca.gov/MPAs or your local CDFW office.



and
(2) Buoys that are smaller than four (4) inches in diameter shall have Identification Letters marked on two opposing sides.
(e) All Identification Numbers and Identification Letters on a buoy shall be clearly and distinctly marked, and in a color that contrasts with the buoy; the numbers and letters shall be applied and maintained so that they are visible and legible.

MARINE PROTECTED AREAS

California's marine protected areas (MPAs) have been reclassified pursuant to the Marine Managed Areas Improvement Act. The new classifications are state marine reserve (SMR), state marine park (SMP), state marine conservation area (SMCA) and state marine recreational management area (SMRMA) (special closures and federal marine reserves (FMRs) are also included here). Taking marine resources, including plants and animals, for commercial purposes is prohibited within an SMR, SMP and SMRMA. Taking marine resources including plants and animals for commercial purposes may also be limited in SMCAs [See the California Code of Regulations (CCR), Title 14, subsection 632(b)].
The following list has been compiled from Section 632(b) and includes all current California MPAs from the California-Oregon border to the U.S.-Mexico border. Note that:

MPAs marked with Footnote 1 ([1]) prohibit all commercial fishing, with some tribal exceptions.

All subsections and text address commercial fishing only. References to recreational fishing have not been included here.

The following MPAs are listed in order from the California-Oregon border to the U.S.-Mexico border. For complete MPA regulations, see CCR, Title 14, Division 1, Subdivision 2, Chapter 11 under "Ecological Reserves", available online at www.oal.ca.gov. See the Foreword (pg. 4) for information about how to obtain printed copies of the CCR. For further information, call the CDFW Marine Region in Monterey at (831) 649–2870, or visit your nearest CDFW office or the CDFW website at www.wildlife.ca.gov/MPAs.

Title 14 Excerpts
§ 632. Marine Protected Areas (MPAs), Marine Managed Areas (MMAs), and Special Closures

The areas specified in this section have been declared by the commission to be marine protected areas, marine managed areas, or special closures. Public use of marine protected areas, marine managed areas, or special closures shall be compatible with the primary purposes of such areas. MPAs, MMAs, and special closures are subject to the following general rules and regulations in addition to existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b), areas and special regulations for use. Nothing in this section expressly or implicitly precludes, restricts or requires modification of current or future uses of the waters identified as marine protected areas, special closures, or the lands or waters adjacent to these designated areas by the Department of Defense, its allies or agents.
(1) Protection of Resources in MPAs and MMAs, as defined in Public Resources Code Section 36710:
(a) General Rules and Regulations:
(1) Protection of Resources.
(A) State Marine Reserves: In a state marine reserve, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except under a scientific collecting permit issued by the department or specific authorization from the commission for research, restoration, or monitoring purposes.
(B) State Marine Parks: In a state marine park, it is unlawful to injure, damage, take, or possess any living or nonliving marine resource for commercial purposes. Any human use that would compromise protection of the species of interest, natural community or habitat, or geological, cultural, or recreational features, may be restricted by the commission as specified in subsection 632(b), areas and special regulations for use. The department may issue scientific collecting permits pursuant to Section 650. The commission may authorize research, monitoring, and educational activities and certain recreational harvest in a manner consistent with protecting resource values.
(C) State Marine Conservation Areas: In a state marine conservation area, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial or recreational purposes, or a combination of commercial and recreational purposes except as specified in subsection 632(b), areas and special regulations for use. The department may issue scientific collecting permits pursuant to Section 650. The commission may authorize research, education, and recreational activities, and certain commercial and recreational harvest of marine resources, provided that these uses do not compromise protection of the species of interest, natural community, habitat, or geological features.
(D) State Marine Recreational Management Areas: In a state marine recreational management area, it is unlawful to perform any activity that would compromise the recreational values for which the area may be designated. Recreational opportunities may be protected, enhanced, or restricted, while preserving basic resource values of the area. No other use is restricted unless specified in subsection 632(b), areas and special regulations for use.
(2) Finfish. Finfish, for the purpose of this section, are defined as any species of bony fish or cartilaginous fish (sharks, skates and rays). Finfish do not include amphibians, invertebrates, plants or algae. The definition of finfish provided in Section 159 does not apply to this Section.
(3) Pelagic Finfish. Pelagic finfish, for the purpose of this section, are a subset of finfish defined as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena* spp.), billfishes* (family Istiophoridae), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasi*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus* spp.), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus)*, thresher sharks (*Alopias* spp.), swordfish (*Xiphias gladius*), tunas (family Scombridae) including Pacific bonito (*Sarda chiliensis*), and yellowtail (*Seriola*

lalandi). *Marlin is not allowed for commercial take.
(4) Access. Access into marine protected areas or marine managed areas for non-consumptive uses including but not limited to swimming, surfing, diving, boating, hiking and walking is allowed unless otherwise specified in subsection 632(b), areas and special regulations for use.
(5) Introduction of Species. Unless authorized by the commission or as a result of authorized fishing activities, the release of any fish or wildlife species, including domestic or domesticated species, or the introduction of any plant species, is prohibited. The department may reintroduce endemic species to marine protected areas or marine managed areas for management purposes.
(6) Feeding of Fish and Wildlife. The feeding of fish and wildlife is prohibited except permitted scientific collection pursuant to Section 650 or as a result of authorized fishing within state marine conservation areas, state marine parks, and state marine recreational management areas, or unless feeding of fish is specifically authorized in subsection 632(b) for purposes of marine life viewing.
(7) Anchoring. Vessels shall be allowed to anchor in any marine protected area or marine managed area with catch onboard unless otherwise specified in subsection 632(b), areas and special regulations for use. Fishing gear shall not be deployed in the water while anchored in a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall not be deployed in the water while anchored in a state marine recreational management area, state marine park or state marine conservation area. Anchoring regulations shall be consistent with federal law and allowances made for anchoring required by emergency or severe weather.
(8) Transit or Drifting.
(A) Vessels shall be allowed to transit through MPAs and MMAs with catch onboard. Fishing gear shall not be deployed in the water while transiting through a state marine reserve. Fishing gear, except legal fishing gear used to take species identified as allowed for take in subsection 632(b), shall not be deployed in the water while transiting through a state marine recreational management area, state marine park or state marine conservation area.
(B) Spearfishermen with or without catch shall be allowed to transit through marine protected areas and marine managed areas. While transiting areas that prohibit spearfishing or while in possession of species not identified as allowed for take in the area being transited, spearfishing gear shall be in an unloaded condition, not carried in hand, and the diver shall remain at the surface.
(9) Water Quality Monitoring. Sampling of water, sediment and marine life, for water quality monitoring or pollution research, or as required in a Monitoring and Reporting Program of a National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements issued by the State or Regional Water Boards pursuant to the United States Clean Water Act and the California Water Code, is allowed within state marine reserves, state marine conservation areas, state marine parks, and state marine recreational management areas pursuant to a valid scientific collecting permit issued by the department.
(10) Public Safety. Public safety activities, including installation, maintenance and/or seasonal placement and removal of safety-related artificial structures, including but not limited to lifeguard towers, are allowed within any MPA classification pursuant to any required federal, state and local permits, or as otherwise authorized by the department.
(11) Tribal Take. For purposes of this regulation, "federally recognized tribe" means any tribe on the *List of Indian Entities Recognized and Eligible to Receive Services* from the United States Bureau of Indian Affairs, published annually in the Federal Register. Any member of a federally recognized tribe authorized to take living marine resources from an area with area-specific take restrictions in subsection 632(b), when engaging in take within an authorized area shall possess on his person, in his immediate possession, or where otherwise specifically required by law to be kept, any valid license, report card, tag, stamp, validation, permit, or any other entitlement that is required in the Fish and Game Code, or required by other state, federal, or local entities, in order to take living marine resources. Members shall possess a valid photo identification card issued by a federally recognized tribe that contains expiration date, tribal name, tribal member number, name, signature, date of birth, height, color of eyes, color of hair, weight, and sex; and display any of the items listed above upon demand to any peace officer. Members taking living marine resources under this provision are subject to current seasonal, bag, possession, gear and size limits in existing Fish and Game Code statutes and regulations of the commission, except as otherwise provided for in subsection 632(b). No member, while taking living marine resources pursuant to this section, may be assisted by any person who does not possess a valid tribal identification card and is not properly licensed to take living marine resources. Nothing in the regulation is intended to conflict with, or supersede, any state or federal law regarding the take of protected, threatened or endangered species.
(12) Shore Fishing. Take from shore, or shore fishing, for purposes of this section, means take of living marine resources from shore, including beaches, banks, piers, jetties, breakwaters, docks, and other man-made structures connected to the shore. Unless specifically authorized in subsection 632(b), no vessel, watercraft (motorized or non-motorized), or floating device may be used to assist in the take, transport or possession of species taken while shore fishing, except that a float tube or similar flotation device may be used when taking abalone only.

Pyramid Point State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

42° 00.000′ N. lat. 124° 12.735′ W. long.;
42° 00.000′ N. lat. 124° 19.814′ W. long.; thence southward along the three nautical mile offshore boundary to
41° 57.500′ N. lat. 124° 17.101′ W. long.; and
41° 57.500′ N. lat. 124° 12.423′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 147].
2. The following federally recognized tribe is exempt from

the area and take regulations [for Pyramid Point State Marine Conservation Area] and shall comply with all other existing regulations and statutes:
Tolowa Dee-Ni' Nation.

Point St. George Reef Offshore State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:
41° 52.000' N. lat. 124° 23.189' W. long.;
41° 52.000' N. lat. 124° 25.805' W. long.; thence southward along the three nautical mile offshore boundary to
41° 49.000' N. lat. 124° 26.252' W. long.;
41° 49.000' N. lat. 124° 23.189' W. long.; and
41° 52.000' N. lat. 124° 23.189' W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149, with the following specified exceptions:
2. The commercial take of salmon with troll fishing gear [subsection182(c)(4)] and Dungeness crab by trap is allowed.
3. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations [for Point St. George Reef Offshore SMCA] and shall comply with all other existing regulations and statutes: Elk Valley Rancheria, and Tolowa Dee-ni' Nation.

Southwest Seal Rock Special Closure[1]
Special restrictions on boating and access apply to Southwest Seal Rock as follows.
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Southwest Seal Rock, located in the vicinity of 41° 48.810' N. lat. 124° 21.099' W. long.
(B) Except as permitted by federal law or emergency caused by hazardous weather, or as authorized by subsection 632(b)(3)(C), no vessel shall be operated or anchored at any time from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Southwest Seal Rock.
(C) No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area defined in subsection 632(b)(3)(B).

Castle Rock Special Closure[1]
Special restrictions on boating and access apply to Castle Rock as follows.
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Castle Rock, located in the vicinity of 41° 45.706' N. lat. 124° 14.949' W. long.
(B) Except as permitted by federal law or emergency caused by hazardous weather, or as authorized by subsection 632(b)(4)(C), no vessel shall be operated or anchored at any time from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Castle Rock.
(C) No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area defined in subsection 632(b)(4)(B).

False Klamath Rock Special Closure[1]
Special restrictions on boating and access apply to False Klamath Rock as follows.
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of False Klamath Rock, located in the vicinity of 41° 35.633' N. lat. 124° 06.699' W. long. during the period of March 1 to August 31.
(B) Except as permitted by federal law or emergency caused by hazardous weather, or as authorized by subsection 632(b)(5)(C), no vessel shall be operated or anchored from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of False Klamath Rock during the period of March 1 to August 31.
(C) No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area defined in subsection 632(b)(5)(B) during the period of March 1 to August 31.

Reading Rock State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

41° 20.100' N. lat. 124° 04.911' W. long.;
41° 20.100' N. lat. 124° 10.000' W. long.;
41° 17.600' N. lat. 124° 10.000' W. long.; and
41° 17.600' N. lat. 124° 05.399' W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) [see pg. 149] apply, with the following specified exceptions:
2. The commercial take of salmon with troll fishing gear [subsection 182(c)(4)]; surf smelt by dip net; and Dungeness crab by trap is allowed.
3. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations [for Reading Rock SMCA] and shall comply with all other existing regulations and statutes: Cher-ae Heights Indian Community of the Trinidad Rancheria, Resighini Rancheria, and Yurok Tribe of the Yurok Reservation.

