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Fish and Game Commission



*Wildlife Heritage and Conservation
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NOTICE OF RECEIPT OF RECOMMENDATION AND CONSIDERATION OF EXPERIMENTAL FISHING PERMIT APPLICATION

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 1022 of the Fish and Game Code (FGC) and Section 91, Title 14 of the California Code of Regulations (CCR), on August 31, 2022 the California Fish and Game Commission (Commission) received the California Department of Fish and Wildlife's (Department) recommendation regarding the Experimental Fishing Permit (EFP) application for a Tier 3 (exploratory fishing) EFP from Andy Hillstrand (Entity Administrator) on behalf of Johnathan Hillstrand (Applicant), F/V Time Bandit, to explore the potential of developing a new commercial fishery for king and other deepwater crab species in California to provide new products and new market opportunities (proposed project). Consistent with subsections 91(e)(2) and (91)(f), Title 14 CCR the Commission has scheduled the EFP application for consideration at its October 12-13, 2022 meeting in Kings Beach.

EFP Project Description

The proposed project is a short-term exploratory fishing study to test the feasibility of commercially harvesting King and other deepwater crab under an EFP. Sampling with traps measuring 84" x 84" x 32" in size, would occur in water depths from 600 to 1,800 feet (100 to 300 fathoms) off the coast of California between Eureka to Pigeon Point (south of San Francisco). No more than 40 traps would be deployed in the water at any given time. Each trap will be attached to one vertical $\frac{3}{4}$ " line comprised of line with the top 198 feet (33 fathoms) consisting of sinking line to prevent floating line at the surface. Traps would be set in a "prospect string" (i.e., one trap per vertical line spaced approximately 1 mile apart) and soaked for 24 to 36 hours.

Each trap would have a web escapement panel that is 32" tall and 40" wide in a diamond configuration where each edge of the diamond measures 7" and each diamond measures 9" stretched diagonal length to allow fish and smaller crab to climb or swim out and an 18-inch opening for escapement (opens at least 11" wide) when biodegradable twine (Size No. 30) disintegrates after 30 days in the water, in case pot is lost (destruct device).

For the initial testing, a maximum of four fishing trips is expected within a 1-month period. Any proposed expansion of the fishing area or increase in fishing effort and amount of take will require additional review by Department and approval by the Commission.

Department Recommendation

The Department has reviewed the application and recommends approval of a Tier 3 permit with special conditions outlined on form DFW 1103. The proposed special conditions include: (Specific changes to the proposed project are marked with an asterisk* and are in ***bold italics***)

- take allowances and landing requirements;
- gear allowances, specifications, and marking requirements;
- restrictions on fishing depth (****fishing is only permitted seaward of 125 fathoms***);
- restrictions on fishing areas (****fishing may only occur between the California/Oregon border located at 42° North latitude and Pigeon Point at 37° 11' North latitude***);
- restrictions on time of year (****fishing may only occur between December 1 and March 31***);
- ****delays or area closures subject to marine life entanglement risk pursuant to Section 132.8, Title 14, CCR, or public health concerns pursuant to FGC Section 5523***; and
- other requirements necessary for research purposes and the protection and conservation of marine resources and the environment, pursuant to Fish and Game Code Section 1022.

If approved, the proposed special conditions together with the standard terms will ensure and allow the Department to adequately enforce the EFP in accordance with Section 91, Title 14, CCR.

In addition, the Department recommends approval of permit fee reduction option. The Department has interest in buoy line marking research. If approved, this option would support testing buoy line marking by gathering information on efficacy and durability of marking lines for fixed gear fisheries. Line marking is a tool that can aid in identifying entanglements to state and fishery origin and may be used to exclude or eliminate fisheries from confirmed entanglements.

Public Review and Comment

The EFP application, Department recommendation, and other information in the records before the Commission are posted on the Commission's website at <https://fgc.ca.gov/EFP>. Written comments on the EFP application and/or Department recommendation must be received by 12:00 PM on October 7, 2022 and may be emailed to fgc@fgc.ca.gov or mailed to California Fish and Game Commission, Attn: EFP, P.O. Box 944209, Sacramento, California, 94244-2090. Oral comments will be accepted at the Commission's October 12-13, 2022 meeting.

July 15, 2022

Fish and Game Commission

Melissa Miller-Henson
Executive Director