



Experimental Fishing Permit No. [REDACTED]
Revision Date: [REDACTED]

MARINE FISHERIES: EXPERIMENTAL FISHING PERMIT TERMS AND CONDITIONS

Pursuant to California Fish and Game Code Section 1022 and Section 91, Title 14, California Code of Regulations (CCR), the Experimental Fishing Permit (EFP) holder is authorized to conduct experimental fishing activities according to the requirements of the EFP approved by the Fish and Game Commission (Commission) and issued by the California Department of Fish and Wildlife (Department).

EFP Holder/Entity Administrator Name: **Kim Sawicki** ([REDACTED] **EFP Holder**)

EFP Holder/Entity Administrator Address: ([REDACTED])

Authorized Agent Name: **See authorized agent list on Page 3**

Authorized Agent Address: **See authorized agent list on Page 3**

Vessel Name and ID #: **See authorized vessel list on Page 3**

Description of authorized activity:

This permit authorizes testing and commercial use of pop-up gear fishing systems for take of brown box crab and California king crab pursuant to the standard terms and special conditions outlined below.

STANDARD TERMS

These standard terms shall apply to all persons or vessels conducting authorized activities under the EFP.

1. The permit shall be operated only on the vessels named on this form, if applicable. Either the EFP holder or the authorized agent must be aboard the vessel when activities are being conducted under this permit, and both are responsible and accountable for meeting the requirements and limits of this permit.
2. Pursuant to Fish and Game Code Section 7857(d), the EFP holder or authorized agent shall have a valid copy of the Department issued EFP attached to a signed copy of this form in possession when activities are being conducted under this permit.
3. All persons conducting activities under an EFP must comply with all appropriate state and federal fishing laws and regulations, including but not limited to those relating to protected species, minimum size limits, and seasons or areas closed to fishing that are not otherwise exempted by the permit (see special conditions).
4. The EFP holder and authorized agent shall cooperate with the Department by allowing personnel designated by the Department to board the fishing vessel on any fishing trip (if applicable) or enter a place of business operated by the EFP holder or authorized agent under this permit, to retrieve, observe, or inspect any logbook, records, data, equipment, procedures, or catch throughout the duration of the permit.



5. The EFP holder or authorized agent shall provide Department staff with a 24-hour notice prior to every fishing trip. The contact information for Department staff will be provided for this purpose at the time of permit issuance.

SPECIAL CONDITIONS

As set forth in subsection 91(i), Title 14, CCR, special conditions may be placed on this permit for research purposes and the conservation and management of marine resources and the environment (see following page).

As set forth in subsection 91(k), Title 14, CCR, special conditions may be amended or repealed as necessary for research purposes and the conservation and management of marine resources and the environment.

RECEIPT AND ACKNOWLEDGEMENT

The permit is not valid until the EFP holder has certified by their signature below that they have: 1) read and understand the standard terms and special conditions of the permit; 2) unless otherwise specified in special conditions, paid the appropriate fees specified in Section 704, Title 14, CCR; and 3) returned a signed copy of this form to the Department.

I have read, understand and agree to abide by all standard terms and special conditions of this permit.

EFP Holder Signature

Date

Received by License and Revenue Branch (LRB)

Fee \$ _____ Experimental Fishing Permit No.

Revision Date: _____

LRB Signature: _____ Date: _____

**Experimental Fishing Permit No. [REDACTED]
Revision Date:****Authorization and Special Conditions**

List of approved special conditions, names and addresses of any additional authorized agents, and/or names and identification number of any additional authorized vessels.

