

## Proposed Regulatory Language

Section 180.15, Title 14 CCR, is amended to read:

### § 180.15. Coonstripe Shrimp (*Pandalus danae*) Fishing.

- (a) No person shall use a vessel to take, possess or land coonstripe shrimp for commercial purposes unless the owner of that vessel has been issued a coonstripe shrimp vessel trap permit for that vessel that has not been suspended or revoked.
- (b) The applicant for a permit shall submit the fees and the completed application, as specified in Section 705, to the address listed on the application.
- (c) Coonstripe shrimp may only be taken for commercial purposes by traps pursuant to this section and sections 180, 180.2, and 180.5, Title 14, CCR.

#### (1) Coonstripe shrimp traps.

(A) Coonstripe shrimp traps with a single chamber shall have 3 or more rigid and unobstructed openings of no less than 1.25 inches diameter and no greater than 2.5 inches diameter measured in any direction. The openings shall be located on the outer side walls of the trap and no portion of the openings shall be located less than 2.5 inches from the bottom or less than 2.5 inches from the top of the trap. Pursuant to the specifications provided in Title 14 subsection 180.2(a)(1), single chamber coonstripe shrimp traps are not required to contain a destruct device.

(B) A coonstripe shrimp trap with more than one chamber may have any number of rigid unobstructed openings, provided that the opening(s) adhere to the size requirements in subsection (c)(1)(A), however the trap shall contain at least one destruct device in the rearmost chamber of the trap that complies with Title 14 section 180.2.

(C) Every coonstripe shrimp trap, or ground line of traps, shall have a main buoy that identifies the vessel's commercial boat registration number and other marking requirements pursuant to section 180.5. The main buoy shall be at least 4 inches in diameter and no more than 18 inches in length.

(D) No additional trailer surface buoys shall be used.

~~(1) Coonstripe shrimp may not be taken from November 1 through April 30.~~

(2) No other species shall be taken in a coonstripe shrimp trap. Any other species taken incidentally with a coonstripe shrimp trap shall be immediately released.

~~(3) All coonstripe shrimp taken during the closed season shall immediately be returned to the water. No coonstripe shrimp shall be possessed or landed aboard any commercial fishing vessel during the closed season. Unless otherwise prescribed by regulation, it is unlawful to take or possess aboard a vessel any coonstripe shrimp during the closed season or from any closed waters.~~

- ~~(3) Coonstripe shrimp traps may be set and baited no earlier than noon on April 30.~~
- (4) All traps must be removed from the water prior to November 1, weather and sea conditions permitting. ~~In the event that a permittee~~ If a vessel owner is unable to comply with this subsection, ~~due to unsafe weather conditions,~~ then the permittee-vessel owner must notify an officer from the department's Enforcement Branch in the nearest department office via telephone or fax shall send an email to LEDMarineNotifications@wildlife.ca.gov ~~not~~ no later than noon on October 31. The permittee must state the reason for the delay and the anticipated date of removal. The email shall include a description of the specific unsafe weather condition(s) that are causing the delay and the anticipated date of removal. Notification does not relieve the ~~permittee~~ vessel owner of the responsibility for complying with this subsection unless approved by the department.

(5) Line definitions

- (A) Ground line. For the purposes of this section, a ground line is defined as one common line or string that connects a string of traps and shall be anchored on one or both ends.
- (B) Vertical lines. For the purposes of this section, vertical lines are defined as lines that connect a buoy to a trap or ground line of traps.

(6) Coonstripe Shrimp Northern Management Area: north of the Sonoma/ Mendocino county line (38° 46.125' N. latitude) to the California/Oregon border:

- (A) No more than 15 traps shall be attached to one ground line.
- (B) No more than 180 vertical lines, in total, shall be deployed or possessed per vessel.
- (C) Coonstripe shrimp traps shall not be set, placed or located seaward of the 30-fathom depth contour defined by connecting the appropriate set of waypoints adopted in Federal regulations and published in Title 50, Code of Federal Regulations Part 660, Section 660.71 (Revised March 1, 2023), incorporated by reference herein.
- (D) Coonstripe shrimp shall not be taken from November 1 through May 14.
- (E) Coonstripe shrimp traps shall be set and baited no earlier than 6:00 a.m. on May 14.

(7) Coonstripe Shrimp Southern Management Area: south of the Sonoma/ Mendocino county line (38° 46.125' N. latitude) to the U.S./ Mexico border:

- (A) No more than 40 traps shall be attached to one ground line.
- (B) No more than 60 vertical lines, in total, shall be deployed or possessed per vessel.
- (C) Coonstripe shrimp shall not be taken from November 1 through April 30.

(D) Coonstripe shrimp traps shall be set and baited no earlier than 6:00 a.m. on April 30.

(8) When a vessel owner or operator is using or has placed traps in ocean waters in both the Coonstripe Shrimp Northern Management Area and the Coonstripe Shrimp Southern Management Area, the cumulative number of traps, ground line(s) of traps, and vertical lines deployed must not exceed the restrictions described in subsection 180.15(c) for the Coonstripe Shrimp Southern Management Area.

