



**MARINE FISHERIES: EXPERIMENTAL FISHING PERMIT TERMS AND CONDITIONS**

**Experimental Fishing Permit No.**

**Revision Date:**

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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: **Kim Sawicki (EFP Holder)**

EFP Holder/Entity Administrator Address: **[Address omitted]**

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:

This permit authorizes testing and commercial use of pop-up gear fishing systems for take of brown box crab and California king crab pursuant to the standard terms and special conditions outlined below.

**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.



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- 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.
- 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 \$ \_\_\_\_\_

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\_\_\_\_\_  
By: LRB

\_\_\_\_\_  
Date



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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. The Department may allow up to a maximum of 10 authorized agents and 5 vessels for this EFP, as it deems necessary for research purposes.
  - a. Authorized Agent Name and Address
    1. Gregory Olsen [address omitted]
    2. Dannial Major [address omitted]
  - b. Authorized Project Vessel
    1. Fourth Watch [vessel ID omitted]
    2. Island Lady G [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

1. The EFP Holder or authorized agent (“permittee”) and any person who assists the permittee shall possess a valid commercial fishing license issued pursuant to FGC Section 7850, prior to engaging in any commercial fishing operations authorized by this permit.
2. The permittee and any person who assists the permittee shall possess a valid general trap permit issued pursuant to FGC Section 9001, prior to engaging in any fishing operations authorized by this permit.
3. The permittee 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.
4. The EFP Holder shall be responsible for coordination, oversight, and reporting of all authorized activities as described in the EFP application.

### Authorized Species, Take Allowances, and Landing Requirements

5. Each authorized vessel may take of up to 36,000 lbs of brown box crab (*Lopholithodes foraminatus*) and up to 36,000 lbs of California king crab (*Paralithodes californienis*) annually.
  - a. Incidental landings of up to 25 pounds of brown box crab and California king crab are allowed in other fisheries pursuant to Section 126, Title 14, CCR, but will count towards the annual limit until the Department is notified that the limit has been reached.
  - b. If an authorized vessel is replaced on this permit by a permittee, all brown box crab or California king crab landed from the original vessel will count towards the annual limit.

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6. If the annual limit for brown box crab or California king crab is reached before the permit expires for any authorized vessel, all authorized fishing gear deployed under this EFP from said vessel must be removed from the water immediately, and the permittee must notify the Department in writing and all crab must be landed within 24 hours after returning to port. Afterward, up to 25 pounds per day of each species may be landed pursuant to Section 126, Title 14, CCR.
7. All species other than brown box crab and California king crab taken in authorized gear shall be returned to the water immediately and not used as bait.
8. All landing receipts reporting catch under the EFP must have the state EFP number recorded in the “State Permit #” field and the number of individual crabs recorded under the “# of Fish” field. Any landings of brown box crab or California king crab taken either under the EFP or incidentally in other fisheries shall record “SpeciesID” as follows:
  - a. Box crab (*Lopholithodes foraminatus*): species code 809
  - b. King crab (*Paralithodes* spp.): species code 804
9. Minimum size limits: Brown box crab must have a minimum width of 5  $\frac{3}{4}$  inches and all California king crab must have a minimum width of 5 inches, as measured across the widest part of the carapace including spines. No crab under the minimum size shall be retained, possessed, or landed, unless authorized in writing by the Department to retain smaller crab for research purposes.
10. No processing or packaging may take place until all crab is weighed, recorded on a landing receipt, and a landing receipt is provided to the authorized agent by the receiver.
11. Permittees may participate in the following fisheries during fishing trips in which EFP activities are taking place if appropriate permits for retained species are in place: rock crab, spot prawn, lobster, and groundfish. Adherence to all other regulations regarding the take of these species is required. Lobster and rock crab may not be possessed on the same trip pursuant to FGC Section 9011.
12. Samples shall be provided to the California Department of Public Health when requested for public health testing.

**Gear Allowances, Specifications and Marking Requirements**

13. Pursuant to FGC Section 9004, permittees must service their traps at intervals no more than 96 hours unless otherwise authorized in writing by the Department. Exceptions may be made for weather or other safety concerns.
14. All traps must comply with the requirements specified in FGC Section 9011 for rock crab, except the Department may allow and/or request deployment of specific trap designs for research purposes. All traps used or deployed must have at least one destruct device pursuant to FGC Section 9003.
15. Buoy markings shall comply with requirements specified in Section 180.5, Title 14, CCR. Every buoy shall be marked exclusively with the Identification Letter “EB” with at least one buoy marked with the operator's commercial fishing license identification number followed by the Identification Letter “EB”.
  - 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.



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- 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 “EB” 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.
16. A maximum of 75 traps may be deployed or possessed on board a vessel. All gear must be fished in strings of no more than seven traps.
17. All authorized fishing gear must utilize pop-up gear at one end of a string. A vertical line may be used only prior to Phase 3 of the project while pop-up gear is being tested and actively tended.
18. Any buoy lines used with pop-up gear shall have pink marking 12 inches from the buoy end and the trap end, and in the center of the line.
19. Permittees will test and report on the efficacy and durability of line marking methods and surface gear marking when requested by the Department.
20. If requested by the Department, permittees must move fishing gear in response to circumstances including, but not limited to, marine life entanglement risk, gear conflicts, and public health.