Key Participants

1. **Authorized Agents and Vessels:** This EFP is valid only for the authorized agents and vessels named below. The Department may allow up to a maximum of 10 authorized agents and 10 5 vessels for this EFP, as it deems necessary for research purposes. Authorized agents may only participate in EFP fishing activities on the vessels they are assigned as operators below. No more than two authorized agents may be assigned to each vessel.

a. Authorized Agent Name and Address

1. Kim Sawicki (EFP holder) (Be Determined) - Owner/Operator F/V To

2. Tylor Rechany ([REDACTED]) – Owner/Operator F/V Aida Philis

3. Marco Voyatzis ([REDACTED]) – Owner/Operator F/V Dimi

4. Michael Andrew Volaski II ([REDACTED]) – Owner/Operator F/V Coastal Reign

5. Austin Paul Ashe ([REDACTED]) – Operator F/V Pacific Knight

6. Bradford Sawicki ([REDACTED]) – Operator F/V To Be Determined

b. Authorized Project Vessel

1. F/V To Be Determined ([REDACTED])

2. F/V Aida Philis ([REDACTED])

3. F/V Dimi ([REDACTED])

4. F/V Coastal Reign ([REDACTED])

5. F/V Pacific Knight ([REDACTED])

2. **Other Key Participants:** All people not listed in Condition 1 who are present on the vessel must be disclosed to the Department prior to departure from port to conduct EFP activities. Permittees (i.e. EFP holder and authorized agents) shall submit the names and commercial fishing license numbers of participants in their 24-hour pre-trip notice via email to EFP@wildlife.ca.gov, LEDMarineNotifications@wildlife.ca.gov, and Joe.Johnson@wildlife.ca.gov. If there is a change in the key participants present on the vessel prior to departure, but after submission of the 24-hour pre-trip notice, permittees shall send an amended list of names and associated commercial fishing license



numbers to the email addresses listed above.

3. Any persons who are deemed ineligible by the Department as a key participant may not be present onboard any authorized vessels identified in Condition 1(b) during any fishing operations authorized by this EFP.

General

4. Pursuant to subsection 91(j), Title 14, CCR, it is unlawful to operate an EFP in violation of the permit standard terms and special conditions described herein. All parties (as specified in Conditions 1 and 2) operating under the authority of this permit must be informed of and agree to abide by all standard terms and special conditions of this permit. Permittees or any person assisting with activities occurring under the authority of the EFP may be liable for their violations of the FISH AND GAME CODE and regulations adopted thereto pertaining to experimental fishing, including violations of permit terms or conditions.
5. The permittee and any person who assists the permittee in the operation of the fishing vessel, handling and recovery of commercial fishing gear, and processing of catch and bycatch shall possess a valid commercial fishing license issued pursuant to Fish and Game Code Section 7850, and a valid general trap permit issued pursuant to Fish and Game Code Section 9001.

A valid commercial boat registration issued pursuant to Fish and Game Code Section 7881 for EFP- authorized vessels must be onboard the vessel and the Department Boat Registration numbers must be displayed in plain sight on each side of the vessel.

6. The EFP Holder shall be responsible for coordination, oversight, and reporting of all authorized activities as described in the EFP application.
7. On fishing trips when EFP activities are taking place (i.e., deployment, retrieval, or servicing authorized gear), permittees may also participate in the following non-EFP commercial fisheries using the gears identified (if applicable) if appropriate permits for retained species are in place:
 - a. rock crab (as defined in Fish and Game Code Section 8275),
 - b. spot prawn (*Pandalus platyceros*),
 - c. coonstripe shrimp (*Pandalus danae*),
 - d. lobster (*Panulirus interruptus*),
 - e. groundfish (as defined in, Section 1.91 Title 14, CCR) with hook and line gear,
 - f. swordfish (*Xiphias gladius*) with harpoon and deep-set buoy gear (DSBG),
 - g. tuna with hook and line,
 - h. California halibut (*Paralichthys californicus*) and white seabass (*Atractoscion nobilis*) with hook and line.

