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Wildlife Heritage and Conservation
Since 1870

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Notice of Receipt 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 February 8, 2024, the California Department of Fish and Wildlife (Department) transmitted an experimental fishing permit (EFP) application (tracking ID #2024-01) to the California Fish and Game Commission (Commission). The project proposes to build upon a prior EFP for brown box crab in southern California to fill data gaps in essential fishery information for brown box crab, California/spiny king crab, and scarlet king crab in northern California using on-demand buoy retrieval systems (also known as “pop-up” fishing systems).

The EFP application requests a Tier 4 exploratory fishing EFP and is under consideration for the permit fee reduction for testing on-demand buoy retrieval systems. The purpose of the proposed project is to provide data for evaluating the potential for a commercial fishery for brown box crab, and to evaluate the feasibility of using on-demand fishing systems in deep water (50-125 fathoms).

Under the proposed project, the applicant and up to four authorized agents, would conduct testing of two Sub Sea Sonics acoustic-release pop-up fishing systems and the Guardian Trawl Groundline Sled line management system following a phased approach. The applicant would appropriately configure and test the systems with deep water trawls (i.e., multiple pots connected by a ground line) and lead training workshops for prospective participants and Department law enforcement staff (Phase 1), then work with approved authorized agents to optimize the gear for individual fishing strategies (Phase 2) before exploratory fishing using this gear on 100% of trawls can begin (Phase 3).

For Phase 3, exploratory fishing, the application proposes an annual quota for each species on up to five authorized vessels. Each fisher would test up to 10 units with up to 15 traps per unit. Fishing is proposed to occur in District 10 (Pigeon Point to the Sonoma/Mendocino County line) from 50 to 125 fathoms in depth, excluding any marine protected areas and essential fish habitat closures for bottom contact gear. Fishing is proposed to take place July 1 (following the statutory end of the Dungeness crab fishing season) through December 31 or the opening of the next commercial Dungeness crab season in District 10, whichever occurs first.

Participation in other permitted fisheries (e.g., spot prawn, coonstripe shrimp, black cod, and other groundfish) is requested during experimental fishing trips. Dungeness and rock crab may not be retained. Electronic monitoring of vessel locations is proposed to be used in addition to electronic reporting of the locations and times of trap deployments and retrievals. The applicant will provide project oversight and training while the EFP entity administrator will

oversee data collection, analysis, and reporting related to pop-up gear fishing systems testing. Biological and fishery-related data collection would be performed by EFP participants as directed by California Department of Fish and Wildlife Marine Region staff. Refer to the application for more details.

The applicant requests exemptions from the following state fishing laws or regulations:

- Subsection 126(b)(1) Title 14, CCR (25-pound daily possession and landing limit for box and king crabs)
- Fish and Game Code Section 9005 (surface buoy marking requirement)

During its technical evaluation, the Department will determine if other exemptions may be necessary pursuant to FGC subdivision 1022(a)(4).

Pursuant to subsection 91(d)(2), Title 14, CCR, the Department will provide a recommendation to the Commission, including any proposed special conditions. As soon as the Department's recommendation is available, but not less than 30 days before the hearing on this application, a notice will be published on the Commission's website at <https://fgc.ca.gov/EFP> and sent to interested individuals providing information on the opportunity for public comment.

Written comments and information on matters addressed in this notice and relevant to the Department's technical review of the accepted application may be submitted to AFP@wildlife.ca.gov.

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

February 13, 2024

Fish and Game Commission

Melissa Miller-Henson
Executive Director