Reading Rock State Marine Reserve[1]
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

41° 20.100' N. lat. 124° 10.000' W. long.;
41° 20.100' N. lat. 124° 14.655' W. long.; thence southward along the three nautical mile offshore boundary to
41° 17.600' N. lat. 124° 11.963' W. long.;
41° 17.600' N. lat. 124° 10.000' W. long.; and
41° 20.100' N. lat. 124° 10.000' W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Samoa State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

40° 55.000′ N. lat. 124° 08.432′ W. long.;
40° 55.000′ N. lat. 124° 12.677′ W. long.; thence southward along the three nautical mile offshore boundary to
40° 52.000′ N. lat. 124° 14.225′ W. long.; and
40° 52.000′ N. lat. 124° 09.803′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of salmon with troll fishing gear [subsection 182(c)(4)]; surf smelt by dip net; and Dungeness crab by trap is allowed.
3. The following federally recognized tribe is exempt from the area and take regulations [for Samoa SMCA] and shall comply with all other existing regulations and statutes: Wiyot Tribe.

South Humboldt Bay State Marine Recreational Management Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

40° 43.000′ N. lat. 124° 15.527′ W. long.;
40° 43.000′ N. lat. 124° 15.000′ W. long.;
40° 42.000′ N. lat. 124° 15.000′ W. long.; and
40° 42.000′ N. lat. 124° 16.141′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(D) apply [see pg. 149], with the following specified exceptions:
1. The following federally recognized tribe is exempt from the area and take regulations [for South Humboldt Bay SMRMA] and shall comply with all other existing regulations and statutes: Wiyot Tribe.

Sugarloaf Island Special Closure[1]
Special restrictions on boating and access apply to Sugarloaf Island as follows.
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Sugarloaf Island, located in the vicinity of 40° 26.326′ N. lat. 124° 24.827′ W. long.
(B) Except as permitted by federal law or emergency caused by hazardous weather, or as authorized by subsection 632(b)(10)(C), no vessel shall be operated or anchored at any time from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Sugarloaf Island.
(C) No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area defined in subsection 632(b)(10)(B).

South Cape Mendocino State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

40° 26.100′ N. lat. 124° 24.340′ W. long.;
40° 26.100′ N. lat. 124° 31.958′ W. long.; thence southward along the three nautical mile offshore boundary to
40° 24.900′ N. lat. 124° 31.084′ W. long.; and
40° 24.900′ N. lat. 124° 23.800′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Steamboat Rock Special Closure[1]
Special restrictions on boating and access apply to Steamboat Rock as follows.
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Steamboat Rock, located in the vicinity of 40° 24.919′ N. lat. 124° 24.241′ W. long. during the period of March 1 to August 31.
(B) Except as permitted by federal law or emergency caused by hazardous weather, or as authorized by subsection 632(b)(12)(C), no vessel shall be operated or anchored from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Steamboat Rock during the period of March 1 to August 31.
(C) No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area defined in subsection 632(b)(12)(B) during the period of March 1 to August 31.

Mattole Canyon State Marine Reserve[1]
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

40° 20.000′ N. lat. 124° 22.500′ W. long.;
40° 20.000′ N. lat. 124° 25.902′ W. long.; thence southward along the three nautical mile offshore boundary to
40° 17.000′ N. lat. 124° 25.869′ W. long.;
40° 17.000′ N. lat. 124° 22.500′ W. long.; and
40° 20.000′ N. lat. 124° 22.500′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Sea Lion Gulch State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

40° 14.400′ N. lat. 124° 19.983′ W. long.;
40° 14.400′ N. lat. 124° 25.943′ W. long.; thence southward along the three nautical mile offshore boundary to
40° 12.800′ N. lat. 124° 24.809′ W. long.; and
40° 12.800′ N. lat. 124° 18.155′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Big Flat State Marine Conservation Area

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

40° 09.400′ N. lat. 124° 12.671′ W. long.;
40° 09.400′ N. lat. 124° 19.366′ W. long.; thence southward along the three nautical mile offshore boundary to
40° 07.500′ N. lat. 124° 16.203′ W. long.; and
40° 07.500′ N. lat. 124° 10.313′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of salmon with troll fishing gear [subsection 182(c)(4)] and Dungeness crab by trap is allowed.
3. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations [for Big Flat SMCA] and shall comply with all other existing regulations and statutes: SEE FOOTNOTE 2.

Double Cone Rock State Marine Conservation Area

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

39° 48.500′ N. lat. 123° 50.713′ W. long.;
39° 48.500′ N. lat. 123° 55.875′ W. long.; thence southward along the three nautical mile offshore boundary to
39° 44.300′ N. lat. 123° 54.178′ W. long.; and
39° 44.300′ N. lat. 123° 50.055′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions.
2. The commercial take of salmon with troll fishing gear [subsection 182(c)(4)] and Dungeness crab by trap is allowed.
3. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations [for Double Cone Rock SMCA] and shall comply with all other existing regulations and statutes: SEE FOOTNOTE 3.

Vizcaino Rock Special Closure[1]

Special restrictions on boating and access apply to Vizcaino Rock located in the vicinity of 39° 43.618′ N. lat. 123° 49.950′ W. long. as follows.
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide of any shoreline of Vizcaino Rock westward of 123° 49.887′ W. longitude, during the period of March 1 to August 31.
(B) Except as permitted by federal law or emergency caused by hazardous weather, or as authorized by subsection 632(b)(18)(C), no vessel shall be operated or anchored from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Vizcaino Rock westward of 123° 49.887′ W. longitude during the period of March 1 to August 31.
(C) No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area defined in subsection 632(b)(18)(B) during the period of March 1 to August 31.

Ten Mile State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

39° 35.900′ N. lat. 123° 47.243′ W. long.;
39° 35.900′ N. lat. 123° 51.479′ W. long.; thence southward along the three nautical mile offshore boundary to
39° 33.300′ N. lat. 123° 50.559′ W. long.; and
39° 33.300′ N. lat. 123° 46.015′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Ten Mile Beach State Marine Conservation Area

(A) This area is bounded by the mean high tide and straight lines connecting the following points in the order listed except where noted:

39° 33.300′ N. lat. 123° 46.015′ W. long.;
39° 33.300′ N. lat. 123° 50.559′ W. long.; thence southward along the three nautical mile offshore boundary to
39° 32.500′ N. lat. 123° 50.418′ W. long.;
39° 32.500′ N. lat. 123° 46.242′ W. long.; thence northward along the mean high tide line onshore boundary to
39° 33.098′ N. lat. 123° 46.003′ W. long.;
39° 33.199′ N. lat. 123° 45.966′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of Dungeness crab by trap is allowed.
3. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations [for Ten Mile Beach SMCA] and shall comply with all other existing regulations and statutes: SEE FOOTNOTE 3.

Ten Mile Estuary State Marine Conservation Area[1]

(A) This area consists of waters below the mean high tide line within the Ten Mile Estuary, eastward of a line connecting the following two points:

39° 33.199′ N. lat. 123° 45.966′ W. long.; and
39° 33.098′ N. lat. 123° 46.003′ W. long.
and westward of a line connecting the following two points:
39° 32.400′ N. lat. 123° 44.785′ W. long.; and
39° 32.382′ N. lat. 123° 44.769′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
1. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations [for Ten Mile Estuary SMCA] and shall comply with all other existing regulations and statutes: SEE FOOTNOTE 3

MacKerricher State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

39° 30.100′ N. lat. 123° 47.327′ W. long.;
39° 30.100′ N. lat. 123° 49.000′ W. long.;
39° 27.120′ N. lat. 123° 49.000′ W. long.; and
39° 27.120′ N. lat. 123° 48.830′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. All commercial take is allowed in accordance with current regulations, except the commercial take of bull kelp (*Nereocystis luetkeana*) and giant kelp (*Macrocystis pyrifera*) is prohibited.

Point Cabrillo State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

39° 21.400′ N. lat. 123° 49.418′ W. long.;
39° 21.400′ N. lat. 123° 50.000′ W. long.;
39° 20.600′ N. lat. 123° 50.000′ W. long.; and
39° 20.600′ N. lat. 123° 49.266′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Russian Gulch State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

39° 19.860′ N. lat. 123° 48.840′ W. long.;
39° 19.860′ N. lat. 123° 49.000′ W. long.;
39° 19.470′ N. lat. 123° 49.000′ W. long.; and
39° 19.470′ N. lat. 123° 48.500′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. All commercial take is allowed in accordance with current regulations, except the commercial take of bull kelp (*Nereocystis luetkeana*) and giant kelp (*Macrocystis pyrifera*) is prohibited.

Big River Estuary State Marine Conservation Area[1]
(A) This area consists of waters below the mean high tide line within the Big River Estuary, eastward of a line connecting the following two points:

39° 18.134′ N. lat. 123° 47.517′ W. long.; and
39° 18.070′ N. lat. 123° 47.543′ W. long
and westward of a line connecting the following two points:
39° 18.222′ N. lat. 123° 46.242′ W. long.; and
39° 18.150′ N. lat. 123° 46.240′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations [for Big River Estuary SMCA] and shall comply with all other existing regulations and statutes: SEE FOOTNOTE 3

Van Damme State Marine Conservation Area
(A) This area is bounded by the mean high tide line and a straight line connecting the following points:

39° 16.335′ N. lat. 123° 47.712′ W. long.; and
39° 16.147′ N. lat. 123° 47.429′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. All commercial take is allowed in accordance with current regulations, except the commercial take of bull kelp (*Nereocystis luetkeana*) and giant kelp (*Macrocystis pyrifera*) is prohibited.

Navarro River Estuary State Marine Conservation Area[1]
(A) This area consists of waters below the mean high tide line within the Navarro River Estuary, eastward of a line connecting the following two points:

39° 11.536′ N. lat. 123° 45.685′ W. long.; and
39° 11.489′ N. lat. 123° 45.516′ W. long.
and westward of a line connecting the following two points
39° 11.846′ N. lat. 123° 44.809′ W. long.; and
39° 11.803′ N. lat. 123° 44.843′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149]. No commercial take is allowed], with the following specified exceptions:
2. The following federally recognized tribes (listed alphabetically) are exempt from the area and take regulations [for Navarro River Estuary SMCA] and shall comply with all other existing regulations and statutes: SEE FOOTNOTE 3

Point Arena State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

38° 57.350′ N. lat. 123° 44.500′ W. long;
38° 59.000′ N. lat. 123° 44.500′ W. long;
38° 59.000′ N. lat. 123° 46.000′ W. long;
38° 56.400′ N. lat. 123° 46.000′ W. long; and
38° 56.400′ N. lat. 123° 43.820′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Point Arena State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

38° 59.000′ N. lat. 123° 46.000′ W. long.;
38° 59.000′ N. lat. 123° 48.162′ W. long.; thence southward along the three nautical mile offshore boundary to
38° 56.400′ N. lat. 123° 48.350′ W. long.;

38° 56.400′ N. lat. 123° 46.000′ W. long.; and
38° 59.000′ N. lat. 123° 46.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of salmon with troll fishing gear [subsection 182(c)(4)] is allowed.

Sea Lion Cove State Marine Conservation Area

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

38° 56.400′ N. lat. 123° 43.820′ W. long.;
38° 56.400′ N. lat. 123° 44.000′ W. long.;
38° 55.790′ N. lat. 123° 44.000′ W. long.; and
38° 55.790′ N. lat. 123° 43.740′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: the… commercial take of finfish [subsection 632(a)(2)] is allowed.

Saunders Reef State Marine Conservation Area

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

38° 51.800′ N. lat. 123° 39.230′ W. long.;
38° 51.800′ N. lat. 123° 44.780′ W. long.; thence southward along the three nautical mile offshore boundary to
38° 50.000′ N. lat. 123° 42.580′ W. long.; and
38° 50.000′ N. lat. 123° 37.600′ W. long.

(B)Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of salmon with troll fishing gear [subsection 182(c)(4)] and urchin is allowed.

