State of California Office of Administrative Law

In re:

Department of Fish and Wildlife

Regulatory Action:

Title 14, California Code of Regulations

Amend section: 132.2

NOTICE OF APPROVAL OF EMERGENCY **REGULATORY ACTION**

Government Code Sections 11346.1 and 11349.6

OAL Matter Number: 2024-1122-02

OAL Matter Type: Emergency Readopt (EE)

In this emergency readopt of OAL Matter Nos. 2024-0826-02EE and 2024-0301-01E, the Department of Fish and Wildlife is amending regulations to allow permitted Dungeness crab vessels to retrieve an unlimited number of lost, damaged, abandoned, or otherwise derelict traps during a fishery closure pursuant to California Code of Regulations, title 14, section 132.8.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 12/5/2024 and will expire on 3/6/2025. The Certificate of Compliance for this action is due no later than 3/5/2025.

Date:

December 2, 2024

Steven J. Escobar Senior Attorney

Original: Charlton Bonham, Director

Copy:

Chelle Temple-King

For:

Kenneth J. Pogue

Director-

ALFILE Z. PO 15 FOR USE BY Office of Administrative Law (OAL) only For use by Office of Administrative Law (OAL) only For use by Office of Administrative Law (OAL) only DEC 0 2 2024 CFFICE OF ADMINITION DEC 0 2 2024 COPY WITH RULEAMANING AUTHORITY REGULATIONS REGULATIONS REGULATIONS AGENCY WITH RULEAMANING AUTHORITY REPAIR AUTHORITY REGULATION OF NOTICE (Complete for publication in Notice Register) MALECT OF NOTICE AL USE ACTIONS OF PRODUCED OF NOTICE (Complete for publication in Notice Register) MALECT OF NOTICE (Complete for publication in Notice Register) MALECT OF NOTICE (Complete for publication in Notice Register) MALECT OF NOTICE (Complete for publication in Notice Register) MALECT OF NOTICE (Complete for publication in Notice Register) AL USE ACTIONS OF PRODUCED OF NOTICE (Complete for publication in Notice Register) AL USE ACTIONS OF PRODUCED OF NOTICE (Complete for publication in Notice Register) AL USE ACTIONS OF PRODUCED OF NOTICE (Complete for publication in Notice Register) AL USE ACTIONS OF PRODUCED OF NOTICE (Complete for publication in Notice Register) AL USE ACTIONS OF PRODUCED OF NOTICE (Complete for publication in Notice Register) AL USE ACTIONS OF PRODUCED OF NOTICE (Complete for publication in Notice Register) AL USE ACTIONS OF PRODUCED OF NOTICE (Complete for publication in Notice Register) AL USE ACTIONS OF REGULATIONS (Complete when submitting regulations) SUBMISSION OF REGULATIONS (Complete when submitting regulations) The Action of Security (Complete Wildling Bitle 28, If toxice related) ACTIONS OF REGULATIONS (Complete Wildling Bitle 28, If toxice related) ACTION OF REGULATIONS (Complete Wildling Bitle 28, If toxice related) ACTION OF REGULATION OF TOXICE (Code Regs. Bitle 1, \$100 MINESTER) ACTION OF REGULATION OF TOXICE (Code Regs. Bitle 1, \$100 MINESTER) ACTION OF REGULATION OF TOXICE (Code Regs. Bitle 1, \$100 MINESTER) ACTION OF REGULATION OF TOXICE (Code Regs. Bitle 1, \$100 MINESTER) ACTION OF REGISTER OF ACARAGING (Code Regs. Bitle 1,	ATE OF CALIFORNIA-OFFICE OF ADMINISTRAT		MPG E	NCY	For use by Secretary of State of	only
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	Charlton H. Bonham, Dire	ctor			Office of Administrative L	_aw

Emergency Regulatory Language

Section 132.2, Title 14, CCR, is amended as follows:

§ 132.2. Retrieval of Commercial Dungeness Crab Traps.

- (a) Permitted Dungeness crab vessels shall not possess, use, control, or operate any commercial Dungeness crab trap without a buoy tag assigned to that vessel except:
 - (1) To set gear as allowed under Section 8280.7 of the Fish and Game Code; or
 - (2) Notwithstanding Fish and Game Code Section 9002, to retrieve from the ocean and transport to shore another permitted Dungeness crab vessel's commercial Dungeness crab trap that is lost, damaged, abandoned, or otherwise derelict, provided that:
 - (A) No more than six (6) derelict commercial Dungeness crab traps may be retrieved per fishing trip.
 - (B) The retrieving vessel shall return to the ocean waters immediately any crab found in a retrieved commercial Dungeness crab trap.
 - (C) Immediately upon retrieval of a commercial Dungeness crab trap the retrieving vessel operator shall document in the retrieving vessel's log the date and time of the trap retrieval, number of retrieved Dungeness crab traps, the location of the retrieval, and any tag information or buoy markings present on the retrieved trap.
 - (D) Any retrieved commercial Dungeness crab trap shall be transported to shore during the same fishing trip that retrieval took place.
 - (E) Notwithstanding subsection (a)(2)(A), from July 16 through October 31 or as authorized by the Director during a fishery closure pursuant to Section 132.8, an unlimited number of commercial Dungeness crab traps may be retrieved per fishing trip and transported to shore during the same fishing trip.

. . . [No changes to subsections (b) and (c)]

Authority cited: Sections 8276.5 and 9002.5, Fish and Game Code.

Reference: Sections 8276.5 and 9002.5, Fish and Game Code.