Pop-up Gear Testing Requirements

21. The EFP Holder shall conduct workshop(s) to train the authorized agents (if applicable) in data collection and alternative gear operation protocols prior to at-sea trials of the pop-up gear fishing systems.
22. All traps using pop-up gear must be recorded in a gear-marking web-based application upon deployment and retrieval, and all associated data fields must be populated with accurate information (see Attachment A).
23. Permittees shall provide the Department access to the gear-marking web-based platforms identified in the EFP application for data sharing and enforcement purposes.
24. The EFP Holder must notify the Department when Phase 3 begins for each permittee and provide descriptions of the pop-up gear configurations and the gear marking applications being used.

Allowable Fishing Area and Time of Year

25. Fishing activities under this EFP shall only occur between Point Conception (34° 27' N. latitude) and the California/Mexico border (32° 32' N. latitude).
26. All authorized fishing gear must be set at depths between 60 – 150 fathoms.
27. Fishing activities shall not occur in any state Marine Protected Areas pursuant to Section 632, Title 14, CCR.
28. 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).
29. Fishing shall be subject to delays or area closures due to marine life entanglement risk pursuant to Section 132.8, Title 14, CCR, or public health concerns pursuant to Fish and



### Other Requirements

30. No fishing for brown box crab or California king crab may take place unless one or more functioning electronic monitoring systems are installed and used as specified by the Department. Required systems may include but are not limited to location positioning loggers with a ping rate of at least 1 per minute and electronic trap tags. The permittee shall grant the Department access to all data.
31. 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 ([email omitted] or [phone number omitted]).
32. Permittees shall follow the best practices for avoiding whale entanglement described in the attached guide. This includes fishing gear and incident reporting requirements.
33. Permittees shall employ the gear retrieval methods described in the EFP application to recover any lost gear. Permittees 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.
34. Authorized vessels may be required to carry a fisheries observer at the discretion of 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. The permittee may be required to contract with a qualified fisheries observer company.
35. Unless otherwise specified by the Department, the EFP Holder shall submit reports pursuant to subsection 91(l), Title 14, CCR to the EFP Coordinator ([EFP@wildlife.ca.gov](mailto:EFP@wildlife.ca.gov)) no later than 60 days after the permit expiration date. See Attachment A for reporting requirements.



## **Attachment A: Data Collection and Reporting Requirements**

### Pop-up Gear Testing

1. Deployment Data. For all strings of traps deployed during Phase 3, the following data shall be made available to the Department as soon as practical, but no more than 72 hours after deployment:
  - a. The pop-up gear system(s) used.
  - b. The number of traps in the string, and the latitude and longitude of the first and last traps in each string, given to the highest precision allowed by onboard instrumentation (“location”).
  - c. The name and vessel ID of the vessel the string was deployed from.
  - d. The experimental fishing permit number the string is deployed under.
  - e. The time and date of deployment.
  - f. The time and date the release mechanism is programmed to allow the marker buoy to surface, if applicable.
2. Recovery Data. For all strings of traps deployed during Phase 3, the following data shall be made available to the Department as soon as practical, but no more than 72 hours after recovery:
  - a. The time and date of recovery.
  - b. The location where 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, if applicable.
  - e. Documentation of any pop-up system malfunctions (e.g., early release or unresponsive to release signal).
  - f. The location of any unrecovered traps.
3. Permittees shall make available the location of the first and last traps in a string to other commercial fishers operating within 1/4 statute mile of deployed pop-up gear as soon as practical, but no more than 12 hours after deployment, for the purpose of avoiding gear conflict.

### Exploratory Fishing

1. Permittees shall participate in all fishery- and biological-research data collection activities required by the Department that may include but are not limited to:
  - a. Documenting all fishing activities using a logbook provided by the Department
  - b. Documenting trap contents using forms provided by the Department
  - c. Recording information on recaptured tagged crab using forms provided by the Department
  - d. Collecting biological samples
2. Permittees shall submit all required records of EFP fishing activity and catch to the Department’s Marine Region ([email omitted]) within 72 hours of each fishing trip. Failure to keep or submit required records of fishing activity and catch within 72 hours after each fishing trip may result in revocation or suspension (including non-renewal) of the permit.

### Reports

1. In addition to the requirements of subsection 91(l), Title 14, CCR, annual and final reports to be submitted by the EFP Holder shall include:



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- a. A short summary of fishing activity and findings.
- b. A record of all lost gear, including traps, buoys and other equipment.
- c. A summary of the efforts taken to recover lost gear, and the outcome of those efforts.
- d. Summaries of any trainings or workshops conducted for fishers or Law Enforcement personnel, including outcomes and accomplishments.
- e. A table or other database containing pop-up gear deployment and recovery data described above for each trip testing pop-up gear systems conducted under the authority of this permit, including all system malfunctions.
- f. The number of trips testing pop-up gear, the total number of deployments, and the number of unsuccessful recoveries.
- g. Descriptions of the pop-up gear systems and configuration(s) used and assessment of their performance, including any issues identified regarding their utility in deep-water fixed gear fisheries.
- h. Descriptions of virtual gear marking applications used and assessment of their performance.