



Experimental Fishing Permit No.

Revision Date:

MARINE FISHERIES: EXPERIMENTAL FISHING PERMIT TERMS AND CONDITIONS

Pursuant to California Fish and Game Code (FGC) Section 1022 and Section 91, Title 14, California Code of Regulations (CCR), the Experimental Fishing Permit (EFP) holder is authorized to conduct experimental fishing activities according to the requirements of the EFP approved by the Fish and Game Commission (Commission) and issued by the California Department of Fish and Wildlife (Department).

EFP Holder/Entity Administrator Name: **Dylan Diefendorf**

EFP Holder/Entity Administrator Address: **NA**

Authorized Agent Name: **See authorized agent list on Page 3**

Authorized Agent Address: **See authorized agent list on Page 3**

Vessel Name and ID #: **See authorized vessel list on Page 3**

Description of authorized activity:

Test the use of Puget Buoy pop-up gear in the commercial Dungeness crab fishery. The experimental fishing activities may only be conducted under the following conditions:

STANDARD TERMS

These standard terms shall apply to all persons or vessels conducting authorized activities under the EFP.

1. The permit shall be operated only on the vessels named on this form, if applicable. Either the EFP holder or the authorized agent must be aboard the vessel when activities are being conducted under this permit, and both are responsible and accountable for meeting the requirements and limits of this permit.
2. Pursuant to FGC Section 7857(d), the EFP holder or authorized agent shall have a valid copy of the Department issued EFP attached to a signed copy of this form in possession when activities are being conducted under this permit.
3. All persons conducting activities under an EFP must comply with all appropriate state and federal fishing laws and regulations, including but not limited to those relating to protected species, minimum size limits, and seasons or areas closed to fishing that are not otherwise exempted by the permit (see special conditions).
4. The EFP holder and authorized agent shall cooperate with the Department by allowing personnel designated by the Department to board the fishing vessel on any fishing trip (if applicable) or enter a place of business operated by the EFP holder or authorized agent under this permit, to retrieve, observe, or inspect any logbook, records, data, equipment, procedures, or catch throughout the duration of the permit.



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- 5. The EFP holder or authorized agent shall provide Department staff with a 24-hour notice prior to every fishing trip. The contact information for Department staff will be provided for this purpose at the time of permit issuance.

SPECIAL CONDITIONS

As set forth in subsection 91(i), Title 14, CCR, special conditions may be placed on this permit for research purposes and the conservation and management of marine resources and the environment (see following page).

As set forth in subsection 91(k), Title 14, CCR, special conditions may be amended or repealed as necessary for research purposes and the conservation and management of marine resources and the environment.

RECEIPT AND ACKNOWLEDGEMENT

The permit is not valid until the EFP holder has certified by their signature below that they have: 1) read and understand the standard terms and special conditions of the permit; 2) unless otherwise specified in special conditions, paid the appropriate fees specified in Section 704, Title 14, CCR; and 3) returned a signed copy of this form to the Department.

I have read, understand and agree to abide by all standard terms and special conditions of this permit.

_____ EFP Holder Signature

_____ Date

Received by License and Revenue Branch (LRB)

Fee \$ _____

Experimental Fishing Permit No. _____

Revision Date _____

_____ By: LRB

_____ Date



**Experimental Fishing Permit No.
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Authorization and Special Conditions

List of approved special conditions, names and addresses of any additional authorized agents, and/or names and identification number of any additional authorized vessels.

Authorized Agents and Vessels

1. This EFP is valid only for the authorized agents and vessels named below.
 - a. Authorized Agent Name and Address
 1. Kim Sawicki [address omitted]
 2. Stephen Melz [address omitted]
 3. Carl Wakefield [address omitted]
 4. Donald Marshall [address omitted]
 5. Brand Little [address omitted]
 - b. Authorized Project Vessel
 1. F/V Sunrise [vessel ID omitted]
 2. F/V Little Vikki [vessel ID omitted]
 3. F/V Northern Light [vessel ID omitted]
 4. F/V Pale Horse [vessel ID omitted]
2. All parties (as specified in 1, above) operating under the authority of this permit must be informed of and agree to abide by all standard terms and special conditions of this permit.

