

PROJECT TITLE: Hoop Net EFP, Zones 3-6

A. CONTACT INFORMATION

Provide contact information for key participants, including the applicant and, if applicable, the entity administrator and any authorized agent(s). If any key participant does not have a Get Outdoors ID (GO ID) or commercial fishing license (CFL) number, they must provide information for CDFW to create a new customer profile pursuant to subsection 91(c)(2)(A)(1), Title 14, CCR.

1. Applicant

Name	Craig Thomsson
Title and Affiliation	[REDACTED]
Mailing Address	[REDACTED]
Email Address	[REDACTED]
Telephone Number	[REDACTED]
GOID or CFL Number	[REDACTED]
If no GOID or CFL number:	[REDACTED]
Residence Address (if different from mailing)	
Date of Birth	
Height	
Eye Color	
Hair Color	
Weight	
Gender	
Personal Identification	A copy of DMV ID, passport, military ID, or other acceptable form of identification as listed in <u>subsection 700.4(c), Title 14, CCR.</u>

2. Entity Administrator (if applicable)

Name	Rachel Thomsson
Title and Affiliation	[REDACTED]
Mailing Address	[REDACTED]
Email Address	[REDACTED]
Telephone Number	[REDACTED]

GOID or CFL Number	██████████
If no GOID or CFL number:	████████████████████████████████████████
Residence Address (if different from mailing)	
Date of Birth	
Height	
Eye Color	
Hair Color	
Weight	
Gender	
Personal Identification	A copy of DMV ID, passport, military ID, or other acceptable form of identification as listed in subsection 700.4(c), Title 14, CCR .

3. [Authorized Agent\(s\)](#) (if applicable)

N/A

B. STATEMENT OF PURPOSE

1. Describe the purpose and goals of the proposed project, including how the project meets or is consistent with the policies of [Fish and Game Code \(FGC\) Section 7050](#).

The commercial Dungeness crab season in Fishing Zones 3-6 has been significantly shortened over the past several years by the RAMP (Risk Assessment and Mitigation Program) regulations in order to minimize the risk of entangling humpback whales, blue whales, and leatherback sea turtles. While an important tool for managing risk, such strategies have resulted in consecutive years of closures and shortened seasons, financially impacting fisherman who rely on revenue from a full crab season. In particular, losing the holiday markets in the Fall and Winter months has been devastating.

We must find cost-effective alternative gear types that mitigate entanglement risk for commercial use during the period of time the Dungeness crab season is closed by the RAMP, with the ability to revert to traditional crab pot gear once restrictions are released. Approving such alternative gear types will provide CADCPs (California Dungeness Crab Permitholders) access to the entirety of the season, benefitting all facets of the commercial fishing supply chain ranging from our commercial fisherman and their families, to our local and broader economies.

Primary Purpose: to determine whether hoop nets, such as those currently in use by the sportfishing sector, are a viable gear option for the commercial take of Dungeness crab in Fishing Zones 3-6. Viability will largely be determined by whether entanglement risk is minimized and users are able to make a profit. We have prepared specific criteria and a mechanism for data collection to help determine overall viability.

Secondary Purpose: This EFP will allow for the additional testing necessary to support the following long-term goals.

- Allow the use of hoop nets as an approved alternative gear type in Fishing Zones 3-6 for use during any period of time the RAMP closes said Fishing Zones due to the presence of whales between November 15 – June 30. Traditional crab pot gear could be deployed once the RAMP closures or restrictions are lifted.
- We are concurrently requesting a legislative change with the appropriate parties to ensure fair start rules would commence on the same date that traditional crab pot gear was deployed. Therefore hoop nets used as an alternative gear type during any RAMP closure would NOT trigger the fair start rules.

This project is consistent with and supports several of the policies of FCG Section 7050. Specifically, this project will:

- Be a collaborative effort, and include the expertise of long-standing commercial fisherman, a local first-receiver/buyer and CDFW to test the viability of hoop nets,
- Collect and share credible data and information to support decision making for sustainable resource management,
- And if successful, provide expanded opportunities for commercial Dungeness crab fisherman to access the entirety of the season using hoop nets as an approved alternative gear method during any period of time RAMP closes the season due to the presence of whales.