Del Mar Landing State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

38° 44.706′ N. lat. 123° 31.000′ W. long.;
38° 44.200′ N. lat. 123° 31.000′ W. long.;
38o 44.200′ N. lat. 123° 30.300′ W. long.; and
38° 44.430′ N. lat. 123° 30.300′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Stewarts Point State Marine Conservation Area[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

38° 39.527' N. lat. 123° 24.483' W. long.;
38° 39.527' N. lat. 123° 24.851' W. long.;
38° 36.958' N. lat. 123° 23.139' W. long.;
and
38° 36.958' N. lat. 123° 22.468' W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149]

Stewarts Point State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

38° 40.500' N. lat. 123°25.345' W. long.;
and
38° 40.500' N. lat. 123°30.243 W. long.;
thence southward along the three nautical mile offshore boundary to
38° 35.600' N. lat. 123° 26.018' W. long.;
and
38° 35.600' N. lat. 123° 20.800' W. long.
except that Stewarts Point SMCA…is excluded.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Salt Point State Marine Conservation Area[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

38° 35.600′ N. lat. 123° 20.800′ W. long.;
38° 35.600′ N. lat. 123° 21.000′ W. long.;
38° 33.500′ N. lat. 123° 21.000′ W. long.; and
38° 33.500′ N. lat. 123° 18.910′ W. long., except that Gerstle Cove…is excluded.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149]

Gerstle Cove State Marine Reserve[1]

(A) This area lies within the Salt Point State Marine Conservation Area and is bounded by the mean high tide line and a straight line connecting the following points:

38° 33.950′ N. lat. 123° 19.920′ W. long.; and
38° 33.950′ N. lat. 123° 19.760′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Russian River State Marine Recreational Management Area[1]

(A) This area includes the waters below the mean high tide line eastward of the mouth of the Russian River estuary defined as a line connecting the following two points:

38° 27.160′ N. lat. 123° 07.910′ W. long.;
38° 27.010′ N. lat. 123° 07.740′ W. long.
and westward of the Highway 1 Bridge.

(C) Area restrictions defined in subsection 632(a)(1)(D) apply. [see pg. 149]

Russian River State Marine Conservation Area
(A) This area is bounded by the mean high tide line, the mouth of the Russian River estuary as defined in subsection 632(b)(37)(A), and straight lines connecting the following points in the order listed:

38° 27.380′ N. lat. 123° 08.580′ W. long.;
38° 26.380′ N. lat. 123° 08.580′ W. long.;
38° 26.380′ N. lat. 123° 07.700′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
… 2. The commercial take of Dungeness crab by trap is allowed.

Bodega Head State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

38° 20.100′ N. lat. 123° 04.123′ W. long.;
38° 20.100′ N. lat. 123° 08.448′ W. long.; thence southward along the three nautical mile offshore boundary to
38° 18.000′ N. lat. 123° 08.140′ W. long.; and
38° 18.000′ N. lat. 123° 03.680′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply [see pg. 149], with the following specified exceptions: take pursuant to Fish and Game Code Section 10661 is allowed, and the director of the Bodega Marine Life Refuge may authorize certain activities in the formerly designated Bodega Marine Life Refuge (Section 10903, Fish and Game Code) pursuant to subsections (b) and (c) of Section 10502.7 and Section 10656 of the Fish and Game Code.
[No anchoring or mooring except as permitted by federal law, or in hazardous weather. CDFW and the Bodega Marine Life Refuge director may permit take for scientific or educational purposes, access, anchoring, and/or mooring.]

Bodega Head State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

38° 18.000′ N. lat. 123° 03.680′ W. long.;
38° 18.000′ N. lat. 123° 08.140′ W. long.; thence southward along the three nautical mile offshore boundary to
38° 13.340′ N. lat. 123° 03.510′ W. long.; and
38° 17.930′ N. lat. 123° 03.510′ W. long

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of pelagic finfish [subsection 632(a)(3)] by troll fishing gear or round haul net [Section 8750, Fish and Game Code], Dungeness crab by trap, and market squid by round haul net [Section 8750, Fish and Game Code], is allowed. Not more than five percent by weight of any commercial pelagic finfish or market squid catch landed or possessed shall be other incidentally taken species.

Estero Americano State Marine Recreational Management Area[1]
(A) This area includes the waters below the mean high tide line within Estero Americano westward of longitude 122° 59.250′W.
(C) Area restrictions defined in subsection 632(a)(1)(D) apply. [see pg. 149]

Estero de San Antonio State Marine Recreational Management Area[1]
(A) This area includes the waters below the mean high tide line within Estero de San Antonio westward of longitude 122° 57.400′W.
(C) Area restrictions defined in subsection 632(a)(1)(D) apply. [see pg. 149]

Point Reyes State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

37° 59.900′ N. lat. 123° 01.278′ W. long.;
37° 59.900′ N. lat. 123° 02.000′ W. long.;
37° 59.000′ N. lat. 123° 02.000′ W. long.;
37° 59.000′ N. lat. 122° 57.340′ W. long.; and
38° 01.750′ N. lat. 122° 55.000′ W. long.; thence westward along the mean high tide line onshore boundary to
38° 01.783′ N. lat. 122° 55.286′ W. long.; and
38° 01.941′ N. lat. 122° 56.364′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Point Reyes State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

37° 59.000′ N. lat. 123° 02.000′ W. long.;
37° 56.712′ N. lat. 123° 02.000′ W. long.; thence eastward along the three nautical mile offshore boundary to
37° 56.370′ N. lat. 122° 57.340′ W. long.;
37° 59.000′ N. lat. 122° 57.340′ W. long.; and
37° 59.000′ N. lat. 123° 02.000′ W. long.

(B Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of salmon with troll fishing gear [subsection 182(c)(4)] and Dungeness crab by trap is allowed.

Point Reyes Headlands Special Closure[1]
Special restrictions on boating and access apply to the Point Reyes headlands as follows.
(A) A special closure is designated on the south side of the Point Reyes Headlands from the mean high tide line to a distance of 1,000 feet seaward of the mean lower low tide line of any shoreline between lines extending due south from each of the following two points:

37° 59.650′ N. lat. 123° 01.000′ W. long; and
37° 59.390′ N. lat. 122° 57.800′ W. long.

(B) No person except department employees or employees of the United States Fish and Wildlife Service, National Park Service, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter this area at any time.

Estero de Limantour State Marine Reserve[1]
(A) This area consists of waters below the mean high tide line within Estero de Limantour and within Drakes Estero, southward of a line connecting the following two points:

38° 02.660′ N. lat. 122° 56.900′ W. long.; and
38° 02.660′ N. lat. 122° 56.150′ W. long.

and northward of a line connecting the following two points:

38° 01.783′N. lat. 122° 55.286′W. long.; and
38° 01.941′ N. lat. 122° 56.364′W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Drakes Estero State Marine Conservation Area[1]
(A) This area includes the waters below the mean high tide line within Drakes Estero northward of a line connecting the following two points:

38° 02.660′ N. lat. 122° 56.900′ W. long.; and
38° 02.660′ N. lat. 122° 56.150′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149]

Point Resistance Rock Special Closure[1]
Special restrictions on boating and access apply to Point Resistance Rock as follows:
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Point Resistance Rock, located in the vicinity of 37° 59.916′ N. lat. 122° 49.759′ W. long.
(B) No person except department employees or employees of the United States Fish and Wildlife Service, National Park Service, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter this area at any time.

Double Point/Stormy Stack Rock Special Closure[1]
Special restrictions on boating and access apply to Stormy Stack Rock as follows.
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of Stormy Stack Rock, located in the vicinity of 37° 56.830′ N. lat. 122° 47.140′ W. long.
(B) No person except department employees or employees of the United States Fish and Wildlife Service, National Park Service, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter this area at any time.

Duxbury Reef State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line, a distance of 1,000 feet seaward of mean lower low water, and the following points:

37° 55.514′ N. lat. 122° 44.179′ W. long.;
37° 55.420′ N. lat. 122° 44.310′ W. long.;
37° 53.650′ N. lat. 122° 41.910′ W. long.; and
37° 53.770′ N. lat. 122° 42.020′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149]

North Farallon Islands State Marine Reserve[1]
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

37° 45.700′N. lat. 122° 59.085′W. long.; thence northwestward along the three nautical mile offshore boundary to
37° 49.344′ N. lat. 123° 7.000′ W. long.;
37° 45.700′ N. lat. 123° 7.000′ W. long.; and
37° 45.700′ N. lat. 122° 59.085′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

North Farallon Islands Special Closure[1]
Special regulations on boating and access apply to the North Farallon Islands as follows.
(A) A special closure is established at the islets comprising the North Farallon Islands.
(B) Except as permitted by federal law or emergency caused by hazardous weather, or as authorized by subsection 632(b)(52)(C), no vessel shall be operated or anchored at any time from the mean high tide line to a distance of 1,000 feet seaward of the mean lower low tide line of any shoreline of North Farallon Island, or to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of the remaining three southern islets, including the Island of St. James, in the vicinity of 37° 46.025′ N. lat. 123° 06.018′ W. long.
(C) No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area defined in subsection 632(b)(52)(B).
(D) All vessels shall observe a five (5) nautical mile per hour speed limit within 1,000 feet seaward of the mean lower low tide line of any shoreline of the islets defined in subsection 632(b)(52)(B).
(E) In an area bounded by the mean high tide line and a distance of one nautical mile seaward of the mean lower low tide line of any of the four islets comprising the North Farallon Islands, the following restrictions apply:
1. All commercial diving vessels operating in the defined area shall have their vessel engine exhaust system terminate either through a muffler for dry exhaust systems, or below the vessel waterline for wet exhaust systems.
2. All commercial diving vessels equipped with an open,

deck-mounted air compressor system, while operating in the defined area, shall have their air compressor's engine exhaust system terminate below the vessel waterline.

Southeast Farallon Island State Marine Reserve[1]

(A) This area is bounded by straight lines connecting the following points in the order listed:

37° 42.600′ N. lat. 122° 59.500′ W. long.;
37° 42.600′ N. lat. 123° 02.000′ W. long.;
37° 40.500′ N. lat. 123° 02.000′ W. long.;
37° 40.500′ N. lat. 122° 59.500′ W. long.; and
37° 42.600′ N. lat. 122° 59.500′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Southeast Farallon Island State Marine Conservation Area

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

37° 42.600′ N. lat. 123° 02.000′ W. long.;
37° 42.600′ N. lat. 123° 05.461′ W. long.; thence southeastward along the three nautical mile offshore boundary to
37° 38.654′ N. lat. 122° 59.500′ W. long;
37° 40.500′ N. lat. 122° 59.500′ W. long;
37° 40.500′ N. lat. 123° 02.000′ W. long.; and
37° 42.600′ N. lat. 123° 02.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of salmon with troll fishing gear [subsection 182(c)(4)] is allowed.

Southeast Farallon Island Special Closure[1]

Special regulations on boating and access apply to the island and islets comprising the Southeast Farallon Islands as follows.
(A) A special closure is established at the Southeast Farallon Islands.
(B) Except as permitted by federal law or emergency caused by hazardous weather, or as authorized by subsection 632(b)(55)(D), no vessel shall be operated or anchored at any time from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of the Southeast Farallon Island year-round, EXCEPT:
1. The area north of Fisherman's Bay, from a line extending due west from 37° 42.260′ N. lat. 123° 00.160′ W. long., following clockwise around the island (including Fisherman's Bay), to a line extending due east from 37° 42.050′ N. lat. 123° 00.070′ W. long.
2. At East Landing, from a line extending due east from 37° 41.830′ N. lat. 122° 59.980′ W. long., following clockwise around the island, to a straight line connecting the following two points:
37° 41.720′ N. lat. 123° 00.050′ W. long.; and
37° 41.680′ N. lat. 123° 00.070′ W. long.
(C) This closure as defined in subsection 632(b)(55)(B) exists year round, except for the following areas, which are closed only from December 1 through September 14 of each year:
1. From Fisherman's Bay to East Landing, from a line extending due east from 37° 42.050′ N. lat. 123° 00.070′ W. long., following clockwise around the island to a line extending due east from 37° 41.830′ N. lat. 122° 59.980′ W. long.
2. The area southwest of East Landing, from a straight line connecting the following two points:

37° 41.720′ N. lat. 123° 00.050′ W. long.; and
37° 41.680′ N. lat. 123° 00.070′ W. long.

Following clockwise around the main island to a straight line extending due south from 37° 41.760′ N. lat. 123° 00.160′ W. long. to 37° 41.640′ N. lat. 123° 00.160′ W. long., and on the southeast side of Saddle (Seal) Rock, from a straight line extending due south from 37° 41.760′ N. lat. 123° 00.160′ W. long., following clockwise around Saddle (Seal) Rock, to a line extending due west from 37° 41.600′ N. lat. 123° 00.260′ W. long.
(D) No person except department employees or employees of the United States Fish and Wildlife Service, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter the area defined in subsection 632(b)(55)(B) or 632(b)(55)(C) during the closure period.
(E) All vessels shall observe a five (5) nautical mile per hour speed limit 1,000 feet seaward of the mean lower low tide line of any shoreline of the Southeast Farallon Island.
(F) In an area bounded by the mean high tide line and a distance of one nautical mile seaward of the mean lower low tide line of any of the islands and islets comprising the Southeast Farallon Island, the following restrictions apply:
1. All commercial diving vessels operating in the defined area shall have their vessel engine exhaust system terminate either through a muffler for dry exhaust systems, or below the vessel waterline for wet exhaust systems.
2. All commercial diving vessels equipped with an open, deck-mounted air compressor system, while operating in the defined area, shall have their air compressor's engine exhaust system terminate below the vessel waterline.