General

3. The authorized agent and any person who assists the authorized agent shall possess a valid commercial fishing license issued pursuant to FGC Sections 7850, 8280.1, and Section 125, Title 14 CCR, prior to engaging in any commercial fishing operations authorized by this permit.
4. The authorized agent and any person who assists the authorized agent shall possess a valid general trap permit issued pursuant to FGC Section 9001, prior to engaging in any fishing operations authorized by this permit.
5. The authorized agent shall possess a valid commercial boat registration issued pursuant to FGC Section 7881, for the vessel named above and display the Department Boat Registration numbers in plain sight on each side of the vessel.
6. All authorized agents shall only participate in one EFP per fishing trip when participating in multiple EFPs.
7. No other EFP or commercial fishing activities shall take place on the same trip as this EFP, unless specifically authorized by this EFP.

Authorized Species, Take, and Landing Requirements

8. Authorized agents may fish for Dungeness crab and rock crab within the same trip if the authorized agent holds valid permits for those species. Unless specifically exempted by this EFP, adherence to all other regulations regarding the take of these species is required.



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9. All landing receipts must have the state EFP number recorded in the “State Permit #” field, the number of individual crabs recorded under the “# of Fish” field, and species of crab specified in the “Notes”.
10. All authorized agents shall notify the Department Law Enforcement Division (LEDMarineNotifications@wildlife.ca.gov) of any landings of Dungeness crab made with EFP fishing gear during a fishery closure due to RAMP. The notification shall include the date, port of landing, number of pounds landed, electronic fish ticket number, and the full name of the receiver.

Allowable Fishing Area and Time of Year

11. Fishing activities shall only occur between the California /Oregon border (42° N. latitude) and Pigeon Point (37° 10' N. latitude) and no traps or gear shall be used seaward of the 100-fathom line as defined in the Federal regulations and published in Title 50, Code of Federal Regulations Part 660.
12. Dungeness crab may only be taken or possessed during the statutory season and subject to domoic acid and quality take restrictions pursuant to FGC Sections 5523, 8276, Section 8276.1(d), and 8276.2.
13. If requested by the Department, the authorized agents must suspend fishing operations or move fishing gear in response to circumstances including elevated entanglement risk or in the event of entanglement report in the fishing or testing location.
14. Fishing operations shall abide by all applicable Essential Fish Habitat closures for bottom contact gear as described in Federal Regulations (Title 50, Part 660, Subpart F).
15. Fishing activities shall not occur in any state Marine Protected Areas pursuant to Section 632, Title 14, CCR.

Gear Allowances, Specifications and Marking Requirements

16. Authorized agents shall be exempted from buoy tag requirements as defined in subsection 132.1(b), Title 14, CCR and FGC Section 8276.5.
17. A maximum of 125 units of timed-release pop-up buoys may be deployed during testing.
18. A maximum of 50 traps per vessel may be deployed per trip with the unit limitations as specified in 17.
19. Each trap shall be marked by a single line, hard-shell float, and timed-release pop-up buoy.
20. All traps must comply with the requirements specified in FGC Section 9011 for Dungeness crab or rock crab. All traps used or deployed must have at least one destruct device pursuant to FGC Section 9003.
21. The permittee shall provide the Department access to the gear marking web-based application (Puget Buoy app) and the Ropeless Manufacturer’s Workgroup Hub, as identified in the EFP application for data sharing and enforcement purposes.
22. The main buoy and any trailer buoys shall be marked with the operator’s commercial fishing license identification number. All identification numbers shall be at least one and one-half (1.5) inches in height and drawn with a line no less than 1/4 (0.25) inch thick.



