

**State of California
Department of Fish and Wildlife**

Memorandum

Date: December 29, 2025

To: Melissa Miller-Henson
Executive Director
California Fish and Game Commission

From: Charlton H. Bonham
Director

Subject: Transmittal of an Experimental Fishing Permit Major Amendment Recommendation for Pop-Up Gear Testing in the Brown Box Crab and King Crab Fisheries (Kim Sawicki/Sustainable Seas Technology, FGC Tracking #2023-01)

On June 19, 2025, Kim Sawicki/Sustainable Seas Technology submitted a final version of a Major Amendment Request for Experimental Fishing Permit (EFP) #2023-01 (Attachment 1) that includes several revisions to expand the scope of approved fishing activities and revise or remove existing EFP Terms and Conditions. The California Department of Fish and Wildlife (Department) accepted the request for technical review on July 31, 2025, and recommends the California Fish and Game Commission (Commission) approve the majority of the requested changes with modifications as further detailed in the Recommended EFP Terms and Conditions (DFW1103, Attachment 2) and supplemental environmental documentation (Attachments 3 and 4).

Since receipt of the major amendment request on February 21, 2025, the Department has worked with Ms. Sawicki to refine and clarify several elements of her initial request, as well as discuss proposed solutions to resolve requests in the amendment. Clarifications received in writing from Ms. Sawicki on June 2, 2025, were incorporated into Attachment 1 as pages 10-11. The Department discussed the proposed restructuring of current per-vessel quotas to an annual Total Allowable Catch with Ms. Sawicki on October 10, 2025, and received preliminary support to include this in the recommendation.

Next Steps

The Department requests the Commission schedule the requested amendment for consideration no sooner than 30 days after public notice is given. The Department has prepared a draft Notice of Receipt of Recommendation (Attachment 5) to support the public notice requirement prescribed in California Code of Regulations, title 14, section 91, subdivision (e)(2). Given the complexity of the amendment request and the associated recommendations, the Department has also prepared a Summary of Recommendations table (Attachment 6) summarizing each component of the request, which may be a useful addendum to Attachment 5 or when preparing materials for consideration by the Commission.

If you have any questions on this item, please contact Dr. Craig Shuman, Marine Regional Manager, at (805) 568-1246 or by email at R7RegionalMgr@wildlife.ca.gov.

Melissa Miller-Henson, Executive Director
California Fish and Game Commission
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Attachments:

1. Major Amendment Request for EFP #2023-01 (confidential information omitted)
2. Recommended EFP Terms and Conditions (DFW 1103)
3. CEQA Overview Memo
4. Draft CEQA Notice of Exemption (NOE) and NOE Attachment
5. Draft Notice of Receipt of Recommendation
6. Table with the Department's Summary of Recommendations

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Department's Summary of Recommendations for Major Amendment Request for Experimental Fishing Permit #2023-01

December 2025

To support California Fish and Game Commission decision-making at its February 11-12, 2026 meeting regarding a request for a major amendment to Experimental Fishing Permit (EFP) #2023-01, California Department of Fish and Wildlife (Department) staff summarized each element in the EFP holder's request for a major amendment and the Department's recommendation (Table 1). The major amendment request included additional concurrent fisheries, changes to the allowable fishing area, increased quota and trap allocations, additional authorized agents and vessels, and a weather exemption to the service interval.

Table 1. Summary of current EFP conditions, permittee-requested amendments, and the Department's recommendation for amendments with rationale for including or not including the change. Each element is identified by a letter (a-q) as well as the numbered Item from the Notice of Receipt of Recommendation for this major amendment. ***Starred, bolded and italicized words** indicate where the Department's recommended special conditions are different from the permit holder's amendment requests. Rationale for differences are provided.

Element (Item #)	Current EFP Condition	Permit Holder's Amendment Request	Department's Recommendation and Rationale
a (Item 1)	Permitted concurrent fisheries: <ul style="list-style-type: none">- rock crab- spot prawn- lobster- groundfish- swordfish (<i>Xiphias gladius</i>) with harpoon and deep set buoy gear (DSBG)- tuna with hook and line- California halibut w/ hook and line- white seabass w/ hook and line	Allow concurrent fishing (i.e., mixed-trips) for sablefish and northern rock crab using commercially authorized gear.	<ul style="list-style-type: none">• Activities are already approved. Proposed revisions to the DFW1103 clarify:<ul style="list-style-type: none">○ Concurrent fishing for groundfish is for species specified in California Code of Regulations, title 14, section 91 (including sablefish) with hook and line gear.○ Concurrent fishing for rock crab includes activities conducted under either a Northern or Southern rock crab permit.