Testing hoop nets:

In order to collect meaningful data and make a sustainable viability decision, EFP participants must be able to test hoop nets during all fishing conditions throughout the entirety of the season.

EFP participants will test hoop nets for commercial Dungeness crab take beginning in the Spring 2024, one day following any potential closure by the RAMP due to the presence of whales, through June 30, 2024. EFP participants may commence testing on the same day traditional crab pot gear can be deployed in the Fall, 2024, and continue through the remainder of the Dungeness crab season, (June 30, 2025, or EFP expiration date, whichever comes first) regardless of any potential Spring RAMP closures. This means there may be periods where EFP Participants will concurrently test hoop nets while fishing traditional crab pot gear.

Testing during the Fall and Winter is critical to understanding viability during all weather conditions. By allowing testing to begin on the same date traditional crab pot gear may be deployed in the Fall, we will be able to collect this important data, as well as address concerns raised by the fleet related to Fall EFP harvesting. As such, if the start of the Fall, 2024 season is delayed due to RAMP, EFP testing won't begin until the same date Fishing Zones 3-6 are able to commence commercial fishing with traditional crab pot gear.

EFP Participants will test the following categories to determine whether hoop nets are a viable fishing option for commercial use:

Data Point	Measurement	Viability Factors
Nets deployed vs. retrieved	Gear loss	Minimal gear loss reduces ghost gear, risk of entanglement, lowers expense for fisherman
Short, two-hour observable soak times	Time to retrieve	Time to retrieve pots will validate ratio of gear to boat
Product quality	Lost claws/legs	Product sustainability and quality for sale
Expenses	Costs after initial investment (deck hand, gas, bait) vs. sale of product	Profitability potential
Entanglement	Known entanglement with marine life	Minimize risk of entanglement

2. Provide a list of proposed project activities that are prohibited under current state fishing laws or regulations (cite the specific section number(s), if known), and the reasons to justify authorization (exemption) of those activities under the EFP.

Prohibited project activities:

As outlined in section 1, this EFP would allow for testing of hoop nets in the Spring of 2024, one day following any potential early closure due to the RAMP regulations. Testing would be allowed through the close of the season, June 30th, 2024. It may commence again in the Fall, 2024, on the same date traditional gear is allowed to deploy and continue through the remainder of the season, through June, 2025, regardless of any RAMP restrictions.

Justification:

Historically, commercial Dungeness crab seasons in Fishing Zones 3-6 seasons have been significantly shortened each year due to the RAMP requirements. As a result, the fishery is in severe financial decline. Approving 'viable', as defined in section 1, alternative gear methods for any RAMP closure period would provide access for CADCPs to fish the entirety of the season, November 15 – June 30th and help begin to safely rejuvenate the industry.

Regulations:

Per FGC 8276(d) – All Dungeness crab traps shall be removed from state waters by 11:59 pm on the last day of the season.

Permittees will deploy/test hoop nets in approved commercial fishing grounds, and only fish when domoic acid levels are within acceptable range.

C. STATEMENT OF QUALIFICATIONS

Respond to each of the following statements by providing relevant qualifications to demonstrate the ability of the applicant and, if applicable, other key participants to perform the necessary duties and responsibilities to carry out the proposed project. PLEASE NOTE: If any scientific or technical assistance is requested of CDFW, pre-application consultation is required.

1. Lead and provide supervisory oversight for all activities of the permit under the authorizations, standard terms, and special conditions.

Permit launch and data collection:

We, (Craig & Rachel Thomsson, Dandy Fish Company, Inc.,) will coordinate the request for the EFP. We will offload the product and collect/provide data (daily report and E-Tix) to key stakeholders.

We have identified up to 10 CADCPs to pilot the use of hoop nets for commercial Dungeness crab take in Fishing Zones 3-6, each with an average of 14 years of commercial fishing experience. Each participant understands there will be regular reporting, costs, and time involved in participation of the EFP. Any legal sized product harvested at any point during this EFP may be sold commercially. Any by-catch resulting from the EFP testing will be immediately returned to the water.