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23. Buoy markings shall comply with requirements specified in Section 180.5, Title 14, CCR. Every buoy shall be marked exclusively with the Identification Letters “EA” with at least one buoy marked with the operator's commercial fishing license identification number followed by the Identification Letters “EA”.
- a. Buoys that are 4 inches in diameter or greater shall have Identification Letters marked on four opposing sides.
 - b. Buoys that are smaller than 4 inches in diameter shall have Identification Letters marked on two opposing sides.
 - c. The commercial fishing license identification number shall be at least 1.5 inches in height and drawn with a line no less than 0.25 inch thick.
 - d. The Identification Letters “EA” shall be at least 3 inches in height and drawn with a line no less than 0.25 inch thick.
 - 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.
24. Pursuant to FGC Section 9004, authorized agents shall service their traps at intervals no more than 96 hours unless otherwise authorized in writing by the Department. Exceptions may be made for weather.

Other Requirements

25. No testing or fishing for crab may take place unless a functioning electronic monitoring system is installed and used as specified by the Department. The electronic monitoring device must be capable of recording vessel location at a frequency of at least once per minute with an active subscription service when the vessel is engaged in fishing operations covered under this EFP, including transiting to and from fishing areas. Authorized agents shall grant Department access to all data upon request.
26. 24 hours prior to commencing a fishing trip during which EFP activity is expected to be conducted, notice of vessel name, anticipated fishing dates, port of departure, and expected landing port shall be made via email to the Department’s Law Enforcement Division (LEDMarineNotifications@wildlife.ca.gov) and Marine Region (WhaleSafeFisheries@wildlife.ca.gov).
27. The permittee shall follow the best practices for avoiding whale entanglement described in the attached guide. This includes fishing gear and incident reporting requirements.
28. The permittee shall provide training to CDFW personnel on any aspect of the permitted project on request.
29. The permittee shall comply with data reporting requirements as described in Attachment A.
30. The vessel shall be capable of safely carrying an observer when requested by the Department and provide that observer with accommodations equivalent to those provided to the captain and crew for both single and multi-day trips if multi-day trips are conducted.
31. The permittee shall adhere to the gear recovery plan as described in the EFP application. The permittee will further document all lost gear, including traps, buoys and other equipment and submit annually to the Department. Failure to keep or submit required information may result in revocation or suspension (including non-renewal) of the permit.



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32. Unless otherwise specified by the Department, the permittee shall submit reports pursuant to subsection 91(l), Title 14, CCR to the EFP Coordinator (EFP@wildlife.ca.gov) no later than 60 days after the permit expiration date.



Attachment A: Data Reporting Requirements

1. Deployment Data. Permittee or authorized agent shall provide to the Department as soon as practical, but no more than 12 hours after deployment, the following data for each crab trap deployed:
 - a. The latitude and longitude of each trap, given to the highest precision allowed by onboard instrumentation (“location”).
 - b. The name and vessel ID of the vessel the trap was deployed from.
 - c. The experimental fishing permit number the trap is deployed under.
 - d. The time and date of deployment.
 - e. The time and date the release mechanism is programmed to allow the marker buoy to surface.
2. Recovery Data. Permittee or authorized agent shall provide to the Department as soon as practical, but no more than 12 hours after recovery or attempted recovery, the following data for each crab trap deployed:
 - a. The time and date of recovery.
 - b. The location the gear was recovered.
 - c. The distance between the location where the gear was deployed and recovered.
 - d. The time elapsed between the programmed release time and recovery.
 - e. The location of any unrecovered traps.
3. Gear Location Marking. The permittee or authorized agent shall make fishing locations publicly available to other fishers and the public subject to direction of the Department. Communication of fishing location may include notification to local harbor districts and to the Department web pages, and/or other publicly accessible web pages. Via the Puget Buoy gear marking app the permittee or authorized agent shall make available the location of deployed traps for the purpose of avoiding gear conflict.
4. In addition to the requirements of subsection 91(l), Title 14, CCR, annual and final reports shall include:
 - a. A table or other database containing deployment and recovery data (requirements 1 and 2 of this attachment) for each trip conducted under the authority of this permit.
 - b. A summary of landing data including the number of each crab species landed at each port by each vessel.
 - c. The number of trips conducted by each vessel participating in the EFP, the total number of trap deployments, and the number of unsuccessful recoveries.
 - d. A summary of the efforts taken to recover lost gear, and the outcome of those efforts.



