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*Wildlife Heritage and Conservation
Since 1870*

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CALIFORNIA FISH AND GAME COMMISSION NOTICE OF RECEIPT OF 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 February 3, 2023 the California Department of Fish and Wildlife (Department) transmitted an experimental fishing permit (EFP) application to the California Fish and Game Commission (Commission). Kim Sawicki, Sustainable Seas Technology, submitted an EFP application on behalf of Dannial Major, Gregory Olsen, Marcos Voyatzis, Devin Grace, and Matthew Liso (applicants) to conduct exploratory fishing for brown box crab and California king crab.

The applicants are all past or current participants of an existing fisheries research program approved by the Commission in December 2018 to study the brown box crab and the potential for development of a new targeted fishery in California. That program (established in Section 90, Title 14, CCR) is set to expire on April 1, 2023. The applicants each request a Tier 4 EFP (one of four tiers of permits based on purpose and Department facilitation) for the purpose of exploratory fishing and facilitated by the department. This purpose of this EFP would be to conduct exploratory fishing activities to build upon the existing experimental box crab research program. The proposed project would 1) collect biological and fishery data to help fill critical information gaps for brown box crab and California king crab and 2) test the effects and efficacy of using pop-up gear fishing systems (also known as “ropeless,” “lineless,” and “on-demand” fishing systems) in this experimental fishery.

Under the proposed project, an annual fishing quota of 36,000 pounds of each crab species (brown box crab and California king crab) would be authorized per permit. Fishing would occur using traps off the coast of California between Point Conception and the California/Mexico border in water depths ranging from 50 to 150 fathoms, excluding any Marine Protected Areas and Essential Fish Habitat closures for bottom contact gear. Fishing would take place December through August (closed September through November). A maximum of 75 traps would be set in strings of two or more, per permit. Traps would soak for a maximum of 96 hours, unless weather or other safety reasons cause a delay.

Additionally, in collaboration with Sustainable Seas Technology, the applicants would conduct limited testing of a variety pop-up gear fishing systems following a three-phase approach: The applicants must first demonstrate core competency with all equipment and devices being trialed and data collection protocols (Phase 1) and work with Sustainable Seas Technology staff and gear manufactures to finalize their individual gear configurations (Phase 2) before at-sea trials of the pop-up gear fishing systems can begin (Phase 3). Pop-up gear would account

for at least 5 percent of the total gear deployed during Phase 3 at-sea trials. Electronic monitoring of vessel locations would be used in addition to the electronic reporting of the locations and times of trap deployments and retrievals. Sustainable Seas Technology would provide project oversight and training related to pop-up gear fishing systems testing.

To conduct the proposed fishing activities, the applicants request to be exempt from the following state fishing laws or regulations:

- Subsection 126(b)(1), Title 14, CCR (25-lb catch limit for brown box crab and California king crab)
- FGC Section 9005 (surface buoy marking requirement for pop-up gear fishing systems testing)

During its technical evaluation, the Department will determine if other exemptions may be necessary pursuant to FGC subdivision 1022(a)(4).

Pursuant to subsection 91(d)(2), Title 14, CCR, the Department will provide a recommendation to the Commission, including any proposed special conditions. As soon as the Department's recommendation is available, but not less than 30 days before the hearing on this application, a notice will be published on the Commission's website at <https://fgc.ca.gov/EFP> and sent to interested individuals providing information on the opportunity for public comment and published on the Commission's website.

Written comments and information on matters addressed in this notice and relevant to the Department's technical review of the accepted application may be submitted to Marina Som, Acting EFP Coordinator, at EFP@wildlife.ca.gov.

Please visit www.fgc.ca.gov for additional information.

February 10, 2023

California Fish and Game Commission

Melissa Miller-Henson
Executive Director