Fagan Marsh State Marine Park[1]

(A) This area consists of waters below the mean high tide line within the Fagan Marsh Ecological Reserve.
(B) Area restrictions defined in subsection 632(a)(1)(B) apply. [see pg. 149]
Additional restrictions apply. See Section 632(b)(56) for details.

Peytonia Slough State Marine Park[1]

(A) This area consists of waters below the mean high tide line within the Peytonia Slough Ecological Reserve.
(B) Area restrictions defined in subsection 632(a)(1)(B) apply. [see pg. 149]
Additional restrictions apply. See Section 632(b)(57) for details.

Corte Madera Marsh State Marine Park[1]

(A) This area consists of waters below the mean high tide line within the Corte Madera Marsh Ecological Reserve.
(B) Area restrictions defined in subsection 632(a)(1)(B) apply.

[see pg. 149]
Additional restrictions apply. See Section 632(b)(58) for details.

Marin Islands State Marine Park[1]
(A) This area consists of waters below the mean high tide line within the Marin Islands Ecological Reserve.
(B) Area restrictions defined in subsection 632(a)(1)(B) apply. [see pg. 149]. No commercial take is allowed]
Additional restrictions apply. See Section 632(b)(59) for details.

Albany Mudflats State Marine Park[1]
(A) This area consists of waters below the mean high tide line within the Albany Mudflats Ecological Reserve.
(B) Area restrictions defined in subsection 632(a)(1)(B) apply. [see pg. 149]
Additional restrictions apply. See Section 632(b)(60) for details.

Robert W. Crown State Marine Conservation Area
(A) This area is bounded by the mean high tide line and a distance of 150 feet seaward of mean lower low water, between the following points:

37° 45.970′ N. lat. 122° 16.840′ W. long.; and
37° 45.950′ N. lat. 122° 16.520′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of finfish and kelp is allowed.

Redwood Shores State Marine Park[1]
(A) This area consists of waters below the mean high tide line within the Redwood Shores Ecological Reserve.
(B) Area restrictions defined in subsection 632(a)(1)(B) apply. [see pg. 149]
Additional restrictions apply. See Section 632(b)(62) for details.

Bair Island State Marine Park[1]
(A) This area consists of waters below the mean high tide line within the Bair Island Ecological Reserve.
(B) Area restrictions defined in subsection 632(a)(1)(B) apply. [see pg. 149]
(D) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall enter this park during the period February 15 through May 20.
Additional restrictions apply. See Section 632(b)(63) for details.

Egg (Devil's Slide) Rock to Devil's Slide Special Closure[1]
Special restrictions on boating and access apply as follows.
(A) A special closure is designated from the mean high tide line to a distance of 300 feet seaward of the mean lower low tide line of any shoreline of any of the three rocks comprising Egg (Devil's Slide) Rock, located in the vicinity of

37° 34.640′ N. lat. 122° 31.290′ W. long.;
37° 34.660′ N. lat. 122° 31.320′ W. long; and
37° 34.630′ N. lat. 122° 31.290′ W. long.; and the area bounded by the mean high tide line and straight lines connecting the following points in the order listed:
37° 34.740′ N. lat. 122° 31.080′ W. long.;
37° 34.720′ N. lat. 122° 31.310′ W. long.;
37° 34.600′ N. lat. 122° 31.330′ W. long.; and
37° 34.520′ N. lat. 122° 31.210′ W. long.

(B) Transit in between the rock and the mainland between these points is prohibited at any time.
(C) No person except department employees or employees of the United States Fish and Wildlife Service, U.S. Bureau of Land Management, National Oceanic and Atmospheric Administration, or United States Coast Guard, in performing their official duties, or unless permission is granted by the department, shall enter this area.

Montara State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

37° 32.700′ N. lat. 122° 31.000′ W. long.;
37° 32.700′ N. lat. 122° 34.908′ W. long.; thence southward along the three nautical mile offshore boundary to
37° 30.000′ N. lat. 122° 34.608′ W. long.; and
37° 30.000′ N. lat. 122° 29.920′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Pillar Point State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

37° 30.000′ N. lat. 122° 29.920′ W. long.;
37° 30.000′ N. lat. 122° 34.608′ W. long.; thence southward along the three nautical mile offshore boundary to
37° 28.330′ N. lat. 122° 33.489′ W. long.;
37° 28.330′ N. lat. 122° 30.830′ W. long.;
37° 29.180′ N. lat. 122° 30.360′ W. long.;
37° 29.740′ N. lat. 122° 29.970′ W. long.; and
37° 29.733′ N. lat. 122° 29.950′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of pelagic finfish by troll or round haul net, Dungeness crab by trap, and market squid by round haul net is allowed. Not more than five percent by weight of any commercial pelagic finfish or market squid catch landed or possessed shall be other incidentally taken species.

Año Nuevo State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and a distance of 200 feet seaward of mean lower low water between the following two points:

37° 10.000′ N. lat. 122° 21.800′ W. long; and
37° 08.725′ N. lat. 122° 21.000′ W. long.

The area then continues southward bounded by the mean high tide line and straight lines connecting the following points in the order listed:

37° 08.725′ N. lat. 122° 21.000′ W. long.;
37° 04.700′ N. lat. 122° 21.000′ W. long.;
37° 04.700′ N. lat. 122° 16.062′ W. long.; and
37° 04.742′ N. lat. 122° 16.026′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Greyhound Rock State Marine Conservation Area
(A) This area is bounded by the mean high tide line, the three nautical mile offshore boundary and straight lines connecting the following points in the order listed except where noted:

37° 04.742′ N. lat. 122° 16.026′ W. long.;
37° 04.700′ N. lat. 122° 16.062′ W. long.;
37° 04.700′ N. lat. 122° 21.000′ W. long.;
37° 03.520′ N. lat. 122° 21.000′ W. long.; thence southward along the three nautical mile offshore boundary to
37° 02.570′ N. lat. 122° 18.963′ W. long.; and
37° 02.570′ N. lat. 122° 13.989′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:…
2. The commercial take of giant kelp (*Macrocystis pyrifera*) by hand harvest only, salmon, and market squid is allowed. Not more than five percent by weight of any commercial market squid catch landed or possessed shall be other incidentally taken species.

Natural Bridges State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and a distance of 200 feet seaward of mean lower low water between the following two points:

36° 57.912′ N. lat. 122° 07.650′ W. long.; and
36° 57.015′ N. lat. 122° 03.504′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Elkhorn Slough State Marine Reserve[1]
(A) This area includes the waters below mean high tide within Elkhorn Slough lying east of longitude 121°46.400′W. and south of latitude 36° 50.500′N.
(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Elkhorn Slough State Marine Conservation Area[1]
(A) This area includes the waters below mean high tide within Elkhorn Slough east of the Highway 1 Bridge and west of longitude 121° 46.400′W.
(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149]

Moro Cojo Slough State Marine Reserve[1]
(A) This area includes the waters within Moro Cojo Slough below mean high tide and east of the Highway 1 Bridge and west of the crossing of the Southern Pacific Railroad tracks.
(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Soquel Canyon State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed:

36° 51.000′ N. lat. 121° 56.000′ W. long.;
36° 51.000′ N. lat. 122° 03.652′ W. long.;
36° 48.000′ N. lat. 122° 02.767′ W. long.;
36° 48.000′ N. lat. 121° 56.000′ W. long.; and
36° 51.000′ N. lat. 121° 56.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149] with the following specified exceptions: the commercial…take of pelagic finfish [subsection 632(a)(3)] is allowed. Not more than five percent by weight of any commercial pelagic finfish catch landed or possessed shall be other incidentally taken species.

Portuguese Ledge State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed:

36° 43.000′ N. lat. 121° 56.000′ W. long.;
36° 43.000′ N. lat. 122° 01.294′ W. long.;
36° 41.000′ N. lat. 122° 00.706′ W. long.;
36° 41.000′ N. lat. 121° 56.000′ W. long.; and
36° 43.000′ N. lat. 121° 56.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: the commercial… take of pelagic finfish [subsection 632(a)(3)] is allowed. Not more than five percent by weight of any commercial pelagic finfish catch landed or possessed shall be other incidentally taken species.

Edward F. Ricketts State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 36.508′ N. lat. 121° 53.379′ W. long.;
36° 37.250′ N. lat. 121° 53.780′ W. long.; and
36° 37.100′ N. lat. 121° 54.093′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
… 2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis* spp.) is allowed by hand in the area defined by subsection 165(c)(4)(D) under the following conditions:
a. A kelp harvester with a valid license issued pursuant to Section 165 may take no more than 12 tons of kelp from the portion of Administrative Kelp Bed 220 within the Edward F. Ricketts State Marine Conservation Area in any calendar month.

b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Lovers Point-Julia Platt State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 37.100′ N. lat. 121° 54.093′ W. long.;
36° 37.250′ N. lat. 121° 53.780′ W. long.;
36° 37.380′ N. lat. 121° 53.850′ W. long.;
36° 37.600′ N. lat. 121° 54.750′ W. long.; and
36° 37.600′ N. lat. 121° 54.919′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [seepg. 149]

Pacific Grove Marine Gardens State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 37.600′ N. lat. 121° 54.919′ W. long.;
36° 37.600′ N. lat. 121° 54.750′ W. long.;
36° 38.700′ N. lat. 121° 55.400′ W. long.;
36° 38.900′ N. lat. 121° 56.600′ W. long.;
36° 38.314′ N. lat. 121° 56.292′ W. long.; and
36° 38.226′ N. lat. 121° 56.159′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis* spp.) by hand is allowed under the following conditions:
a. A kelp harvester with a valid license issued pursuant to Section 165 may take no more than 44 tons of kelp from the portion of Administrative Kelp Bed 220 within the Pacific Grove Marine Gardens State Marine Conservation Area in any calendar month.
b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Asilomar State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 38.226′ N. lat. 121° 56.159′ W. long.;
36° 38.314′ N. lat. 121° 56.292′ W. long.;
36° 38.900′ N. lat. 121° 56.600′ W. long.; and
36° 36.554′ N. lat. 121° 57.518′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Carmel Pinnacles State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 33.650′ N. lat. 121° 57.600′ W. long.;
36° 33.650′ N. lat. 121° 58.500′ W. long.;
36° 33.100′ N. lat. 121° 58.500′ W. long.;
36° 33.100′ N. lat. 121° 57.600′ W. long.; and
36° 33.650′ N. lat. 121° 57.600′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Carmel Bay State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 33.663′ N. lat. 121° 57.117′ W. long.;
36° 31.700′ N. lat. 121° 56.300′ W. long.; and
36° 31.700′ N. lat. 121° 55.550′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis* spp.) by hand is allowed under the following conditions:
a. A kelp harvester with a valid license issued pursuant to Section 165 may take no more than 44 tons of kelp from the portion of Administrative Kelp Bed 219 within the Carmel Bay State Marine Conservation Area in any calendar month.
b. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Point Lobos State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 31.700′ N. lat. 121° 55.550′ W. long.;
36° 31.700′ N. lat. 121° 58.250′ W. long.;
36° 28.880′ N. lat. 121° 58.250′ W. long.; and
36° 28.880′ N. lat. 121° 56.285′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]
(C) Within the portion of the Point Lobos State Marine Reserve which also falls within the boundary of the Point Lobos State Reserve (State Park Unit), restrictions on boating and diving activities exist. Contact the California Department of Parks and Recreation for current restrictions.

Point Lobos State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

36° 31.700′ N. lat. 121° 58.250′ W. long.;
36° 31.700′ N. lat. 122° 01.267′ W. long.; thence southward along the three nautical mile offshore boundary to
36° 28.880′ N. lat. 122° 00.490′ W. long.;

36° 28.880′ N. lat. 121° 58.250′ W. long.; and
36° 31.700′ N. lat. 121° 58.250′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of salmon, albacore, and spot prawn is allowed.