~~However, lobster and rock crab may not be possessed on the same trip pursuant to FISH AND GAME CODE Section 9011. Adherence to all other regulations regarding the take of these species is required. Lobster and rock crab may not be possessed on the same trip pursuant to Fish and Game Code Section 9011.~~

**Authorized Species, Take Allowances, and Landing Requirements**

8. **Catch Limit:** The total allowable catch (TAC) for this EFP shall be 500,000 lbs. of brown box crab (*Lopholithodes foraminatus*), and 180,000 lbs. aggregate king crab (California king crab, *Paralithodes californiensis*; spiny king crab, *Paralithodes rathbuni*; and scarlet king crab, *Lithodea couesi*; hereafter collectively referenced as "king crab"). The TAC allocation shall run from March 1 through the last day in February of the following year. Each authorized vessel may take up to 36,000 pounds (lbs.) of brown box crab (*Lopholithodes foraminatus*) and up to 36,000 lbs. of California king crab (*Paralithodes californiensis*) annually.
 - a. Incidental landings by permittees of up to 25 lbs. of brown box crab and California king crab are allowed in other fisheries pursuant to Section 126, Title 14, CCR, but will count towards the annual limit TAC until the Department is notified that the limit has been reached.
 - b. If an authorized vessel is replaced on this permit, all brown box crab or California king crab landed by any permittees who fished from the original vessel will count towards the annual limit.
9. If the annual limit TAC for brown box crab or California king crab is reached before the end of the TAC period permit expires for any authorized vessel, all authorized fishing gear deployed under this EFP from said vessel must be removed from the water immediately, the permittee EFP holder must notify the Department in writing via email (Lindsay.Orsini@wildlife.ca.gov), and all crab must be landed within 24 hours after returning to port. Once the TAC for king crab is reached, all king crab taken in authorized EFP fishing gear must be immediately released. For the remainder of the TAC period, up to 25 lbs. per day of each species may be landed pursuant to Section 126, Title 14, CCR.
10. All catch in authorized EFP gear other than brown box or California king crab shall be returned to the ocean immediately. Permittees shall make all reasonable efforts to return incidental catch to the ocean alive.
11. All dock tickets and electronic fish tickets reporting catch under the EFP must have the state EFP number (" ") recorded in the "State Permit #" field, be transmitted within 24 hours, and comply with all other requirements in Section 197, Title 14, CCR. Any landings of brown box crab or California king crab taken either under the EFP or incidentally in other fisheries shall record "SpeciesID" as follows:
 - a. Brown bBox crab (*Lopholithodes foraminatus*): species code 809
 - b. California, spiny, and scarlet Kking crab (*Paralithodes spp.*): species code 804

Additionally, any king crab landings recorded in Etix shall reflect the landings for each species and shall have the common name of the species (i.e.: California king crab, spiny king crab, scarlet king crab) written in the Notepad section.
12. **Minimum size limits:** Brown box crab must have a minimum width of 5 3/4 inches, and all California and spiny king crab must have a minimum width of 5 inches, and scarlet king crab must have a minimum width of 4 inches, as measured across the widest part of the carapace including spines. No crab under the minimum size shall be retained, possessed, or landed, unless authorized in writing by the Department to retain smaller crab for research purposes.



13. No processing or packaging may take place until all crab is weighed, recorded on a landing receipt, and a landing receipt is provided to the permittee by the receiver.
14. Samples shall be provided to the California Department of Public Health when requested for public health testing.

