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## Fish and Game Commission



*Wildlife Heritage and Conservation  
Since 1870*

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### **NOTICE OF RECEIPT OF RECOMMENDATION AND CONSIDERATION OF EXPERIMENTAL FISHING PERMIT 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 January 3, 2024, the California Department of Fish and Wildlife (Department) transmitted to the California Fish and Game Commission (Commission) a recommendation regarding an Experimental Fishing Permit (EFP) application (Tracking #2023-03) to conduct a collaborative research project aimed at testing the use of hoop nets in the commercial Dungeness crab fishery to mitigate the risk of marine life entanglements while providing increased fishing opportunities. Consistent with subsections 91(e)(2) and (91)(f), Title 14 CCR the Commission has scheduled the EFP application for consideration at its February 14-15, 2024 meeting in Sacramento.

#### **EFP Project Description**

The applicant requests a Tier 2 (Department supported) EFP to test the commercial use of hoop nets in the California Dungeness crab fishery to inform development of future fishing opportunities for the commercial fishery and Alternative Gear decisions under the Department's Risk Assessment Mitigation Program (RAMP) (proposed project). The proposed project would allow up to 10 permitted vessels to test hoop nets to assess performance, feasibility, and compatibility in the commercial California Dungeness crab fishery. The purpose of the proposed project is to test whether hoop nets reduce the risk of marine life entanglement and whether they can be a reasonable alternative to traditional crab traps during periods of high entanglement risk when the fishery would otherwise be closed.

The proposed project would occur in waters shoreward of 30 fathoms off the coast of California between the Sonoma/Mendocino County line (38° 46.125' N. latitude) and Point Conception (34° 27' N. latitude). Each vessel would test up to 50 hoop nets with no more than 500 hoop nets deployed simultaneously by all 10 participants. All species other than Dungeness crab taken incidentally in hoop nets will be immediately returned to the water. Testing and retention of crab may occur during the statutory season (November 15-June 30); however, testing would not occur during a season delay in the fall.

#### **Department Recommendation**

Pursuant to subsection 91(d)(2), Title 14, CCR, the EFP application was accepted by the Department for technical review on November 1, 2023. The Department has completed its evaluation of the application and recommends approval of a Tier 2 permit with special

conditions that will be specified on form DFW 1103. The recommendation, including permit special conditions, and application are available at <https://fgc.ca.gov/EFP>.

If approved, the proposed special conditions together with the standard terms of the EFP will ensure and allow the Department to adequately enforce the permit in accordance with FGC Section 1022 and Section 91, Title 14, CCR.

In addition, the Department recommends approval of a permit fee reduction pursuant to subsection 91(m)(3), Title 14, CCR. If approved, this option would allow the collection of data and information that will help inform future management decisions regarding Alternative Gear including whether this gear has the potential to reduce marine life entanglement when scaled up fleetwide.

The application, Department recommendation, and other information in the records before the Commission are posted on the Commission's website at <https://fgc.ca.gov/EFP>.

Written comments on the EFP application and/or Department recommendation must be received by 5:00 PM on February 1, 2024 and may be emailed to [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov) or mailed to California Fish and Game Commission, Attn: EFP, P.O. Box 944209, Sacramento, California, 94244-2090. Oral comments will be accepted at the Commission's February 14-15, 2024 meeting.

January 12, 2024

California Fish and Game Commission

Melissa Miller-Henson  
Executive Director