



CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DECLARATION OF FISHERIES DELAY
DUE TO A PUBLIC HEALTH THREAT
CAUSED BY ELEVATED LEVELS OF DOMOIC ACID IN SPINY LOBSTER

Pursuant to Fish and Game Code Section 5523, I find and declare that

I.

On September 22, 2023, the Director of the Office of Environmental Health Hazard Assessment in consultation with the State Public Health Officer at the California Department of Public Health determined that spiny lobster in state waters off mainland Los Angeles and Orange counties pose a human health risk due to elevated levels of domoic acid and recommended delaying the opening of the commercial and recreational spiny lobster fisheries in the affected area.

II.

THEREFORE, under the authority granted by Fish and Game Code Section 5523, I am enacting both a commercial and recreational spiny lobster fishery delay effective immediately in state waters as specified below. State waters extend three nautical miles beyond outermost islands, reefs, rocks, and the Los Angeles and Long Beach breakwaters.

1. The commercial delay area is defined as state waters between the following coordinates: east of 118° 30.00' W. longitude and west of 118° 0.00' W. longitude and north of 33° 40.00' N. latitude and south of 33° 50' N. latitude. Except as provided, commercial take and possession of spiny lobster is prohibited in these waters due to public health. Vessels shall be allowed to transit through the public health delay area with spiny lobster in possession, provided they are continuously traveling through this area without stopping and carrying onboard an electronic monitoring system actively recording the vessel's location using GPS coordinates for all fishing trips during the delay period. Electronic monitoring data must be made available to the California Department of Fish and Wildlife upon request for the duration of the delayed fishing period. Vessels may possess lobsters in the closed area when tied to a dock or slip, or when anchored for emergency purposes. Commercially harvested lobster taken legally outside the delay area may be held in receivers inside harbors within the delay area as long as the receivers are tied

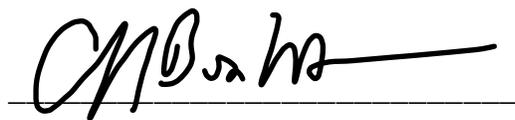
or fixed securely to a dock and meet the appropriate identification requirements outlined in C.C.R. Title 14 section 122.1.

Pursuant to the authority granted to the Director of Fish and Wildlife in Section 5523(a), commercial traps may be placed within the delay area under the following restrictions:

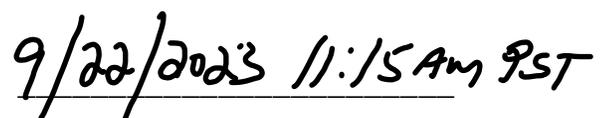
- a. Traps may be placed within the area only if the doors to such traps are wired open, the trap is unbaited, the buoy remains at the surface of the ocean, and no attempt is made to take spiny lobsters.
 - b. Pursuant to C.C.R. Title 14 section 122.2(d), all traps placed within the area must be serviced at intervals not to exceed 168 hours.
 - c. When servicing traps within the area, no spiny lobster may be on board the vessel or in possession.
2. The recreational delay area is defined as state waters between the northern boundary of the Point Vicente SMCA and the westernmost point of the Long Beach Breakwater. The area is bounded by straight lines connecting the following points in the order listed except where noted: 33° 44.800' N. lat. 118° 24.807' W. long.; 33° 44.800' N. lat. 118° 28.931' W. long.; thence southeastward along the three nautical mile offshore boundary to 33° 40.384' N. lat. 118° 10.850' W. long.; and 33° 45.640' N. lat. 118° 10.850' W. long.

Except as provided, recreational take and possession of spiny lobster is prohibited in these waters due to public health. Recreational vessels shall be allowed to transit through the delay area with spiny lobster in possession, provided no fishing gear is deployed or placed in the water. Vessels may possess spiny lobsters in the delay area when tied to a dock or slip or when anchoring for emergency purposes. Divers in the water shall not possess lobsters while in the delay area.

The delays will remain in place until I am notified by the public health agencies named above, that a health hazard regarding spiny lobster no longer exists.



Charlton H. Bonham, Director



Date/Time