Gear Allowances, Specifications and Marking Requirements

15. Traps fished under the authority of this EFP are exempted from the 96-hour trap service interval specified in Fish and Game Code Section 9004. Permittees shall service (i.e., raise, clean, ensure mechanisms are properly functioning, and empty) their traps at intervals not to exceed 168 hours, weather conditions at sea permitting, unless otherwise authorized in writing by the Department. Additionally, when using gear where a timed-release device serves as the primary release mechanism, permittees must service their traps within two hours of the selected release interval, weather conditions at sea permitting. If a permittee is unable to comply with these requirements due to ~~hazardous conditions at sea~~, mechanical breakdown of their vessel, or another circumstance, they must notify the Department as soon as possible via email to the Department's Law Enforcement Division (LEDMarineNotifications@wildlife.ca.gov) and Marine Region (Lindsay.Orsini@wildlife.ca.gov). Any exemptions to the service interval requirements may be granted on a case-by-case basis and will be provided in writing by the Department.
16. All traps must comply with the requirements specified in Fish and Game Code Section 9011 for rock crab, except the Department may allow and/or request deployment of specific trap designs for research purposes. All traps used or deployed must have at least one destruct device pursuant to Fish and Game Code Section 9003.
17. For the interval between gear deployment and activation of the pop-up mechanism, permittees shall be exempted from the requirement to mark each trap with a buoy as defined pursuant to Fish and Game Code Section 9005. Following release of the pop-up mechanism, the location of at least one terminal end of each string shall be indicated by the presence of one or more buoys at the surface, as specified in Conditions 18-20.
18. Pop-up gear that includes one or more buoys (i.e., Sub Sea Sonics and Desert Star) shall comply with buoy marking requirements specified in Section 180.5, Title 14, CCR. Every buoy shall be marked exclusively with the Identification Letters "EB" with at least one buoy per string marked with the permittee's commercial fishing license identification number followed by the Identification Letters "EB".
 - a. Buoys that are 4 inches in diameter or greater shall have Identification Letters marked on four opposing sides.
 - b. Buoys that are smaller than 4 inches in diameter shall have Identification Letters marked on two opposing sides.
 - c. The commercial fishing license identification number shall be at least 1.5 inches in height and drawn with a line no less than 0.25 inch thick.
 - d. The Identification Letters "EB" shall be at least 3 inches in height and drawn with a line no less than 0.25 inch thick.
 - 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.



19. When using Ropeless Riser pop-up units, a placard shall be affixed to the sled and marked with the permittee's commercial fishing license identification number followed by the Identification Letters "EB".
 - a. The commercial fishing license identification number shall be at least 1.5 inches in height and drawn with a line no less than 0.25 inch thick.
 - b. The Identification Letters "EB" shall be at least 3 inches in height and drawn with a line no less than 0.25 inch thick.
 - c. 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.
20. When using FioBuoy pop-up units, one end of the spool body shall be marked exclusively with the permittee's commercial fishing license identification number and the Identification Letters "EB". All markings shall be drawn with a line no less than 0.25 inch thick and at least 1.5 inches in height, and larger if available space allows. All markings shall be clearly and distinctly marked, and in a color that contrasts with the spool body; the numbers and letters shall be applied and maintained so that they are visible and legible.
21. Each permittee may use up to 200 traps and must be onboard the assigned authorized vessel when their traps are being deployed or serviced. Per Condition 1, no more than two permittees may be assigned to each authorized vessel; therefore, a maximum of 75 400 traps may be deployed, serviced, or possessed on board a onboard each authorized vessel when both permittees are onboard. All gear must be fished in strings of no more than seven 20 traps.
22. All EFP fishing gear must utilize pop-up gear at one end of a string. A vertical line may be used for redundancy only while pop-up gear is being tested and actively tended.
23. Fishing gear shall not have on any part of the gear line marks or multi-colored line required for any Washington, Oregon, or California state fishery operating in state or federal waters off the U.S. West Coast.
24. Permittees will test and report on the efficacy and durability of line-marking and surface gear-marking methods when requested by the Department.
25. Permittees must suspend fishing operations or move fishing gear per Department direction in response to circumstances including gear conflicts, public health, and elevated entanglement risk or an entanglement report in the fishing or testing location. The Department will provide notice by contacting each permittee via the phone and/or email address provided by the EFP holder.

Pop-up Gear Testing Requirements

26. The EFP Holder shall conduct workshop(s) to train the authorized agents (if applicable) in data collection and pop-up gear operation protocols prior to at-sea trials of the pop-up gear.
27. All traps using pop-up gear must be recorded in a gear-marking web-based application upon deployment and retrieval, and all associated data fields must be populated with accurate information.
28. Permittees shall provide the Department access to the gear-marking web-based platforms identified in the EFP application and amendment(s) for data sharing and



enforcement purposes.

29. The EFP Holder must notify the Department when exploratory fishing begins for each permittee and provide descriptions and/or illustrations of the pop-up gear configurations and the gear-marking applications being used via email to the Department's Marine Enforcement District (LEDMarineNotifications@wildlife.ca.gov) and the Marine Region (Lindsay.Orsini@wildlife.ca.gov).