Point Sur State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

36° 18.400′ N. lat. 121° 54.150′ W. long.;
36° 18.400′ N. lat. 121° 56.000′ W. long.;
36° 15.000′ N. lat. 121° 52.500′ W. long.; and
36° 15.000′ N. lat. 121° 50.250′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Point Sur State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

36° 18.400′ N. lat. 121° 56.000′ W. long.;
36° 18.400′ N. lat. 121° 57.932′ W. long.; thence southward along the three nautical mile offshore boundary to
36° 15.000′ N. lat. 121° 55.955′ W. long.;
36° 15.000′ N. lat. 121° 52.500′ W. long.; and
36° 18.400′ N. lat. 121° 56.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: the commercial … take of salmon and albacore is allowed.

Big Creek State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

36° 07.200′ N. lat. 121° 37.968′ W. long.;
36° 07.200′ N. lat. 121° 39.000′ W. long.;
36° 05.200′ N. lat. 121° 38.000′ W. long.;
36° 05.200′ N. lat. 121° 41.222′ W. long.; thence southward along the three nautical mile offshore boundary to
36° 02.650′ N. lat. 121° 39.654′ W. long.; and
36° 02.650′ N. lat. 121° 35.130′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]
(C) Anchoring. Except as pursuant to Federal law or emergency caused by hazardous weather, it is unlawful to anchor or moor a vessel in waters shallower than 10 fathoms in the Big Creek State Marine Reserve.

Big Creek State Marine Conservation Area
(A) This area is bounded by the three nautical mile offshore boundary and straight lines connecting the following points in the order listed except where noted:

36° 07.200′ N. lat. 121° 39.000′ W. long.;
36° 07.200′ N. lat. 121° 42.869′ W. long.; thence southward along the three nautical mile offshore boundary to
36° 05.200′ N. lat. 121° 41.222′ W. long.;
36° 05.200′ N. lat. 121° 38.000′ W. long.; and
36° 07.200′ N. lat. 121° 39.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of salmon, albacore, and spot prawn is allowed.

Piedras Blancas State Marine Reserve[1]
(A) This area is bounded by straight lines connecting the following points in the order listed:

35° 42.850′ N. lat. 121° 18.950′ W. long.;
35° 42.850′ N. lat. 121° 21.000′ W. long.;
35° 39.150′ N. lat. 121° 18.500′ W. long.; and
35° 39.150′ N. lat. 121° 14.519′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Piedras Blancas State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

35° 42.850′ N. lat. 121° 21.000′ W. long.;
35° 42.850′ N. lat. 121° 22.763′ W. long.; thence southward along the three nautical mile offshore boundary to
35° 39.150′ N. lat. 121° 20.913′ W. long.;
35° 39.150′ N. lat. 121° 18.500′ W. long.; and
35° 42.850′ N. lat. 121° 21.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: the commercial…take of salmon and albacore is allowed

Cambria State Marine Conservation Area[1] (also a state marine park)
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 37.100′ N. lat. 121° 09.225′ W. long.;
35° 37.100′ N. lat. 121° 10.700′ W. long.;
35° 32.850′ N. lat. 121° 06.700′ W. long.; and
35° 32.850′ N. lat. 121° 05.855′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149]

White Rock State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 32.850′ N. lat. 121° 05.855′ W. long.;
35° 32.850′ N. lat. 121° 06.700′ W. long.;

35° 30.500′ N. lat. 121° 05.000′ W. long.; and
35° 30.500′ N. lat. 121° 03.423′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: the commercial take of giant kelp (*Macrocystis pyrifera*) and bull kelp (*Nereocystis* spp.) is allowed under the following conditions:
1. A kelp harvester with a valid license issued pursuant to Section 165 and holding a valid lease to Administrative Kelp Bed 208 may take no more than 125 tons of kelp from the portion of Administrative Kelp Bed 208 within the White Rock State Marine Conservation Area in any calendar month.
2. Duplicate landing records must be kept on board the harvest vessel in accordance with the requirements of Section 165.

Morro Bay State Marine Recreational Management Area

(A) This area includes the area below mean high tide within Morro Bay east of the Morro Bay entrance breakwater and west of longitude 120° 50.340′ W.
(C) Area restrictions defined in subsection 632(a)(1)(D) apply [see pg. 149], with the following specified exceptions allowed north of latitude 35° 19.700′ N:
2. Aquaculture pursuant to a valid state water bottom lease and permit.
3. Storing finfish taken outside the Morro Bay State Marine Recreational Management Area in a receiver for bait purposes.

Morro Bay State Marine Reserve[1]

(A) This area includes the area below mean high tide line within Morro Bay east of longitude 120° 50.340′W.
(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Point Buchon State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

35° 15.250′ N. lat. 120° 53.817′ W. long.;
35° 15.250′ N. lat. 120° 56.000′ W. long.;
35° 11.000′ N. lat. 120° 52.400′ W. long.; and
35° 13.348′ N. lat. 120° 52.400′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Point Buchon State Marine Conservation Area

(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

35° 15.250′ N. lat. 120° 56.000′ W. long.;
35° 15.250′ N. lat. 120° 57.878′ W. long.; thence southward along the three nautical mile offshore boundary to
35° 11.000′ N. lat. 120° 55.149′ W. long.;
35° 11.000′ N. lat. 120° 52.400′ W. long.; and
35° 15.250′ N. lat. 120° 56.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: the commercial… take of salmon and albacore is allowed.

Vandenberg State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 44.650′ N. lat. 120° 37.750′ W. long.;
34° 44.650′ N. lat. 120° 40.000′ W. long.;
34° 33.250′ N. lat. 120° 40.000′ W. long.; and
34° 33.250′ N. lat. 120° 37.407′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply [see pg. 149], with the following specified exceptions: take incidental to base operations and commercial space launch operations identified by the Vandenberg Air Force Base Commander as mission critical is allowed.
(C) Public Entry. Public entry into the Vandenberg State Marine Reserve may be restricted at the discretion of the department to protect wildlife, aquatic life, or habitat, or by the Commander of Vandenberg Air Force Base to protect and provide safety for base operations.

Point Conception State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

34° 27.000′ N. lat. 120° 28.280′ W. long.;
34° 27.000′ N. lat. 120° 32.151′ W. long.; thence southeastward along the three nautical mile offshore boundary to
34° 23.961′ N. lat. 120° 25.000′ W. long.; and
34° 27.211′ N. lat. 120° 25.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

Kashtayit State Marine Conservation Area[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 28.130′ N. lat. 120° 14.460′ W. long.;
34° 27.300′ N. lat. 120° 14.460′ W. long.;
34° 27.300′ N. lat. 120° 12.470′ W. long.; and
34° 28.230′ N. lat. 120° 12.470′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149]
(C) The following federally recognized tribe is exempt from the area and take regulations [for Kashtayit SMCA] and shall comply with all other existing regulations and statutes: Santa Ynez Band of Chumash Indians.

Naples State Marine Conservation Area

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 26.517′ N. lat. 119° 58.000′ W. long.;
34° 25.000′ N. lat. 119° 58.000′ W. long.;
34° 25.000′ N. lat. 119° 56.000′ W. long.; and
34° 26.140′ N. lat. 119° 56.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of giant kelp (*Macrocystis pyrifera*) by hand harvest or by mechanical harvest is allowed.
3. The following federally recognized tribe is exempt from the area and take regulations [for Naples SMCA] and shall comply with all other existing regulations and statutes: Santa Ynez Band of Chumash Indians.

Campus Point State Marine Conservation Area[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

34° 25.207′ N. lat. 119° 53.600′ W. long.;
34° 21.475′ N. lat. 119° 53.600′ W. long.; thence eastward along the three nautical mile offshore boundary to
34° 21.212′ N. lat. 119° 50.650′ W. long.; and
34° 24.300′ N. lat. 119° 50.650′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149].

Goleta Slough State Marine Conservation Area[1]

(A) This area includes the waters below the mean high tide line within Goleta Slough.
(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149. No commercial take is allowed.]
(C) In waters below the mean high tide line inside the Goleta Slough Ecological Reserve as defined within Section 630, the following restrictions apply:
2. No person shall enter this area and remain therein except on established trails, paths or other designated areas except department employees or designated employees of Santa Barbara Airport, City of Santa Barbara, Goleta Sanitary District and Goleta Valley Vector Control District for the purposes of carrying out official duties.
(D) Routine maintenance, dredging, habitat restoration, research and education, maintenance of artificial structures, and operation and maintenance of existing facilities in the conservation area is allowed pursuant to any required federal, state and local permits, or activities pursuant to Section 630, or as otherwise authorized by the department.

Richardson Rock State and Federal Marine Reserves[1]

This area includes Richardson Rock State Marine Reserve and the adjoining federal Richardson Rock Marine Reserve. Coordinates are provided for outer boundaries of the joined state and federal areas.*

(A) This area is bounded by the mean high tide line of Richardson Rock and straight lines connecting the following points in the order listed:

34° 02.211′ N. lat. 120° 28.200′ W. long ;
34° 02.211′ N. lat. 120° 36.290′ W. long.;
34° 10.400′ N. lat. 120° 36.290′ W. long.;
34° 10.400′ N. lat. 120° 28.200′ W. long., and
34° 02.211′ N. lat. 120° 28.200′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149]

**The state reserve and federal reserve share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.*

San Miguel Island Special Closure

Special restrictions on boating and access apply to San Miguel Island as follows.
(A) Boating is allowed at San Miguel Island except west of a line drawn between Judith Rock (34° 01.500′ N. lat. 120° 25.300′ W. long.) and Castle Rock (34° 03.300′ N. lat. 120° 26.300′ W. long.) where boats are prohibited closer than 300 yards from shore.
1. Notwithstanding the 300-yard boating closure between Judith Rock and Castle Rock, the following shall apply:
a. Boats may approach San Miguel Island no nearer than 100 yards from shore during the period(s) from March 15 through April 30, and October 1 through December 15; and
b. Boats operated by commercial sea urchin divers may enter waters of the 300-yard area between the western boundary of the Judith Rock State Marine Reserve at 120° 26.60′ W. long. and Castle Rock for the purpose of fishing sea urchins during the period(s) from March 15 through April 30, and October 1 through December 15.
2. The department may rescind permission for boats to enter waters within 300 yards between Judith Rock and Castle Rock upon finding that impairment to the island marine mammal resource is imminent. Immediately following such closure, the department will request the commission to hear, at its regularly scheduled meeting, presentation of documentation supporting the need for such closure.
(B) Other Requirements:
1. Boats traveling within 300 yards of the shoreline or anchorages shall operate with a minimum amount of noise and shall not exceed speeds of five miles per hour.
2. Except as permitted by federal law or emergency caused by hazardous weather, boats may be anchored overnight only at Tyler Bight and Cuyler Harbor.
3. Landing is allowed on San Miguel Island only at the designated landing beach in Cuyler Harbor.
4. No person shall have access to all other offshore rocks and islands at San Miguel Island.

Harris Point State and Federal Marine Reserves[1]

This area includes Harris Point State Marine Reserve and the adjoining federal Harris Point Marine Reserve. Coordinates are provided for outer boundaries of the joined state and federal areas.*

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 03.160′ N. lat. 120° 23.300′ W. long.;
34° 12.295′ N. lat. 120° 23.300′ W. long.;
34° 12.295′ N. lat. 120° 18.400′ W. long., and
34° 01.755′ N. lat. 120° 18.400′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].
(C) An exemption to the reserve, where commercial...take of living marine resources is allowed, exists between the mean high tide line in Cuyler Harbor and a straight line between the following points:
34° 03.554′N. lat. 120° 21.311′W. long.; and
34° 02.908′N. lat. 120° 20.161′W. long.