Craig is a former commercial fisherman, and together with Rachel, currently owns and operates a wholesale fish business which opened in 2009. Craig also has previous experience submitting an EFP which resulted in approved regulation changes. The EFP was led in partnership with Travis Tanaka, CDFW, and tested the use of barrel traps on a long-line for the commercial take of hagfish vs. the traditional way of using individual buckets. The use of barrel traps on a long-line resulted in a significant reduction of vertical rope in the water, thus helping to mitigate marine entanglement risk. These regulatory changes were approved and became effective in March 2014.

This is a seasoned group of committed individuals who, with support from CDFW, are well equipped to conduct responsible testing and ultimately help make a solid viability recommendation regarding the use of hoop nets for commercial Dungeness crab take. It is also a dedicated group of people who want to help the industry get back on its feet, and be catalysts for positive change.

2. Experience in identification, methods, and protocols specific to the requested species listed under [Section E.2.](#) of this document.

Up to 10 current CA CDCP holders with previous experience commercial fishing Dungeness crab in Fishing Zones 3-6 will participate. Attached are the proposed protocols for harvesting Dungeness crab during this project:

Hoop Net Allowance:

- 50 hoop nets permitted per commercial Dungeness crab vessel

Service Interval:

- Hoop nets must be serviced every 2 hours; it is unlawful to abandon or leave unchecked a hoop net for more than 2 hours. Any hoop net left unchecked or abandoned for more than 2 hours may be seized.

Surface Buoy Marking Requirements:

- 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. Buoy markings shall comply with requirements specified in Section 180.5, Title 14, CCR.
- Every buoy shall be marked exclusively with the Identification Letters "EF" with at least one buoy marked with the operator's commercial fishing license identification number followed by the Identification Letters "EF".
 - 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 "EF" 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.

Legal Hoop Net Configurations:

Hoop Net Type A (see photo)

- Fishing gear that is comprised of one (1) to three (3) rigid ring(s), with each ring measuring no greater than 36 inches in inside diameter nor less than 10 inches in inside diameter, which is/are connected to non-metallic soft mesh thereby forming a circular-shaped net with an enclosed bottom.
- Lift lines shall be attached only to the top ring.
- A second and third rigid ring(s) may be connected by non-metallic soft mesh to the top ring; however, each ring must be equal in size to or smaller than the ring above it.

Hoop Net Type B (see photo)

- Fishing gear that is comprised of two (2) rigid rings (not including the bait ring), with the bottom ring measuring no greater than 36 inches in inside diameter and the top ring measuring no less than 15 inches in inside diameter.
- (6) rigid straight support arms, and the assembled frame shall measure no more than 10 inches tall.
- The rings and support material shall not be thicker than one (1) inch in any dimension.
- All rings shall be connected by non-metallic soft mesh, thereby forming a net with an enclosed bottom, and lift lines shall be attached only to the top ring.



Examples of commercially available hoop nets. The net on the left (blue line) is an example of a Type B hoop net. The net on the right (red/orange line) is an example of a Type A hoop net.

Summary of Commercial Hoop Net Regulations:

- When the net is being raised the top ring shall be above and parallel to all other rings, with the enclosed bottom portion of the non-metallic soft mesh even with or hanging below all other rings.
- All parts of the hoop net shall collapse and lie flat when resting on the ocean floor in such a manner that the gear does not entrap or restrict the free movement of crustaceans until lifted.
- When suspended from lift lines, the entire hoop net shall measure no taller than 36 inches.
- The ring material shall not be thicker than one (1) inch in any dimension.
- With or hanging below all other rings, and the entire net shall measure no taller than 30 inches.
- A bait ring may be attached to the net as long as the ring is not part of the rigid frame.
- No additional entrances are allowed below the top ring.

3. Obtain all appropriate authorizations and oversee quality control measures to assure conformance to the specified standards or requirements (e.g., take appropriate measures to ensure, promote, and facilitate compliance).

