

Modified Regulatory Text

Title 14. Natural Resources

Division 1. Fish and Game Commission – Department of Fish and Game

Subdivision 1. Fish, Amphibians and Reptiles

Chapter 5.5. Fishery Management Plans

Article 7, Sections 56.00 and 56.01, title 14, CCR, are added to read:

Article 7. Pink (Ocean) Shrimp Fishery Management Plan

§ 56.00. Purpose and Scope

(a) This Article implements the Pink (Ocean) Shrimp, *Pandalus jordani*, Fishery Management Plan (Pink Shrimp FMP) as adopted and amended by the commission consistent with the goals, objectives, and procedures of the Marine Life Management Act of 1998 (commencing with Section 7050 of the Fish and Game Code). This Article, in combination with other applicable provisions of the Fish and Game Code and Title 14, CCR, govern the management of the pink shrimp resources.

(b) Regulations implementing the Pink Shrimp FMP are found in this Article. Regulations specific to the commercial take of pink shrimp are included in Chapter 6, beginning with Section 120 of these regulations.

(c) Pursuant to subdivision ~~7074~~(b) of Section 7071 of the Fish and Game Code, subdivision ~~8842~~(b) of Section 8842 of said Code is made inoperative as applied to the commercial pink shrimp trawl fishery.

Note: Authority cited: Sections 7071, 7075 and 7078, Fish and Game Code. Reference: Sections 7050, 7055, 7056, 7070, 7071, 7075 and 7078, Fish and Game Code.

§ 56.01. Management Strategy

(a) The Pink (Ocean) Shrimp, *Pandalus jordani*, Fishery Management Plan adopted by the commission on April 20, 2022, is hereby incorporated by reference, including the harvest control rule and other requirements as incorporated in

(b) The Pink Shrimp FMP, Sections 120 and 120.1 of these regulations, and other applicable state and federal laws and regulations shall form the basis for managing the commercial pink shrimp trawl fishery and is hereby incorporated by reference.

Note: Authority cited: Sections 7071, 7075 and 7078, Fish and Game Code. Reference: Sections 7050, 7055, 7056, 7070, 7071, 7075 and 7078, Fish and Game Code.

Modified Regulatory Text

Sections 120 and 120.1, title 14, CCR, are amended to read:

§ 120. Prawn or Shrimp Trawling—General Provisions.

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.

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

(b) Fishing Areas.

~~Trawling for shrimp or prawns shall be permitted only in those waters authorized by Section 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, 2008, 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.~~

(1) Trawling for pink shrimp is prohibited in all ocean waters and tidelands of the state, except as permitted by the commission pursuant to subdivision (d) of Section 8842 of the Fish and Game Code and not otherwise prohibited by other state or federal statutes or regulations.

(2) Trawling for all other shrimp or prawns shall be permitted only in those waters authorized by Section 8842 of the Fish and Game Code and not otherwise prohibited by other state or federal statutes or regulations.

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

Note: Authority cited: Sections 7071, 7078, 8591, 8841 and 8842, Fish and Game Code.

Reference: Sections 1700, 7071, 7078, 8590, 8591, 8593, 8595, 8841 and 8842, Fish and Game Code.

§ 120.1. Pink Shrimp Trawling.

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

~~(b) Season. Pink shrimp may be taken April 1 through October 31.~~

(b) Season and Harvest Control Rule. Unless otherwise prescribed under this subsection, pink shrimp may be taken April 1 through October 31.

(1) Target reference point. The current fishing season shall close on October 15 and the next season shall be delayed until April 15 if the average landing of pink shrimp falls below 12,500 pounds during the month of June.

(2) Limit reference point. The current fishing season shall close 10 ~~calendar~~ days following public notice and the start of the next season shall be delayed until April 15 if:

(A) The mean sea level height exceeds 7.5 feet above the station datum as calculated using sea level height measurements from the National Oceanic and Atmospheric Administration tide gauge at Crescent City, California between April 1 of the previous year through January 31 of the current year; and

(B) the average landing of pink shrimp falls below 10,000 pounds during the month of June.

(3) In determining the average landing in June, the department shall:

(A) Use landings data collected in June pursuant to Section 197 ~~of these regulations.~~

(B) For vessels towing one trawl net, the landing shall be multiplied by a factor of 1.6.

(C) The average landing shall be the sum of all landings from vessels towing one net as modified by subsection (b)(3)(B) and all landings from vessels towing two trawl nets divided by the total number of landings.

(4) Public notice of early closure and season delay. By July 15 of each year, notifications of any early closure and subsequent season delay along with the accompanying landings and sea level height data shall be posted on the department website at <https://wildlife.ca.gov/Conservation/Marine/Invertebrates/Shrimp-Prawn>.

(c) Bycatch Reduction Device (BRD) and Footrope Lighting Device (FLD) 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~~ BRD and FLDs.

...[No changes to subsection (c)(1)]

(2) FLD. All trawl nets used north of Point Conception, Santa Barbara County shall have functional lighting devices attached to the footrope as follows:

(A) Lighting devices shall be blue or green light-emitting diodes that are pressure-rated to a depth of at least 300 meters.

(B) Lighting devices must be securely attached within 6 inches of the forward leading edge of the bottom panel of trawl netting; and

(C) Each trawl net must have a minimum of 5 lighting devices, spaced at least 4 feet apart in the center of each net.

(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 or possess in any ocean waters and tidelands of the state a load of pink shrimp having an average count greater than 160 shrimp per pound.

(f) Pink Shrimp Landing Weight Estimation. When pink shrimp are landed mixed with ice, the net weight of pink shrimp landed shall be estimated as follows:

(1) Samples of the ice and pink shrimp mixture shall be taken throughout the landing process.

(A) At least one sample shall be taken from each receptacle weighed during the landing process. If a receptacle contains 800 pounds or more of ice and pink shrimp mixture, at least one sample shall be taken for every 400 pounds it contains.

(B) Each sample shall be at least three pounds.

(2) To estimate net weight of pink shrimp landed, the proportion of pink shrimp in the samples shall be accurately determined and applied to the total weight of ice and pink shrimp mixture landed.

(3) Reporting requirement:

(A) The estimated net weight of pink shrimp landed shall be recorded as the accurate species weight required by Section 197 ~~of these regulations.~~

(B) The total weight of ice and pink shrimp mixture landed shall be recorded in the note pad section of any dock ticket or electronic fish ticket.

Note: Authority cited: Sections 7078, 8591, 8841 and 8842, Fish and Game Code.

Reference: Sections 7078, 8591, 8841 and 8842, Fish and Game Code.

Modified Regulatory Text

Section 705, title 14, CCR, is amended to read:

§ 705. Commercial Fishing Applications, Permits, Tags and Fees.

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

(b) *Transfer, Upgrade, or Change of Ownership*

Fees (US\$)

...[No changes to subsections (b)(1)-(b)(6)]

(7) Northern Pink Shrimp Trawl Vessel Permit Transfer Application ~~FG 1419 (Rev. 5/13)~~
DFW 1419 (New 049/01/22), incorporated by reference herein.

...[No changes to subsections (b)(7)(A)-(d)]

Note: Authority cited: Sections 713 and 1050, Fish and Game Code.

Reference: Sections 713 and 1050, Fish and Game Code.