**The state reserve and federal reserve share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.*

Judith Rock State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

34° 01.802′N. lat. 120° 26.600′W. long.;
33° 58.513′ N. lat. 120° 26.600′ W. long.; thence eastward along the three nautical mile offshore boundary to
33° 58.518′ N. lat. 120° 25.300′ W. long.; and
34° 01.689′ N. lat. 120° 25.300′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

Carrington Point State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 01.280′ N. lat. 120° 05.200′ W. long.;
34° 04.000′ N. lat. 120° 05.200′ W. long.;
34° 04.000′ N. lat. 120° 01.000′ W. long.;
34° 00.500′ N. lat. 120° 01.000′ W. long.; and
34° 00.500′ N. lat. 120° 02.930′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

Skunk Point State Marine Reserve[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 59.000′ N. lat. 119° 58.985′ W. long.;
33° 59.000′ N. lat. 119° 58.000′ W. long.;
33° 57.100′ N. lat. 119° 58.000′ W. long.; and
33° 57.100′ N. lat. 119° 58.257′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

South Point State and Federal Marine Reserves[1]

This area includes South Point State Marine Reserve and the adjoining federal South Point Marine Reserve. Coordinates are provided for outer boundaries of the joined state and federal areas.*
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 55.014′ N. lat. 120° 10.000′ W. long.;
33° 50.400′ N. lat. 120° 10.000′ W. long.;
33° 50.400′ N. lat. 120° 06.500′ W. long.;
33° 53.800′ N. lat. 120° 06.500′ W. long.; and
33° 53.800′ N. lat. 120° 06.544′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

**The state reserve and federal reserve share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.*

Painted Cave State Marine Conservation Area[1]

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

34° 04.492′N. lat. 119° 53.000′W. long.;
34° 05.200′N. lat. 119° 53.000′W. long.; thence eastward along a line one nautical mile offshore to
34° 05.000′N. lat. 119° 51.000′W. long.; and
34° 04.034′N. lat. 119° 51.000′W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149.]

Gull Island State and Federal Marine Reserves[1]

This area includes Gull Island State Marine Reserve and the adjoining federal Gull Island Marine Reserve. Coordinates are provided for outer boundaries of the joined state and federal areas.*

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 58.065′N. lat. 119° 50.967′W. long.;
33° 58.000′N. lat. 119° 51.000′W. long.;
33° 58.000′N. lat. 119° 53.000′W. long.;
33° 51.717′ N. lat. 119° 53.000′ W. long.;
33° 51.717′ N. lat. 119° 48.000′ W. long.; and
33° 57.769′ N. lat. 119° 48.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

**The state reserve and federal reserve share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.*

Scorpion State and Federal Marine Reserves[1]

This area includes Scorpion State Marine Reserve and the adjoining federal Scorpion Marine Reserve. Coordinates are provided for outer boundaries of the joined state and federal areas.*

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 02.958′ N. lat. 119° 35.500′ W. long.;
34° 09.270′ N. lat. 119° 35.500′ W. long.;
34° 09.270′ N. lat. 119° 32.800′ W. long; and
34° 02.700′ N. lat. 119° 32.800′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

**The state reserve and federal reserve share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.*

Anacapa Island Special Closure

(A) No net or trap may be used in waters less than 20 feet deep off the Anacapa Islands commonly referred to as Anacapa Island.

(B) A brown pelican fledgling area is designated from the mean high tide mark seaward to a water depth of 20 fathoms (120 feet) on the north side of West Anacapa Island between a line extending 000° True off Portuguese Rock (34° 00.910′ N. lat. 119° 25.260′ W. long.) to a line extending 000° True off the western edge of Frenchy's Cove (34° 00.411′ N. lat. 119° 24.600′ W. long.), a distance of approximately 4,000 feet. No person except department employees or employees of the National Park Service in the performance of their official duties shall enter this area during the period January 1 to October 31.

Anacapa Island State and Federal Marine Conservation Areas

This area includes Anacapa Island State Marine Conservation Area and the adjoining federal Anacapa Island Marine Conservation Area. Coordinates are provided for outer boundaries of the joined state and federal areas.*

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 00.828′ N. lat. 119° 26.623′ W. long.;
34° 00.800′ N. lat. 119° 26.700′ W. long.;
34° 04.998′ N. lat. 119° 26.700′ W. long.;
34° 04.998′ N. lat. 119° 24.600′ W. long.; and
34° 00.411′ N. lat. 119° 24.600′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: the… commercial take of spiny lobster is allowed.

(C) The following federally recognized tribe is exempt from the area and take regulations [for Anacapa Island SMCA] and shall comply with all other existing regulations and statutes: Santa Ynez Band of Chumash Indians.

**The state conservation area and federal conservation area share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.*

Anacapa Island State and Federal Marine Reserves[1]

This area includes Anacapa Island State Marine Reserve and the adjoining federal Anacapa Island Marine Reserve. Coordinates are provided for outer boundaries of the joined state and federal areas.*

(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

34° 00.411′ N. lat. 119° 24.600′ W. long.;
34° 04.998′ N. lat. 119° 24.600′ W. long.;
34° 04.998′ N. lat. 119° 21.400′ W. long.; 34° 01.000′ N. lat. 119° 21.400′ W. long.; and
34° 00.960′ N. lat. 119° 21.463′ W. long

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

**The state reserve and federal reserve share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.*

Footprint State and Federal Marine Reserves[1]

This area includes Footprint State Marine Reserve and the adjoining federal Footprint Marine Reserve. Coordinates are provided for outer boundaries of the joined state and federal areas.*

(A) This area is bounded by the straight lines connecting the following points in the order listed:

33° 59.300′ N. lat., 119° 30.965′ W. long.;
33° 54.119′ N. lat., 119° 30.965′ W. long.;
33° 54.119′ N. lat., 119° 25.987′ W. long.;
33° 59.300′ N. lat., 119° 25.987′ W. long.; and
33° 59.300′ N. lat., 119° 30.965′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

**The state reserve and federal reserve share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see*

Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.

Begg Rock State Marine Reserve[1]
(A) This area includes all state waters below the mean high tide line surrounding Begg Rock, located in the vicinity of 33° 21.743′ N. lat. 119° 41.718′ W. long.
(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

Santa Barbara Island State and Federal Marine Reserves[1]
This area includes Santa Barbara Island State Marine Reserve and the adjoining federal Santa Barbara Island Marine Reserve. Coordinates are provided for outer boundaries of the joined state and federal areas.*
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 28.500′ N. lat. 119° 01.813′ W. long.;
33° 28.500′ N. lat. 118° 54.527′ W. long.;
33° 21.792′ N. lat. 118° 54.527′ W. long.;
33° 21.792′ N. lat. 119° 02.200′ W. long.; and
33° 27.911′ N. lat. 119° 02.200′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

** The state reserve and federal reserve share identical regulations. For complete state boundaries and rules, see California Code of Regulations Title 14, Section 632. For federal MPAs see Code of Federal Regulations, Federal Register 15 Part 922 and 50 CFR Part 660.*

Point Dume State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

34° 02.306′ N. lat. 118° 53.000′ W. long.;
33° 59.140′ N. lat. 118° 53.000′ W. long.; thence southeastward along the three nautical mile offshore boundary to
33° 56.960′ N. lat. 118° 49.200′ W. long.; and
34° 00.780′ N. lat. 118° 49.200′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
…2. The commercial take of swordfish by harpoon [subsection 107(e)(1)]; and coastal pelagic species [Section 1.39] by round haul net [Section 8750, Fish and Game Code], brail gear [Section 53.01(a)], and light boat [Section 53.01(k)] is allowed. Not more than five percent by weight of any commercial coastal pelagic species catch landed or possessed shall be other incidentally taken species.
3. The following federally recognized tribe is exempt from the area and take regulations [for Point Dume SMCA] and shall comply with all other existing regulations and statutes: Santa Ynez Band of Chumash Indians.

Point Dume State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

34° 00.780′ N. lat. 118° 49.200′ W. long.;
33° 56.960′ N. lat. 118° 49.200′ W. long.; thence eastward along the three nautical mile offshore boundary to
33° 57.061′ N. lat. 118° 47.260′ W. long.; and
34° 01.178′ N. lat. 118° 47.260′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

Point Vicente State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

33° 44.800′ N. lat. 118° 24.807′ W. long.;
33° 44.800′ N. lat. 118° 28.931′ W. long.; thence southeastward along the three nautical mile offshore boundary to
33° 41.155′ N. lat. 118° 23.800′ W. long.; and
33° 44.198′ N. lat. 118° 23.800′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: take pursuant to… remediation activities associated with the Palos Verdes Shelf Operable Unit of the Montrose Chemical Superfund Site are allowed inside the conservation area pursuant to the Interim Record of Decision issued by the United States Environmental Protection Agency and any subsequent Records of Decision.

Abalone Cove State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

33° 44.198′ N. lat. 118° 23.800′ W. long.;
33° 41.155′ N. lat. 118° 23.800′ W. long.; thence southeastward along the three nautical mile offshore boundary to
33° 40.851′ N. lat. 118° 22.500′ W. long.; and
33° 44.240′ N. lat. 118° 22.500′ W. long

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
…2. The commercial take of swordfish by harpoon [subsection 107(e)(1)]; and coastal pelagic species [Section 1.39] and Pacific bonito by round haul net [Section 8750, Fish and Game Code], brail gear [Section 53.01(a)], and light boat [Section 53.01(k)] is allowed. Not more than five percent by weight of any commercial coastal pelagic species or Pacific bonito catch landed or possessed shall be other incidentally taken species.
3. Take pursuant to… remediation activities associated with the Palos Verdes Shelf Operable Unit of the Montrose Chemical Superfund Site are allowed inside the conservation area pursuant to the Interim Record of Decision issued by the

United States Environmental Protection Agency and any subsequent Records of Decision.

Bolsa Bay State Marine Conservation Area[1]
(A) This area includes the waters below the mean high tide line within Bolsa Bay estuary southward of a line that approximates the Warner Avenue bridge located between the following two points:

33° 42.700′ N. lat. 118° 03.633′ W. long.; and
33° 42.700′ N. lat. 118° 03.604′ W. long.;
and northward of a line that approximates the pedestrian bridge located between the following two points:
33° 42.219′ N. lat. 118° 03.167′ W. long.; and
33° 42.177′ N. lat. 118° 03.186′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. Take pursuant to… routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or activities pursuant to Section 630, or as otherwise authorized by the department.
(D) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department or employees of Signal Corporation and its invitees for the purpose of carrying out oil and gas operations, shall enter this conservation area and remain therein except on established trails, paths, or other designated areas.
(E) No person shall enter this conservation area between the hours of 8:00 p.m. and 6:00 a.m.

Bolsa Chica Basin State Marine Conservation Area[1]
(A) This area includes the waters below the mean high tide line within the Bolsa Chica Basin estuary northeastward of the Pacific Coast Highway Bridge, approximated by a straight line between the following two points:

33° 41.028′ N. lat. 118° 02.153′ W. long.; and
33° 40.981′ N. lat. 118° 02.109′ W. long.;
and southeastward of a straight line between the following two points:
33° 42.219′ N. lat. 118° 03.167′ W. long.; and
33° 42.177′ N. lat. 118° 03.186′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: take pursuant to… routine operation and maintenance, habitat restoration, maintenance dredging, research and education, and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or activities pursuant to Section 630, or as otherwise authorized by the department.
(D) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department or employees of Signal Corporation and its invitees for the purpose of carrying out oil and gas operations, shall enter this conservation area and remain therein except on established trails, paths, or other designated areas.
(E) No person shall enter this conservation area between the hours of 8:00 p.m. and 6:00 a.m.

Additional restrictions apply. See Section 632(b)(122) for details.

Arrow Point to Lion Head Point State Marine Conservation Area
(A) This area is bounded by the mean high tide line to a distance of 1,000 feet seaward of the mean lower low tide line of any shoreline southeastward of a line connecting the following two points:

33° 28.652′ N. lat. 118° 32.310′ W. long.; and
33° 28.820′ N. lat. 118° 32.310′ W. long.
and northwestward of a line connecting the following two points:
33° 27.240′ N. lat. 118° 29.900′ W. long.; and
33° 27.174′ N. lat. 118° 30.089′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. All commercial take is allowed in accordance with current regulations.

Blue Cavern Onshore State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 25.960′ N. lat. 118° 27.000′ W. long.; and
33° 27.500′ N. lat. 118° 27.000′ W. long;
33° 27.500′ N. lat. 118° 29.300′ W. long.; and
33° 26.640′ N. lat. 118° 29.300′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: take pursuant to… maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.
(C) Except as pursuant to Federal law, emergency caused by hazardous weather, or as provided in subsection 632(b)(124)(D), it is unlawful to anchor or moor a vessel in the formerly designated Catalina Marine Science Center Marine Life Refuge (Section 10932, Fish and Game Code).
(D) The director of the Catalina Marine Science Center Marine Life Refuge, or any person that the director of the refuge has authorized may anchor or moor a vessel or take, for scientific purposes, any fish or specimen of marine plant life in the formerly designated Catalina Marine Science Center Marine Life Refuge under the conditions prescribed in a scientific collecting permit issued by the department (Section 10655, Fish and Game Code).