- EFP Authorization underway: Craig and Rachel Thomsson are coordinating approval/authorization on behalf of participating EFP commercial fisherman
- Joe Thornburgh, EFP commercial fisherman and EFP participant will conduct training with EFP commercial fisherman on process, timing and reporting requirements to ensure compliance and consistency
- All product will be offloaded by Dandy Fish Company, Inc., and E-Tix entries will be completed accounting for catch
- Daily reports will be completed by EFP Participants and sent to Craig Thomsson. Reports will be batched and emailed weekly, or as frequent as reasonable, to whalesafefisheries@wildlife.ca.gov. **See attachment 1: Hoop Net Daily Report**
- Communication check-ins with Bartling, La Ferr, Brauer, Wolvek, Thomsson's, and Steffey in July, 2024 and November, 2024.

4. Train all persons operating under the permit.

Joe Thornburgh: 23 years of commercial fishing experience, Commercial F/V owner, member of Fisherman's Association and party boat deckhand with extensive experience using hoop nets for Dungeness crab take will conduct training of all persons operating under the permit. Joe will also be an EFP participant. Training will include proper gear, gear markings, daily log completion and timing of testing. Any member of the extended EFP team (CDFW, Law Enforcement, etc.) may also attend initial training to offer subject matter expertise if desired.

5. Coordinate field activities and communicate field findings with CDFW Marine Region.

- Communication meetings with stakeholders listed above
- Daily entries into E-Tix
- Daily log consolidated and provided to CDFW weekly
- CDFW to complete and monitor project plan and serve as SME for project timeline and needed approvals

6. Collect, analyze, and transmit data gathered under the EFP to CDFW Marine Region.

- See above

D. PERMIT APPLICATION TYPE

1. Select desired permit tier. Which one is appropriate?

- Tier 1 (For purposes other than exploratory fishing)
- Tier 2 (For purposes other than exploratory fishing with assistance from CDFW)
- Tier 3 (For the purpose of exploratory fishing)
- Tier 4 (For the purpose of exploratory fishing with assistance from CDFW)

2. Request [permit fee reduction option](#) consideration.

- Yes
- No

3. Has pre-application consultation with CDFW taken place with respect to this proposal? (Required for a Tier 2 EFP, Tier 4 EFP, or permit fee reduction option)

- Yes
- No

If yes, attach a copy of the pre-application consultation summary letter or provide the name and contact information of CDFW staff with whom the applicant consulted:

Allegra La Ferr, Ellie Brauer, Tiffany Wolvek, Ryan Bartling, James Steffey

E. PROJECT DESCRIPTION

Describe the proposal and any other relevant details, including:

1. A description of the experimental design and research plan, including specific procedures for data collection, storage, processing, and analysis; and a timeline for implementing the project, including, if applicable, when compensation fishing is expected to occur.

- Detailed experimental design provided in section 2
- Data collection methods described in section 6
- Project commences in Spring, 2024. One day following any RAMP closure due to presence of whales, the project may begin. Project will continue through June 30, 2024 and commence again the same day commercial crab fishing is approved to start in Fall 2024 and continue through June, 2025 or the EFP expiration date, whichever comes first.
- Analysis of data to be conducted by: Craig and Rachel Thomsson, EFP participants, with support as needed from Law Enforcement and CDFW:

- Key success factors include: minimal gear loss, entanglement mitigation, limited leg/claw loss of product, financial viability
- Legal Dungeness crab caught during EFP may be commercially sold for human consumption during the traditional Dungeness crab season, November 15-June 30.

2. A list of target species expected to be harvested as samples or for compensation under the EFP, including anticipated amounts (weight or number) and proposed use (e.g., bait, sell, personal use, or other (e.g., research or tag and release)). [Add rows to the table below as needed.](#)

Species Name	Weight or Number	Proposed Use
Dungeness crab	No limit	Commercial sale, human consumption

3. A list of species expected to be taken incidental to fishing conducted under the EFP, including anticipated amounts (weight or number), proposed use (e.g., bait, sell, personal use, discard, or other (e.g., research or tag and release)), and a description of any measures that will be used to reduce incidental catch mortality. [Add rows to the table below as needed.](#)

Species Name	Weight or Number	Proposed Use
Rock crab	Anticipate minimum by-catch	Any rock crab caught shall be immediately returned to the water

4. A description of the mechanisms that will be utilized to ensure that any proposed harvest limit for target and incidentally caught species are not exceeded and are accurately tracked or monitored (e.g., at sea fisheries observers, electronic monitoring, or other reporting method); and, if applicable, a description of the vessel's capacity to accommodate an onboard observer.