(d) A control date ~~November 1, 2004~~ February 13, 2025, is established for the purpose of considering a future restricted access coonstripe shrimp trap fishery or future gear endorsement. Landings on or after this date may not apply toward a permit in a future restricted access program or future gear endorsement for the coonstripe shrimp trap fishery if one is developed.

(e) Fishing Activity Reporting Requirement: When participating in the coonstripe shrimp trap fishery, all vessel owners must submit monthly reports that include the following information:

(1) Vessel name;

(2) Operator's commercial fishing license identification number;

(3) Fishing chart block number (see subsection 190(f), Title 14, CCR);

(4) Number of traps deployed;

(5) Number of vertical lines;

(6) Number of traps per ground line at the time of reporting; and

(7) Number of lost traps with the final report submitted at the conclusion of the fishing season.

(8) Reports shall be submitted on or before the first day of each month. All reports shall be submitted via a form as prescribed by the department that is available by contacting [coonstripeshrimp@wildlife.ca.gov](mailto:coonstripeshrimp@wildlife.ca.gov).

(f) Pop-up fishing gear

(1) Pop-up fishing gear, as defined in subdivision (f), of Fish and Game Code section 9000.5, may be used in the coonstripe shrimp fishery. Additionally, the pop-up device shall be capable of releasing the buoy upon demand by the vessel owner or by the department.

(2) When using and/or possessing pop-up fishing gear, all vessels shall have a satellite or cellular-based electronic monitoring system designed to monitor location and movement of vessels using global positioning system (GPS) coordinates installed onboard. The system shall accurately track and record a vessel's location at a frequency of no less than once per minute during an entire fishing trip, including when transiting to and from a fishing area. Vessel location data shall be uploaded

automatically and made available to the department or an authorized agent within 24 hours of request.

- (3) Vessel owners shall provide the department or an authorized agent access to the gear-marking web-based platforms they are using and the department's ropeless web portal for data-sharing and enforcement purposes.
- (4) Vessel owners shall ensure that their electronic monitoring system is functioning normally and transmitting location data at all times when fishing or possessing pop-up gear. Whenever regular data transmission is interrupted, or the owner or operator is notified by the department that data are not being received, the vessel shall return to port immediately until regular data transmission resumes. The owner or operator shall also immediately notify the department's Law Enforcement Division of the interruption at LEDMarineNotifications@wildlife.ca.gov.
- (5) Continuous transit through any marine protected area (MPA): Except for purposes of continuous transit, or transit to a designated anchorage pursuant to subsection (f)(6), no vessel shall enter any MPA designated pursuant to Section 632, Title 14, CCR when the owner or operator is using, has placed in the water, or is in possession of any pop-up fishing gear pursuant to subsection (f). For purposes of this section, "continuous transit" is defined as transiting through any MPA on a heading as close as practicable to a direct route, without stopping or delaying, and maintaining speeds greater than three knots at all times during transit. All fishing gear shall be stowed and secured in such a manner that it is rendered unusable, ensuring that traps do not contain bait inside or have bait attached.
- (6) Anchorage: Within MPAs, a vessel shall only anchor, moor, or dock in the designated anchorage areas defined in this subsection. Any vessel anchored within a designated MPA anchorage shall have fishing gear stowed and secured in such a manner that it is rendered unusable, ensuring that traps do not contain bait inside or have bait attached. Vessels transiting through an MPA to a defined MPA anchorage shall adhere to continuous transit requirements defined in subsection 180.15(f)(5).
- (A) Point Reyes State Marine Reserve Anchorage: The anchorage area within the Point Reyes State Marine Reserve is bounded by the mean high tide line and straight lines connecting the following points:
- 38° 01.900'N lat., 122° 56.400'W long.; and
- 37° 59.400'N lat., 122° 57.800'W long.
- (B) Southeast Farallon Island State Marine Reserve Anchorage: The anchorage area within the Southeast Farallon Island State Marine Reserve, excluding the area defined as the Southeast Farallon Island Special Closure in subsection 632(b), is bounded by the mean high tide line and straight lines connecting the following points: 37° 42.250'N lat., 123° 00.170'W long.;
- 37° 42.250'N lat., 122° 59.500'W long.;
- 37° 41.000'N lat., 122° 59.500'W long.;

37° 41.000'N lat., 123° 00.200'W long; and

37° 41.759'N lat., 123° 00.200'W long.

(C) Año Nuevo State Marine Reserve and Greyhound Rock State Marine

Conservation Area Anchorage: The anchorage area within the Año Nuevo State Marine Reserve and Greyhound Rock State Marine Conservation Area is bounded by the mean high tide line and straight lines connecting the following points:

37° 07.000'N lat., 122° 19.900'W long.;

37° 04.000'N lat., 122° 17.000'W long.; and

37° 04.000'N lat., 122° 15.400'W long.