BEST PRACTICES GUIDE FOR MINIMIZING MARINE LIFE ENTANGLEMENT

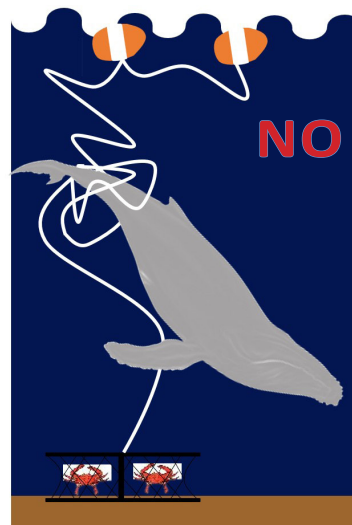
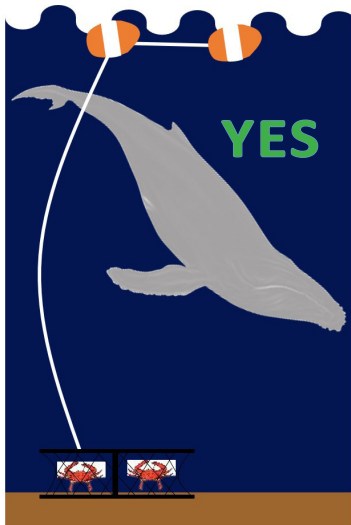
Last updated September 2021



Whale and sea turtle entanglements are a concern for fishermen, the public, California Department of Fish and Wildlife (CDFW), Ocean Protection Council and the National Marine Fisheries Service (NMFS). CDFW developed this guide in collaboration with the California Dungeness Crab Fishing Gear Working Group as part of a proactive and comprehensive approach to addressing entanglements in Dungeness crab gear. Taking these important steps will help maintain the fleet's access to this valuable resource.

BEST PRACTICES

- **ADJUST** trap line length when changing set location across depths by maintaining optimal scope.
- **MINIMIZE** knots, leads and scope when compensating for tides, currents, and weather.
- **ELIMINATE** excess lines floating at the surface. Floating line should only be used between the main buoy and the trailer.
- **REDUCE** slack surface line.
- **KEEP** vertical lines taut.
- **AVOID** setting gear in the vicinity of whales and sea turtles.
- **COMMUNICATE** locations of high whale activity to other fishing boats.
- **REMOVE** fishing gear prior to the end of the season.
- **PROMPTLY** remove gear not being actively fished.
- **MARK** gear consistent with regulations.
- **MAINTAIN** gear to ensure lines and buoys are in good working condition so they do not break and get lost.
- **RETRIEVE** lost or abandoned commercial Dungeness crab traps as authorized in Title 14, CCR Section 132.2 and 132.7.



**KEEP LINE
BETWEEN
POT AND
MAIN BUOY
TAUT
AND
VERTICAL**

NEW RECREATIONAL REGULATIONS



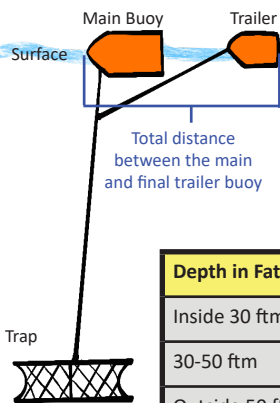
Attention Sport Crab Fishermen



- The season opening and closing date may be modified due to entanglement risk for Dungeness crab. Season Updates provided at: wildlife.ca.gov/Conservation/Marine/Whale-Safe-Fisheries
- Any person who uses crab traps is required to purchase an annual trap validation.
- All traps must have a main buoy that is at least 5" in diameter and 11" in length attached to a red marker buoy that is 3" in diameter and 5" in length, attached to main buoy with 3' of line or less.
- All traps must be raised, cleaned and emptied (serviced) at least every 9 days.
- 10 trap limit and fishermen may service up to 10 more traps with written permission from the operator of the traps.