Allowable Fishing Area and Time of Year

30. Fishing activities under this EFP may occur between the California/Oregon Border Point Conception (34° 42' 27" N. latitude) and the California/Mexico border (32° 32' N. latitude). EFP fishing shall be permitted year-round south of Point Conception (34° 27' N. latitude). EFP fishing north of Point Conception is allowed as follows:
 - a. Between the Sonoma/Mendocino County line (38° 46,125' N) and Point Conception, July 1 through November 12
 - b. Between the California/Oregon Border and the Sonoma/Mendocino County line, July 16 through November 12
31. All EFP fishing gear set south of Point Conception (34° 27' N. latitude) must be set at depths between 60-200 fathoms. All EFP fishing gear set north of Point Conception (34° 27' N. latitude) must be set at depths between 50-200 fathoms.
32. Except for purposes of continuous transit, it is prohibited for authorized vessels to enter any State Marine Protected Area designated pursuant to Section 632, Title 14, CCR. Continuous transit is defined as on a heading as nearly as practicable to a direct route through a State Marine Protected Area; while maintaining expeditious headway at speeds greater than three knots at all times throughout transit without delay and with fishing gear stowed and secured in such a manner that it is rendered unusable for immediate deployment.
33. Fishing operations shall abide by all applicable Essential Fish Habitat closures for bottom contact gear as described in Federal Regulations (Title 50, Part 660, Subpart F).
34. Fishing shall be subject to delays or area closures due to marine life entanglement risk pursuant to Section 132.8, Title 14, CCR, or public health concerns pursuant to Fish and Game Code Section 5523.

Other Requirements

35. No fishing for brown box crab or California king crab may take place unless one or more functioning electronic monitoring systems are installed and used as specified by the Department. Required systems may include but are not limited to location positioning loggers with a ping rate of at least 1 per minute and electronic trap tags. The permittee shall grant the Department access to all data.
36. At least 24 hours prior to commencing a fishing trip during which EFP activity is expected to be conducted, notice of vessel name, targeted fishery, anticipated fishing date(s), port of departure, expected landing port, and the type of EFP activity to be conducted (e.g., gear testing with un-baited traps or exploratory fishing with deployment or recovery of baited traps) shall be made via email to the Department's Law Enforcement Division (LEDMarineNotifications@wildlife.ca.gov) and EFP Program (EFP@wildlife.ca.gov).



Upon request from the Department, permittees shall coordinate with the Department and allow for inspections of the traps and associated gear prior to deployment or when gear is being serviced at sea.

37. Permittees shall follow the best practices for avoiding whale entanglement described in the attached guide. This includes fishing gear and incident reporting requirements.
38. In instances where gear cannot be retrieved via the primary release mechanism, permittees may use grappling or back-up release mechanisms to recover the gear. Permittees shall document all unrecovered gear, including traps, buoys and other equipment per the data reporting requirements (see Attachment A). Failure to keep or submit required information may result in revocation or suspension (including non-renewal) of the permit.
39. Authorized vessels may be required to carry a fisheries observer at the discretion of the Department and provide that observer with accommodations equivalent to those provided to the captain and crew for both single and multi-day trips if multi-day trips are conducted. The permittee may be required to contract with a qualified fisheries observer company.
40. Any electronic monitoring and sampling equipment issued to key participants by the Department for the purposes of data collection on an authorized vessel shall be returned to the Department within 30 days of either (a) this permit expiring, or (b) the key participant being removed from the permit, whichever comes first. Department-issued electronic monitoring and sampling equipment shall not be transferred to other key participants or used on other vessels without prior written approval from the Department.
41. Unless otherwise specified by the Department, the EFP Holder shall submit the annual and final reports required by subsection 91(l), Title 14, CCR to the EFP Coordinator (EFP@wildlife.ca.gov) no later than 60 days after the permit expiration date (see Attachment A).
42. Prior to commencing at-sea testing, the EFP Holder and all authorized agents shall have completed the freely available Level 1 entanglement response training provided by the National Marine Fisheries Service, available at <https://west-coast-training.whaledisentanglement.org/#/>. Permittees shall provide screen shots documenting course completion to the EFP Coordinator (EFP@wildlife.ca.gov), Department's Law Enforcement Division (LEDMarineNotifications@wildlife.ca.gov) and Marine Region (Lindsay.Orsini@wildlife.ca.gov). Once available, official course completion emails shall be forwarded to the EFP Coordinator (EFP@wildlife.ca.gov), Department's Law Enforcement Division (LEDMarineNotifications@wildlife.ca.gov) and Marine Region (Lindsay.Orsini@wildlife.ca.gov).

