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Fish and Game Commission



*Wildlife Heritage and Conservation
Since 1870*

Notice of Receipt of Recommendation and Consideration of Experimental Fishing Permit (EFP) Major Amendment

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), the California Fish and Game Commission (Commission) has received the California Department of Fish and Wildlife's (Department) recommendation regarding the request from National Marine Sanctuary Foundation to amend its existing EFP (tracking #2023-02), which was approved by the Commission in June 2023. Subsection 91(k) allows for an EFP holder to request amendments to the approved EFP; amendments that exceed the allowances authorized in permit conditions constitute a "major amendment" and are subject to the same Department review, public notice, Commission action, and Department issuance procedures as an original EFP application (subsections 91(d)(2) through (g)). This notice provides the public at least 30 days to review Department recommendations prior to Commission action consistent with subsection 91(e)(2),

The current EFP, as written, is to test the commercial use of multiple pop-up fishing systems in the commercial Dungeness crab fishery to inform future authorization of alternative gear pursuant to the Department's Risk Assessment and Mitigation Program (RAMP). The requested major amendment to this EFP proposes to: 1) increase the number of authorized agents and vessels from 5 to 10; 2) allow for testing pop-up systems with either single traps or with up to 20 traps connected by a common groundline; 3) allow testing in both the Dungeness crab and rock crab fisheries, and allow retention of rock crab; 4) allow for retention of Dungeness crab throughout the statutory season; 5) allow vessels to test up to 200 traps per trip and remove the cumulative limit on the number of traps deployed at one time; 6) remove the requirement to deploy gear with back up releases; 7) expand the area where gear may be deployed to include waters between the Sonoma/Mendocino county line and the California/Oregon border; and 8) allow for testing of three additional pop-up gear types and NOAA-approved weak rope (used in conjunction with a pop-up system).

The Department recommends the Commission approve the requested major amendments to the EFP with revisions. The proposed special conditions are specified on draft form DFW 1103 and are necessary for research purposes and the conservation and management of marine resources and the environment, pursuant to subsection 91(i), Title 14, CCR. The EFP amendment request, Department recommendation, proposed permit terms and conditions (DFW 1103), and other information in the records before the Commission are posted on the Commission's website at <https://fgc.ca.gov/EFP>.

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The Commission has scheduled the amendment for consideration at its April 17-18, 2024 meeting in San Jose, California. Written comments on the EFP amendment and/or Department recommendation must be received by April 12, 2024 at 12:00 PM and may be emailed to 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 April 17-18, 2024 meeting.

Please visit www.fgc.ca.gov for additional information.

March 14, 2024

California Fish and Game Commission

Melissa Miller-Henson
Executive Director