COMMERCIAL BUOY SETUPS

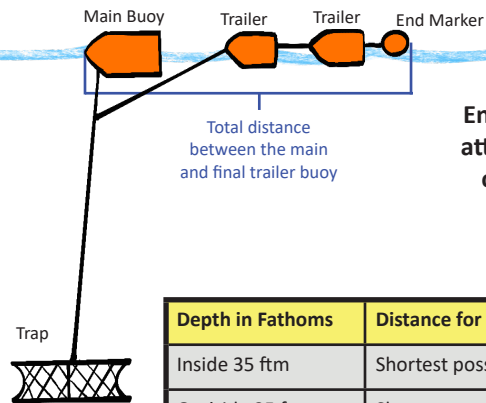
Best Practices (Recommended)



Minimize # of buoys-
No more than 1 trailer buoy inside 30 fathoms.

Depth in Fathoms	Distance for Buoy Setup
Inside 30 ftm	Shortest possible - 3 ftm Max (18 ft)
30-50 ftm	Shortest possible - 4 ftm Max (24 ft)
Outside 50 ftm	Shortest possible - 5 ftm Max (30 ft)

Regulation



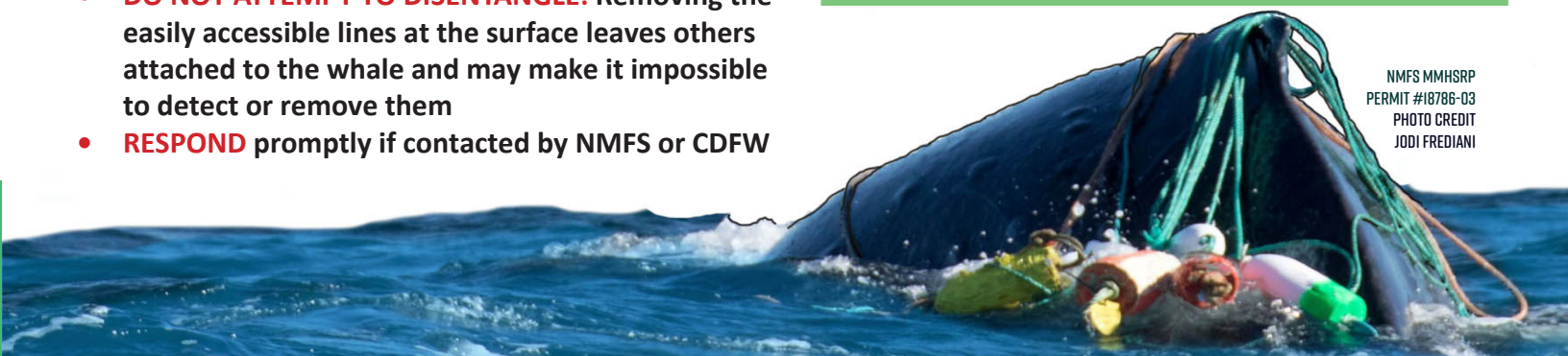
End Marker Buoy attached to 3 feet of line or less.

Depth in Fathoms	Distance for Buoy Setup
Inside 35 ftm	Shortest possible - 4 ftm Max (24 ft)
Outside 35 ftm	Shortest possible - 6 ftm Max (36 ft)

IMMEDIATELY REPORT ENTANGLEMENTS

- **CALL NMFS RESPONSE HOTLINE: 1-877-SOS-WHALE**
- **HAIL THE COAST GUARD: CHANNEL 16**
- **NOTE** date, time, location and take a photo
- **STAND BY** for responders
- **MAINTAIN A DISTANCE OF 100 YARDS** for the safety of you and the whale
- **DO NOT ATTEMPT TO DISENTANGLE:** Removing the easily accessible lines at the surface leaves others attached to the whale and may make it impossible to detect or remove them
- **RESPOND** promptly if contacted by NMFS or CDFW

If you have suggestions for reducing entanglements in fishing gear, contact Dan Lawson at the NMFS Protected Resources Division: Dan.Lawson@noaa.gov or Ryan Bartling at CDFW: Ryan.Bartling@wildlife.ca.gov For other related inquiries or questions about this Best Practices Guide: WhaleSafeFisheries@wildlife.ca.gov More information at: wildlife.ca.gov/Conservation/Marine/Whale-Safe-Fisheries



NMFS MMHSRP
PERMIT #18786-03
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