Blue Cavern Offshore State Marine Conservation Area
(A) This area is bounded by straight lines connecting the fol-

lowing points in the order listed except where noted:

33° 27.500′ N. lat. 118° 27.000′ W. long.;
33° 29.970′ N. lat. 118° 27.000′ W. long.; thence northwestward along the three nautical mile offshore boundary to
33° 30.810′ N. lat. 118° 29.300′ W. long.;
33° 27.500′ N. lat. 118° 29.300′ W. long.; and
33° 27.500′ N. lat. 118° 27.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of pelagic finfish [subsection 632(a)(3)] by hook and line and swordfish by harpoon [subsection 107(e)(1)] is allowed.

Long Point State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 24.380′ N. lat. 118° 21.980′ W. long.;
33° 25.500′ N. lat. 118° 21.980′ W. long.;
33° 25.500′ N. lat. 118° 24.000′ W. long.; and
33° 25.102′ N. lat. 118° 24.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

Casino Point State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 20.900′ N. lat. 118° 19.430′ W. long.;
33° 20.900′ N. lat. 118° 19.420′ W. long.;
33° 20.920′ N. lat. 118° 19.380′ W. long.;
33° 20.950′ N. lat. 118° 19.420′ W. long.;
33° 20.970′ N. lat. 118° 19.470′ W. long.;
33° 21.000′ N. lat. 118° 19.520′ W. long.; and
33° 20.960′ N. lat. 118° 19.560′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: take pursuant to… maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.
(D) Feeding of fish for marine life viewing is allowed.

Lover's Cove State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 20.460′ N. lat. 118° 18.900′ W. long.;
33° 20.711′ N. lat. 118° 18.900′ W. long.; and
33° 20.711′ N. lat. 118° 19.321′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. Take pursuant to… maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.
(D) Feeding of fish for marine life viewing is allowed.

Farnsworth Onshore State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 21.000′ N. lat. 118° 29.080′ W. long.;
33° 21.000′ N. lat. 118° 30.000′ W. long.;
33° 19.000′ N. lat. 118° 29.000′ W. long.;
33° 19.000′ N. lat. 118° 27.900′ W. long.; and
33° 19.560′ N. lat. 118° 27.900′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of swordfish by harpoon [subsection 107(e)(1)]; and coastal pelagic species [Section 1.39] by round haul net [Section 8750, Fish and Game Code], brail gear [Section 53.01(a)], and light boat [Section 53.01(k)] is allowed. Not more than five percent by weight of any commercial coastal pelagic species catch landed or possessed shall be other incidentally taken species.

Farnsworth Offshore State Marine Conservation Area
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

33° 21.000′ N. lat. 118° 30.000′ W. long.;
33° 21.000′ N. lat. 118° 32.878′ W. long.; thence southward along the three nautical mile offshore boundary to
33° 19.000′ N. lat. 118° 31.978′ W. long.;
33° 19.000′ N. lat. 118° 29.000′ W. long.; and
33° 21.000′ N. lat. 118° 30.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of swordfish by harpoon [subsection 107(e)(1)]; and coastal pelagic species [Section 1.39] by round haul net [Section 8750, Fish and Game Code], brail gear [Section 53.01(a)], and light boat [Section 53.01(k)] is allowed. Not more than five percent by weight of any commercial coastal pelagic species catch landed or possessed shall be other incidentally taken species.

Cat Harbor State Marine Conservation Area
(A) This area includes the waters below the mean high tide line on the west side of Catalina Island northward of a straight line connecting Pin Rock (33° 25.486′ N. lat. 118° 30.294′ W. long.) and Cat Head Point (33° 25.320′ N. lat. 118° 30.760′ W. long).
(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of sea cucumbers by diving only, and spiny lobster and sea urchin is allowed.
3. Aquaculture of finfish [subsection 632(a)(2)] pursuant to any required state permits is allowed.

4. Take pursuant to… maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.

Upper Newport Bay State Marine Conservation Area[1]
(A) This area includes the waters below the mean high tide line within Upper Newport Bay northeastward of Pacific Coast Highway approximated by a line between the following two points:

33° 37.014′ N. lat. 117° 54.237′ W. long.;
33° 37.014′ N. lat. 117° 54.336′ W. long.; and southwestward of Jamboree Road approximated by a line between the following two points:
33° 39.071′ N. lat. 117° 52.021′ W. long.; and
33° 39.027′ N. lat. 117° 52.014′ W. long

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. Take pursuant to… maintenance dredging, habitat restoration, research and education programs, maintenance of artificial structures, and operation and maintenance of existing facilities inside the conservation area is allowed pursuant to any required federal, state and local permits, or activities pursuant to Section 630, or as otherwise authorized by the department.
(C) In waters below the mean high tide line inside the Upper Newport Bay Ecological Reserve, northeastward of a line connecting Shellmaker Island (33° 37.200′ N. lat. 117° 53.510′ W. long.) and North Star Beach (33° 37.380′ N. lat. 117° 53.600′ W. long.) the following restrictions apply:
(2) Boats are limited to speeds less than five miles per hour.
(3) Shoreline access is limited to established trails, paths, or other designated areas.

Additional restrictions apply. See Section 632(b)(132) for details.

Crystal Cove State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 35.372′ N. lat. 117° 52.645′ W. long.;
33° 35.065′ N. lat. 117° 52.692′ W. long.;
33° 32.400′ N. lat. 117° 49.200′ W. long.; and
33° 33.211′ N. lat. 117° 49.200′ W. long.; and
33° 33.224′ N. lat. 117° 49.184′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of sea urchin; spiny lobster by trap; and coastal pelagic species [Section 1.39] by round haul net [Section 8750, Fish and Game Code], brail gear [Section 53.01(a)], and light boat [Section 53.01(k)] is allowed. Not more than five percent by weight of any commercial coastal pelagic species catch landed or possessed shall be other inci-dentally taken species.
3. Take pursuant to… beach nourishment and other sediment management activities, and operation and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.
(D) Take of all living marine resources from inside tidepools is prohibited. For purposes of this section, tidepools are defined as the area encompassing the rocky pools that are filled with seawater due to retracting tides between the mean higher high tide line and the mean lower low tide line.

Laguna Beach State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 33.224′ N. lat. 117° 49.184′ W. long.;
33° 33.211′ N. lat. 117° 49.200′ W. long.;
33° 30.713′ N. lat. 117° 49.200′ W. long.; and
33° 30.713′ N. lat. 117° 45.264′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

Laguna Beach State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 30.713′ N. lat. 117° 45.264′ W. long.;
33° 30.713′ N. lat. 117° 49.200′ W. long.;
33° 30.050′ N. lat. 117° 49.200′ W. long.; and
33° 30.050′ N. lat. 117° 44.762′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: take pursuant to… operation and maintenance of artificial structures and facilities, beach grooming, maintenance dredging, and habitat restoration inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.

Dana Point State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

33° 30.050′ N. lat. 117° 44.762′ W. long.;
33° 30.050′ N. lat. 117° 46.000′ W. long.;
33° 30.000′ N. lat. 117° 46.000′ W. long.;
33° 27.300′ N. lat. 117° 43.300′ W. long.;
33° 27.478′ N. lat. 117° 42.276′ W. long.; and
33° 27.622′ N. lat. 117° 42.425′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of sea urchin, spiny lobster by trap, and coastal pelagic species [Section 1.39] by round haul net [Section 8750, Fish and Game Code], brail gear [Section 53.01(a)], and light boat [Section 53.01(k)] is allowed. Not more than five percent by weight of any commercial coastal pelagic species catch landed or possessed shall be other inci-

dentally taken species.
3. Take pursuant to… operation and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.
(D) Take of all living marine resources from inside tidepools is prohibited. For purposes of this section, tidepools are defined as the area encompassing the rocky pools that are filled with seawater due to retracting tides between the mean higher high tide line and the mean lower low tide line.

Batiquitos Lagoon State Marine Conservation Area[1]
(A) This area includes the waters below the mean high tide line within Batiquitos Lagoon eastward of the Interstate Highway 5 Bridge, approximated by a line between the following two points:

33° 05.440′ N. lat. 117° 18.120′ W. long.; and
33° 05.460′ N. lat. 117° 18.130′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: take pursuant to… operation and maintenance, habitat restoration, research and education, maintenance dredging and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or activities pursuant to Section 630, or as otherwise authorized by the department.
(C) Boating, swimming, wading, and diving are prohibited within the conservation area.

Additional restrictions apply. See Section 632(b)(137) for details.

Swami's State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

33° 02.900′ N. lat. 117° 17.927′ W. long.;
33° 02.900′ N. lat. 117° 21.743′ W. long.; thence southward along the three nautical mile offshore boundary to
33° 00.000′ N. lat. 117° 20.398′ W. long.; and
33° 00.000′ N. lat. 117° 16.698′ W. long.; thence northward along the mean high tide line onshore boundary to
33° 00.962′ N. lat. 117° 16.850′ W. long.; and
33° 00.980′ N. lat. 117° 16.857′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
3. Take pursuant to… beach nourishment and other sediment management activities and operation and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.

San Elijo Lagoon State Marine Conservation Area[1]
(A) This area consists of waters below the mean high tide line within the San Elijo Lagoon southeastward of a straight line between the following two points:

33° 00.980′ N. lat. 117° 16.857′ W. long.; and
33° 00.962′ N. lat. 117° 16.850′ W. long

(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: take pursuant to… operation and maintenance, maintenance dredging, habitat restoration including sediment deposition, research and education, and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or activities pursuant to Section 630, or as otherwise authorized by the department
(C) Boating, swimming, wading, and diving are prohibited within the conservation area.

Additional restrictions apply. See Section 632(b)(139) for details.

San Dieguito Lagoon State Marine Conservation Area[1]
(A) This area consists of waters below the mean high tide line within the San Dieguito Lagoon Ecological Reserve southeastward of a straight line between the following two points:

32° 58.066′ N. lat. 117° 15.579′ W. long.; and
32° 58.072′ N. lat. 117° 15.548′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149].
(D) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall be permitted on the California least tern nesting island.
(E) No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, shall enter this conservation area between 8:00 p.m. and 5:00 a.m.
(F) The County of San Diego, after consultation with the department, may carry out management activities for fish and wildlife, flood control and vector control. Authorized operation and maintenance activities shall include, but shall not be limited to, use of chemicals, vegetation control, water control and use of associated equipment.
(G) Collections of fish, wildlife, water and soil may be made by the department for the purposes of fish and wildlife management or by San Diego County for the purposes of water quality testing and vector control.
Additional restrictions apply. See Section 632(b)(140) for details.

San Diego-Scripps Coastal State Marine Conservation Area[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

32° 53.000′ N. lat. 117° 15.166′ W. long.;
32° 53.000′ N. lat. 117° 16.400′ W. long.;
32° 51.964′ N. lat. 117° 16.400′ W. long.; and
32° 51.964′ N. lat. 117° 15.252′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply

[see pg. 149], with the following specified exceptions:
2. Take pursuant to… operation and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.
(C) Licensees of the Regents of the University of California and all officers, employees, and students of such university may take, for scientific purposes, invertebrates, fish, or specimens of marine plant or algae under the conditions prescribed in a scientific collecting permit issued by the department

Additional restrictions apply. See Section 632(b)(141) for details.

Matlahuayl State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

32° 51.964′ N. lat. 117° 15.252′ W. long.;
32° 51.964′ N. lat. 117° 16.400′ W. long.; and
32° 51.067′ N. lat. 117° 16.400′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].
(C) Boats may be launched and retrieved only in designated areas and may be anchored within the reserve only during daylight hours.

South La Jolla State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

32° 49.573′ N. lat. 117° 16.781′ W. long.;
32° 49.573′ N. lat. 117° 19.000′ W. long.;
32° 47.945′ N. lat. 117° 19.000′ W. long.; and
32° 47.945′ N. lat. 117° 15.495′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

South La Jolla State Marine Conservation Area[1]
(A) This area is bounded by straight lines connecting the following points in the order listed except where noted:

32° 49.573′ N. lat. 117° 19.000′ W. long.;
32° 49.573′ N. lat. 117° 20.528′ W. long.; thence southward along the three nautical mile offshore boundary to
32° 47.945′ N. lat. 117° 20.068′ W. long.;
32° 47.945′ N. lat. 117° 19.000′ W. long.; and
32° 49.573′ N. lat. 117° 19.000′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(C) apply. [see pg. 149]

Famosa Slough State Marine Conservation Area[1]
(A) This area includes the waters below the mean high tide line within Famosa Slough estuary southward of the San Diego River channel, located at approximately 32° 45.430′ N. lat. 117° 13.750′ W. long.
(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions: take pursuant to…habitat restoration, maintenance dredging and operation and maintenance of artificial structures is allowed inside the conservation area pursuant to any required federal, state and local permits, or as otherwise authorized by the department.