Element (Item #)	Current EFP Condition	Permit Holder's Amendment Request	Department's Recommendation and Rationale
b (Item 1)	See element a above.	Allow concurrent fishing for coonstripe shrimp using commercially authorized gear.	<ul style="list-style-type: none"> Support request.
c (Item 1)	See element a above.	Allow concurrent fishing for Dungeness crab using commercially authorized gear.	<ul style="list-style-type: none"> *Does not support request. <i>Rationale:</i> Recommended season north of Point Conception (element e) precludes the potential for concurrent fishing for Dungeness crab.
d (Item 1)	See element a above.	Allow concurrent fishing for species allowed under a general trap permit using commercially authorized gear.	<ul style="list-style-type: none"> *Does not support request. <i>Rationale:</i> Ensure concurrent fishing activities are compatible with existing prohibitions on use or possession of pop-up gear when taking finfish
e (Item 2)	Fishing allowed between Point Conception and the California/Mexico border.	Expand the geographic scope statewide.	<ul style="list-style-type: none"> Support request, *with a seasonal restriction north of Point Conception limiting EFP activities to the statutory closure for the commercial Dungeness crab season. *Prohibit EFP fishing gear from using line markings required in other West Coast fisheries. <i>Rationale:</i> Reduce gear conflicts with existing fisheries and other EFPs operating north of Point Conception and allow proper identification and attribution of marine life entanglements.
f (Item 2)	Fishing allowed between 60-200 fathoms.	Allow fishing between 50-200 fathoms.	<ul style="list-style-type: none"> Support request *for waters north of Point Conception only. <i>Rationale:</i> Reduce gear conflicts with existing fisheries operating south of Point Conception.
g (Item 4)	Quota assigned to authorized vessels.	Assign quotas to authorized agents.	<ul style="list-style-type: none"> *Replace per-vessel quotas with a permit-wide Total Allowable Catch (TAC), which would run from March 1 through February 28 of the following year. <i>Rationale:</i> Provide additional flexibility to authorized agents to fully use available quota and maximize overall data collection efforts; simplify tracking and oversight by both the Department and EFP holder.

Element (Item #)	Current EFP Condition	Permit Holder's Amendment Request	Department's Recommendation and Rationale
h (Item 3)	Annual per-vessel quotas of 36,000 lbs brown box crab.	Increase annual per-vessel quota of brown box crab to 50,000 lbs.	<ul style="list-style-type: none"> Support request to increase quota for brown box crab; *replace per-vessel quota with a TAC set to 10 times the per-vessel request (500,000 lbs). Rationale: Maintain requested per-vessel opportunity, given proposed restructuring of quota as a TAC (element g) and increases in participation (element m).
i (Item 3)	Annual per-vessel quotas of 36,000 lbs California king crab; no retention of spiny king crab in EFP gear	Allow retention of spiny king crab, and increase annual quota of California and spiny king crab, combined, to 50,000 lbs.	<ul style="list-style-type: none"> Support request to allow retention of spiny king crab; *replace per-vessel quota with a TAC for aggregate king crab and set to 5 times the current per-vessel quota (180,000 lbs), instead of the requested quota. Rationale: Increase flexibility to collect essential fisheries data on non-target, data poor species that co-occur with brown box crab within an aggregate quota for both California and spiny king crab. With limited information regarding stock status for these species, a precautionary approach to not exceed the amount of king crab currently allowed (36,000 lbs * 5 currently authorized vessels) is warranted. Prior harvest has been well under the existing quota, further supporting this approach.
j (Item 3)	No retention of scarlet king crab in EFP gear.	Add new, annual per-vessel quota for scarlet king crab (50,000 lbs).	<ul style="list-style-type: none"> Support request to allow retention of scarlet king crab; *include in new TAC for aggregate king crab (element i). Rationale: Allow collection of essential fisheries data on a data poor species that co-occurs with brown box crab. The extremely limited information available for this species complicates identifying an appropriate species-specific quota; instead, allow retention with a 4-inch size limit within the proposed aggregate quota for king crab.
k (Item 3)	No retention of Dungeness crab in EFP gear.	Allow retention of Dungeness crab.	<ul style="list-style-type: none"> *Does not support request. Rationale: Dungeness crab are rare south of Point Conception, and recommended season north of Point Conception (element e) limits EFP fishing to the statutory Dungeness crab closure, which is intended to protect the stock during vulnerable periods.

Element (Item #)	Current EFP Condition	Permit Holder's Amendment Request	Department's Recommendation and Rationale
l (Item 4)	Stacking not permitted.	Allow stacking up to two authorized agent quotas on a given authorized vessel.	<ul style="list-style-type: none"> • *Do not allow “stacking” of quotas. Instead: <ul style="list-style-type: none"> ○ <i>Explicitly assign each participating fisher (including the EFP holder) to particular vessel(s).</i> ○ <i>Fishers may be assigned to multiple vessels.</i> • <i>Rationale:</i> With proposed restructuring of quota as a TAC (element g), “stacking” quotas is no longer relevant. Also, see element o.
m (Item 5)	Five authorized vessels.	Increase the number of authorized vessels from five to twenty.	<ul style="list-style-type: none"> • Support request to increase the number of authorized vessels, *however, increase to 10 rather than 20. • <i>Rationale:</i> Expand incrementally, consistent with the approach for other EFPs. Facilitates additional participation and testing, while mitigating risk of gear conflict.
n (Item 6)	Ten authorized agents.	Increase the number of authorized agents from ten to forty.	<ul style="list-style-type: none"> • *Does not support request. • <i>Rationale:</i> Applicant requested additional authorized agents to facilitate secondary operators for authorized vessels and increase participation. Since recommended trap allocations are fisher-based (element o), and the vessel-based quota is being replaced with a TAC (elements g-j), a second operator model is no longer relevant; the number of authorized agents should match the number of authorized vessels.
o (Item 7)	75 traps per authorized vessel.	Increase trap limit from 75 to 400 traps per vessel.	<ul style="list-style-type: none"> • Support request, *however, assign trap allocations to each fisher. Fishers may use up to 200 traps, and up to two fishers may be assigned to each vessel. • <i>Rationale:</i> Assigning trap limits to fishers rather than vessels is consistent with current requirements to mark gear with commercial fishing license identification numbers (Conditions 18-20).
p (Item 7)	Per-string maximum of 7 traps.	Increase maximum traps per string from 7 to 20.	<ul style="list-style-type: none"> • Support request.
q (Item 7)	168-hour service interval with no weather exemption.	Maintain the current 168-hour service interval, with an added exception for weather.	<ul style="list-style-type: none"> • Support request.