(D) Morro Bay State Marine Recreational Management Area Anchorage: The

anchorage, mooring, or docking areas within the Morro Bay State Marine Recreational Management Area includes the area below mean high tide within Morro Bay east of the Morro Bay entrance breakwater and west of longitude 120° 50.340' W.

(g) Waiver

(1) Any vessel may retrieve and return to shore coonstripe shrimp traps and buoys not marked with that vessel's registration number, if all of the following conditions are met:

(A) The owner of the vessel identified on the trap buoy(s) cannot retrieve the traps due to one of the following circumstances: the permitted vessel is incapacitated due to a major mechanical failure, is destroyed due to fire, capsizing, or sinking, or the owner or operator has an undue hardship resulting from circumstances beyond the control of the vessel owner.

(B) The vessel owner makes a request for a waiver in writing to the department's License and Revenue Branch.

(C) The department approves the waiver request.

(2) A copy of the waiver approved by the department shall be on board the retrieving vessel.

(3) The waiver shall include conditions such as time restrictions, landing prohibitions, or any other conditions the department deems necessary.

(h) It is unlawful to violate any restriction or fail to comply with any requirement imposed by this regulation.

NOTE: Authority cited: Sections 713, 1050, 7857, 8591, 8842 and 12000, Fish and Game Code.

Reference: Sections 1050, 8590, 8591, 8595, 8842, 9000.5, 9001, 9006 and 9015, Fish and Game Code.

Section 180.2, Title 14 CCR, is amended to read:

**§ 180.2. Trap Destruction Devices.**

Pursuant to the provisions of Section 9003 of the Fish and Game Code, every trap used to take fin fish, mollusks or crustaceans shall contain at least one destruction device that complies with the specifications described in this Section. The use of any structures or materials that defeat or interfere with the purpose of the destruct device is prohibited.

(a) Escape openings.

- (1) Each trap destruct device shall create an unobstructed escape opening in the top or upper half of the trap of at least 5 inches in diameter when the destruct attachment material corrodes or fails, except for traps used under authority of a Tanner Crab Trap Vessel Permit or single-chambered traps used under authority a Coonstripe Shrimp Trap Vessel Permit.
- (2) Traps used under authority of a Tanner Crab Trap Vessel Permit shall have an unobstructed escape opening in any sidewall or on the top of the trap; the escape opening shall not be on the floor of the trap. The opening shall measure not less than 11 inches taken at its smallest inside diameter. If the opening is non-rigid or contained within pliable mesh, the smallest inside diameter measurement shall be taken so that a rigid cylindrical measuring device 11 inches in its outside diameter and at least 6.5 inches in length shall be able to pass easily through the opening.
- (3) Traps used under authority of a Coonstripe Shrimp Trap Vessel Permit shall have unobstructed escape openings as described in subsection 180.15(c).

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*[No change to subsections (b) through (c)]*

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NOTE: Authority cited: Sections 7090, 7708, 8500 and 9003, Fish and Game Code.  
Reference: Sections 7090, 8500, 9003 and 9008, Fish and Game Code.

Section 180.5, Title 14 CCR, is amended to read:

**§ 180.5. Trap Buoy Identification.**

- (a) Pursuant to the provisions of Section 9005 of the Fish and Game Code, every trap or string of traps placed in waters of the state to take fin fish, mollusks or crustaceans for commercial purposes shall be marked with a buoy.
- (b) Notwithstanding requirements set forth in Fish and Game Code Section 9006, starting May 1, 2020:
  - (1) Every buoy marking a commercial trap used in a fishery described below shall be marked exclusively with the Identification Letter specific to that fishery.
  - (2) At least one buoy marking each trap, or each end of a string of traps, shall be marked with the Identification Number followed by an Identification Letter.
  - (3) Identification Numbers and Identification Letters shall be as follows:

<i><b>Fishery &amp; Gear Type</b></i>	<i><b>Identification Number</b></i>	<i><b>Identification Letter</b></i>
Lobster Trap	operator's commercial fishing license identification number	P
Rock Crab Trap	operator's commercial fishing license identification number	X
Tanner Crab Trap	vessel's commercial boat registration number	T
Spot Prawn Trap	operator's commercial fishing license identification number	S
Coonstripe Shrimp Trap	<del>operator's commercial fishing license identification number</del> <u>vessel's commercial boat registration number</u>	C
Nearshore Finfish Trap	operator's commercial fishing license identification number	Z

- (c) All Identification Numbers shall be at least one and one-half (1.5) inches in height and drawn with a line no less than ¼ (0.25) inch thick.
- (d) Identification Letters shall be at least three (3) inches in height and drawn with a line no less than ¼ (0.25) inch thick. Every buoy shall be marked as follows:
  - (1) Buoys that are four (4) inches in diameter or greater shall have Identification Letters marked on four opposing sides; and
  - (2) Buoys that are smaller than four (4) inches in diameter shall have Identification Letters marked on two opposing sides.
- (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.

NOTE: Authority cited: Sections 9003, 9005 and 9006, Fish and Game Code.

Reference: Sections 8591, 9002, 9003, 9005, 9006, 9007 and 9008, Fish and Game Code.