Cabrillo State Marine Reserve[1]
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed:

32° 40.600′ N. lat. 117° 14.820′ W. long.;
32° 40.600′ N. lat. 117° 15.000′ W. long.;
32° 39.700′ N. lat. 117° 15.000′ W. long.;
32° 39.700′ N. lat. 117° 14.300′ W. long.; and
32° 40.000′ N. lat. 117° 14.300′ W. long.

(B) Area restrictions defined in subsection 632(a)(1)(A) apply. [see pg. 149].

Tijuana River Mouth State Marine Conservation Area
(A) This area is bounded by the mean high tide line and straight lines connecting the following points in the order listed except where noted:

32° 34.000′ N. lat. 117° 07.980′ W. long.;
32° 34.000′ N. lat. 117° 09.000′ W. long.;
32° 31.970′ N. lat. 117° 09.000′ W. long.; thence eastward along the U.S.-Mexico Border to
32° 32.064′ N. lat. 117° 07.428′ W. long.

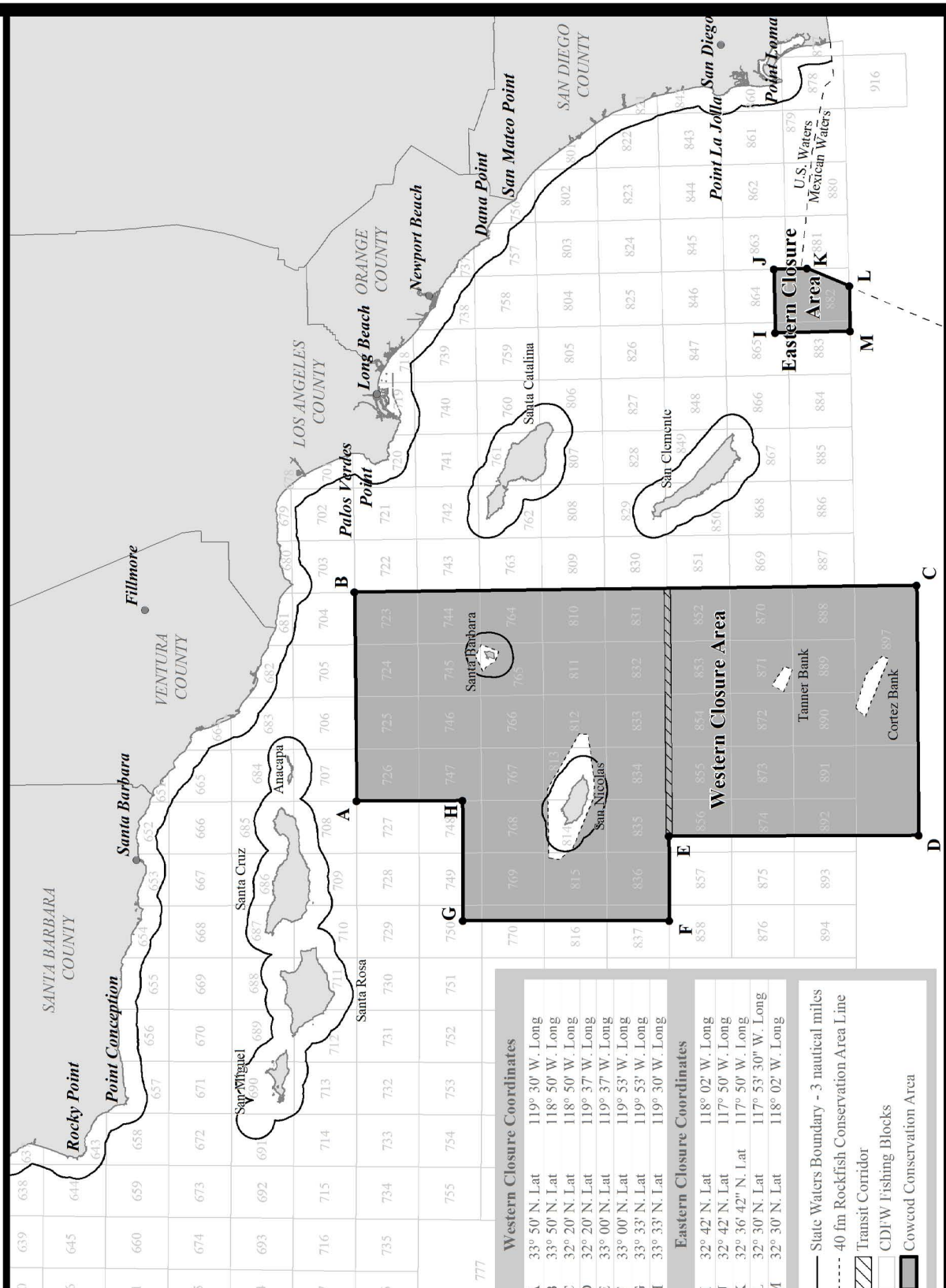
(B) Area restrictions defined in subsection 632(a)(1)(C) apply [see pg. 149], with the following specified exceptions:
2. The commercial take of coastal pelagic species [Section 1.39], except market squid, by round haul net [Section 8750, Fish and Game Code] is allowed. Not more than five percent by weight of any commercial coastal pelagic species catch landed or possessed shall be other incidentally taken species, including market squid.
3. Take pursuant to… beach nourishment and other sediment management activities and operation and maintenance of artificial structures inside the conservation area is allowed pursuant to any required federal, state and local permits, or as otherwise authorized by the department.

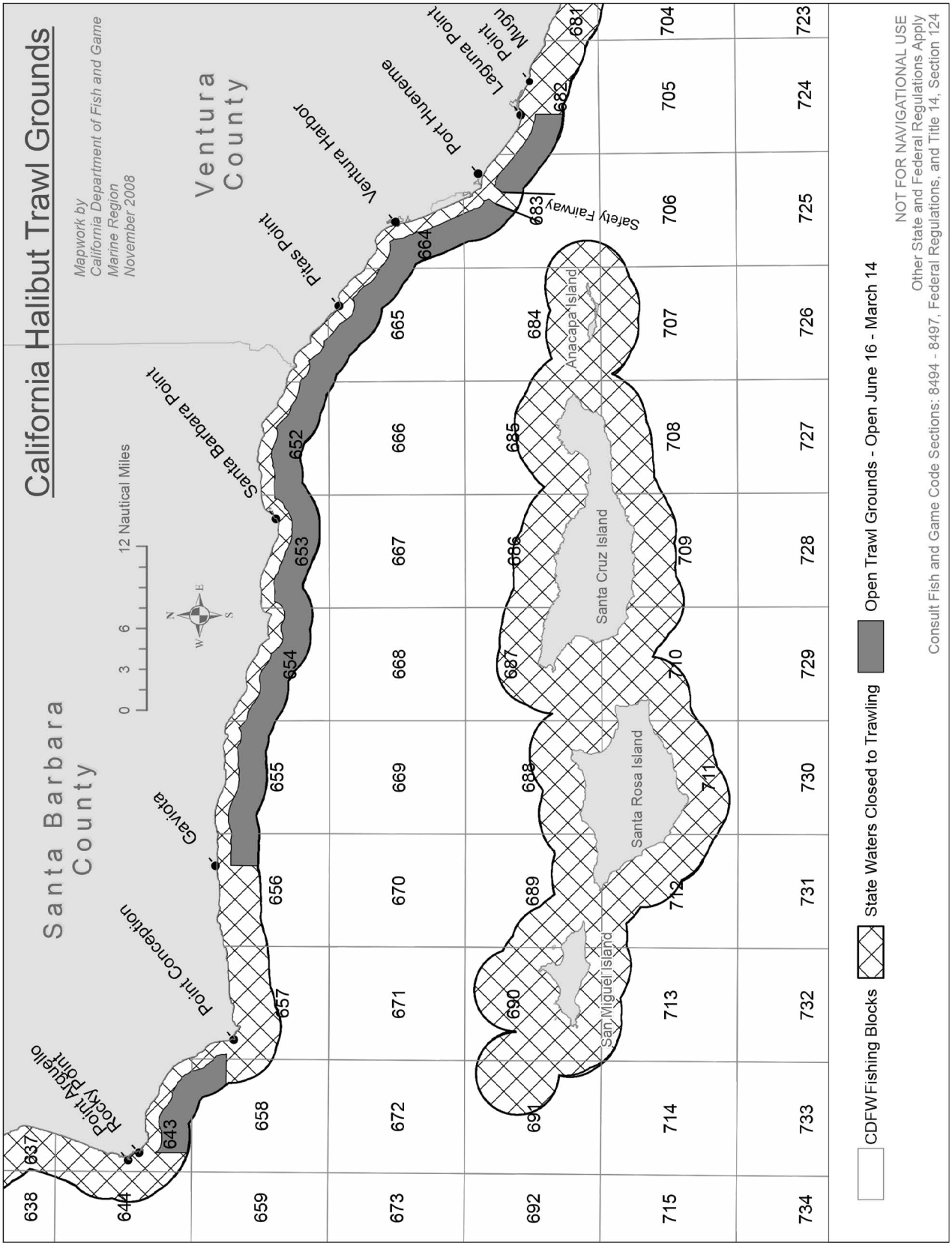
[1] MPAs that prohibit all commercial fishing, with some tribal exceptions. In those cases, only the MPA boundary information is provided.

[2] Bear River Band of the Rohnerville Rancheria, Big Valley Band of Pomo Indians of the Big Valley Rancheria, Cahto Indian Tribe of the Laytonville Rancheria, Coyote Valley Band of Pomo Indians, Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, Guidiville Rancheria, Habematolel Pomo of Upper Lake, Hopland Band of Pomo Indians of the Hopland Rancheria, Lower Lake Rancheria, Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria, Middletown Rancheria of Pomo Indians, Pinoleville Pomo Nation, Potter Valley Tribe, Redwood Valley Rancheria of Pomo Indians, Robinson Rancheria of Pomo Indians, Round Valley Indian Tribes of the Round Valley Reservation, Scotts Valley Band of Pomo Indians, and Sherwood Valley Rancheria of Pomo Indians.

[3] Big Valley Band of Pomo Indians of the Big Valley Rancheria, Cahto Indian Tribe of the Laytonville Rancheria, Coyote Valley Band of Pomo Indians, Elem Indian Colony of Pomo Indians of the Sulphur Bank Rancheria, Guidiville Rancheria, Habematolel Pomo of Upper Lake, Hopland Band of Pomo Indians of the Hopland Rancheria, Lower Lake Rancheria, Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria, Middletown Rancheria of Pomo Indians, Pinoleville Pomo Nation, Potter Valley Tribe, Redwood Valley Rancheria of Pomo Indians, Robinson Rancheria of Pomo Indians, Round Valley Indian Tribes of the Round Valley Reservation, Scotts Valley Band of Pomo Indians, and Sherwood Valley Rancheria of Pomo Indians.

Cowcod Conservation Area Map




California Halibut Trawl Grounds
Mapwork by
California Department of Fish and Game
Marine Region
November 2008
Santa Barbara County
Ventura County
0 3 6 12 Nautical Miles
Point Arguello
Rocky Point
Point Conception
Gaviota
Santa Barbara Point
Pitas Point
Ventura Harbor
Port Hueneme
Laguna Point
Point Mugu
Safety Fairway
Anacapa Island
Santa Cruz Island
Santa Rosa Island
San Miguel Island
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CDFW Fishing Blocks
State Waters Closed to Trawling
Open Trawl Grounds - Open June 16 - March 14
NOT FOR NAVIGATIONAL USE
Other State and Federal Regulations Apply
Consult Fish and Game Code Sections: 8494 - 8497, Federal Regulations, and Title 14, Section 124

Derelict Fishing Gear in California

It takes decades to disintegrate...

Help us tackle California's derelict fishing gear!

Report sightings of derelict recreational and commercial fishing gear

Report lost recreational and commercial fishing gear

Anonymous reports accepted

Call 1-888-491-GEAR or report online:

www.derelictfishinggear.org

Coastal Conservancy

UC DAVIS