Catch must meet all commercial size regulations, there is no quantity limit.

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.

All landings will be properly recorded in E-Tix.

5. A description of any potential impacts on existing fisheries, habitats, or possible incidental interactions with threatened, endangered, or protected species (e.g., sea turtles, marine mammals, and birds) that could occur as a result of the project.

The goal of this work is to determine whether the use of hoop nets, through specific protocols as indicated (e.g., limited and monitored soak times) will mitigate any interactions with threatened, endangered, or protected species and can serve as a financially viable alternative gear type for commercial use.

Specifically, hoop nets will be tended to every two hours which will allow fishers to respond quickly if they notice whales or other endangered species are present. The max hoop net limit of 50 reduces the amount of vertical rope in the water as compared to typical crab pot permit limits, therefore, leading to a reduction of entanglement risk.

Permittees shall also follow the existing best practices for avoiding marine life entanglement as described in the best practices guide. **See attachment 2: Best Practices Guide.** This includes commercial fishing gear and incident reporting requirements. The term “trap” referenced in the best practices guide can be interchangeable with the term “hoop net” for purposes of this EFP.

Testing will largely occur in up to 50 fathoms and Permittees will avoid sensitive habitats such as MPAs.

6. The type and amount of gear to be used, including gear specifications and design, and, if applicable, a description of any measures and/or devices that will be used to reduce bycatch. If the project involves gear modifications or other gear innovations, the description must include the means by which CDFW staff can locate, retrieve, and inspect the proposed gear.

See above description in section 2: buoy modifications will be made to easily identify and locate/retrieve gear as needed for inspections or any other purpose as indicated.

A pool of hoop nets may be purchased for testing purposes. Line and buoy markings will clearly reflect which Permittee is utilizing them.

7. The location and timing of the project. The description must include trip specifications, such as fishing depth, anticipated number of trips, expected trip duration, and estimated number of hauls and average soak time (for fixed gear) or estimated number of tows/sets to be made per day, and estimated duration and speed per tow (for mobile gear). For project vessels listed in [Section F.](#) of this document, the description must also identify any fishing activity that is expected to occur on the same

trip as the project for purposes other than those provided by the EFP (e.g., fishing before and/or after the EFP activities).

- This project will begin in Fishing zones 3-6, in Spring, 2024, one day following any potential RAMP closure due to presence of whales, and continue through June 30th, 2024.
- Project may commence again in Fall, 2024, the same day commercial crab pots may be deployed in Fishing Zones 3-6 and continue through June 30th, 2025, or the EFP expiration date, whichever comes first, regardless of any potential Spring closure due to RAMP.
- EFP Participants will typically set traps 1-2 times per day. Testing data will help to validate how long it takes to haul in a hoop net to ensure viability of 50 pots with a two-hour soak time.

F. PROJECT VESSELS (IF APPLICABLE)

Provide vessel information. Using the table below, complete a separate entry for each project vessel to be authorized by the EFP. For any vessel that will be used in commercial fishing activity related to the permit, the commercial boat registration number issued pursuant to [FGC Section 7881](#) is required. For any vessel that will not be used in commercial fishing activity related to the permit, the commercial boat registration number issued pursuant to [FGC Section 7881](#) or a copy of the United States Coast Guard (USCG) Certificate of Documentation is required. If there is no Certificate of Documentation for the vessel, a copy of the vessel's state registration is required.

See attachment 3: EFP Participant Data

G. SIGNATURE

X

Signature of Applicant

Date

H. APPLICATION FEE PAYMENT PLEASE SEE [CDFW'S EFP PROGRAM PAGE](#) FOR FURTHER INFORMATION.