**Attachment A: Data Collection and Reporting Requirements**

1. **Gear Location Marking.** Permittees shall make fishing locations publicly available to other fishers and the public, subject to direction of the Department. Communication of fishing locations may include notification to local harbor districts and to the Department's web pages, and/or other publicly accessible web pages via one of the approved gear-marking applications (Subsea Sonics TrapTimer, rmwHUB). Other applications may be approved by a minor amendment. The permittees shall make the following information available for the purpose of avoiding gear conflict.
 - a. The location of the first and last traps in a string, as well as an indication that they are part of a string.
2. **Data Collection.** Permittees shall participate in all fishery and biological research data collection activities required by the Department, including but not limited to:
 - a. Documenting all fishing activities as directed by the Department, including using specified forms or logbooks.
 - b. Documenting trap contents as directed by the Department, including using specified forms or logbooks.
 - c. Recording information on recaptured tagged crab as directed by the Department, including using specified forms or logbooks.
 - d. Collecting biological samples.
3. **Unrecovered Gear Information.** Unrecovered gear shall be reported to the Department via email as soon as possible, but not more than 12 hours after the initial attempted recovery. The report shall contain:
 - a. Summary of attempted recovery efforts.
 - b. Reason for loss (if known).
4. **Data Submission.** Permittees shall submit the records required by Attachment A Items 2 and 3 to the Department's Law Enforcement Division (LEDMarineNotifications@wildlife.ca.gov) and Marine Region (Lindsay.Orsini@wildlife.ca.gov) within 72 hours after each fishing trip. Failure to keep or submit required records of fishing activity and catch within 72 hours after each fishing trip may result in removal from the permit, and/or revocation or suspension (including non-renewal) of the permit.
5. **Reports.** In addition to the requirements of subsection 91(l), Title 14, CCR, annual and final reports to be submitted by the EFP Holder shall include:
 - a. A short summary of fishing activity and findings.
 - b. A record of all unrecovered gear, including traps, buoys, and other equipment.
 - c. A summary of the efforts taken to recover lost gear, and the outcome of those efforts.
 - d. Summaries of any trainings or workshops conducted for fishers or Law Enforcement personnel, including outcomes and accomplishments.
 - e. A table or other database containing pop-up gear deployment and recovery data described below for all strings of traps deployed during exploratory fishing conducted under the authority of this permit, including:
 - i. Deployment Data:
 1. The pop-up gear system(s) used.
 2. The number of traps in the string, and the latitude and longitude of the



first and last traps in each string, given to the highest precision allowed by onboard instrumentation (“location”).

3. The name and vessel ID of the vessel the string was deployed from.
4. The experimental fishing permit number the string is deployed under.
5. The time and date of deployment.
6. The time and date the release mechanism is programmed to allow the marker buoy to surface, if applicable.

ii. Recovery Data:

1. The time and date of recovery or attempted recovery.
2. The location where the gear was recovered or attempted to be recovered.
3. The distance between the location where the gear was deployed and recovered.
4. The time elapsed between the programmed release time and recovery or attempted recovery, if applicable.
5. Documentation of any pop-up system malfunctions (e.g., early release or unresponsive to release signal).

- f. The number of trips testing pop-up gear, the total number of deployments, and the number of unsuccessful recoveries.
- g. Descriptions of the pop-up gear systems and configuration(s) used and assessment of their performance, including any issues identified regarding their utility in deep-water fixed gear fisheries.
- h. Descriptions of virtual gear-marking applications used and assessment of their performance.