

**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 CERTIFICATE OF  
COMPLIANCE

Government Code Sections 11349.1 and  
11349.6(d)

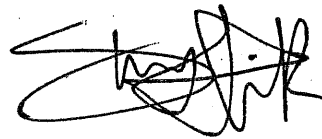
OAL Matter Number: 2025-0228-01

OAL Matter Type: Certificate of Compliance  
(C)

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In this Certificate of Compliance, the Department of Fish and Wildlife is amending regulations regarding the retrieval of a commercial Dungeness crab trap that is lost, damaged, abandoned, or otherwise derelict.

OAL approves this regulatory action pursuant to section 11349.6(d) of the Government Code. Amendments shall become operative on 4/14/2025 pursuant to Government Code section 11343.4(b)(3).



Date: April 14, 2025

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Steven J. Escobar  
Senior Attorney

Original: Charlton Bonham, Director  
Copy: Chelle Temple-King

For: Kenneth J. Pogue  
Director

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

**CERT**

For use by Secretary of State only

|                                                                                                                                                           |                                              |                                                           |                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|-----------------------------------------------------------|------------------|
| OAL FILE NUMBERS                                                                                                                                          | NOTICE FILE NUMBER<br><b>Z-Z2024-0917-02</b> | REGULATORY ACTION NUMBER<br><b>2025-0228-01C</b>          | EMERGENCY NUMBER |
| For use by Office of Administrative Law (OAL) only                                                                                                        |                                              |                                                           |                  |
| <b>OFFICE OF ADMINISTRATIVE LAW</b><br><br><b>Electronic Submission</b><br><br><b>RECEIVED DATE</b> <b>PUBLICATION DATE</b><br>09/17/2024      09/27/2024 |                                              | <b>OFFICE OF ADMIN. LAW</b><br><b>2025 FEB 28 AM 9:14</b> |                  |
| NOTICE                                                                                                                                                    |                                              | REGULATIONS                                               |                  |
| AGENCY WITH RULEMAKING AUTHORITY<br>Department of Fish and Wildlife                                                                                       |                                              | AGENCY FILE NUMBER (If any)                               |                  |

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

APR 14 2025

1:50PM AB

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

|                                                                                                                              |                                                                                                                                                                          |                                                |                                             |                                            |
|------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------|--------------------------------------------|
| 1. SUBJECT OF NOTICE<br>Expand Retrieval of Commercial Dungeness Cr                                                          |                                                                                                                                                                          | TITLE(S)<br>14                                 | FIRST SECTION AFFECTED<br>132.2             | 2. REQUESTED PUBLICATION DATE<br>9/27/2024 |
| 3. NOTICE TYPE<br><input checked="" type="checkbox"/> Notice re Proposed<br>Regulatory Action <input type="checkbox"/> Other |                                                                                                                                                                          | 4. AGENCY CONTACT PERSON<br>Chelle Temple-King | TELEPHONE NUMBER<br>(916) 902-9223          | FAX NUMBER (Optional)                      |
| OAL USE ONLY                                                                                                                 | ACTION ON PROPOSED NOTICE<br><input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn |                                                | NOTICE REGISTER NUMBER<br><b>2024, 39-2</b> | PUBLICATION DATE<br><b>9/27/24</b>         |

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

|                                                                                                                                                                                                                                                      |  |                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| 1a. SUBJECT OF REGULATION(S)<br>Expand Retrieval of Commercial Dungeness Crab Traps                                                                                                                                                                  |  | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)<br><b>2024-0301-01E, 2024-0826-02EE, and 2024-1122-02EE</b>                                                                                                                                                                                                                                                                              |                                                             |
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)                                                                                                                                            |  |                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             |
| SECTION(S) AFFECTED<br>(List all section number(s)<br>individually. Attach additional sheet if needed.)                                                                                                                                              |  | ADOPT                                                                                                                                                                                                                                                                                                                                                                                             |                                                             |
| TITLE(S)<br>14                                                                                                                                                                                                                                       |  | AMEND<br>132.2                                                                                                                                                                                                                                                                                                                                                                                    |                                                             |
|                                                                                                                                                                                                                                                      |  | REPEAL                                                                                                                                                                                                                                                                                                                                                                                            |                                                             |
| 3. TYPE OF FILING                                                                                                                                                                                                                                    |  |                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             |
| <input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)<br><input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)<br><input type="checkbox"/> Emergency (Gov. Code, §11346.1(b)) |  | <input checked="" type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.<br><input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) |                                                             |
|                                                                                                                                                                                                                                                      |  | <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))<br><input type="checkbox"/> File & Print<br><input type="checkbox"/> Other (Specify)                                                                                                                                                                                                                                          |                                                             |
|                                                                                                                                                                                                                                                      |  | <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)<br><input type="checkbox"/> Print Only                                                                                                                                                                                                                                                                |                                                             |
| 4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)                                                                         |  |                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             |
| 5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             |
| <input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))                                                                                                                                                  |  | <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify)                                                                                                                                                                                               |                                                             |
| 6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY                                                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             |
| <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)<br><input type="checkbox"/> Other (Specify)                                                                                                                               |  | <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal                                                                                                                                                                                                                                                                                          |                                                             |
| 7. CONTACT PERSON<br>Chelle Temple-King                                                                                                                                                                                                              |  | TELEPHONE NUMBER<br>916-902-9223                                                                                                                                                                                                                                                                                                                                                                  | FAX NUMBER (Optional)<br>chelle.temple-king@wildlife.ca.gov |

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

|                                                                                                                             |                        |
|-----------------------------------------------------------------------------------------------------------------------------|------------------------|
| SIGNATURE OF AGENCY HEAD OR DESIGNEE<br> | DATE<br><b>2-19-25</b> |
| TYPED NAME AND TITLE OF SIGNATORY<br><b>Charlton H. Bonham, Director</b>                                                    |                        |

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

APR 14 2025

Office of Administrative Law

PER AGENCY  
REQUEST  
SJE  
4/19/2025

## Final 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 derelict 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 operator shall immediately return to the ocean ~~waters immediately~~ any crab found in a retrieved commercial Dungeness crab trap to the ocean waters.

(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.

1. the date and time of the trap retrieval,
2. the number of retrieved commercial Dungeness crab traps,
3. the location [latitude and longitude in degrees decimals minutes (DDM)] of the retrieval,
4. any tag information or buoy markings present on the retrieved traps,
- and
5. reasons why the retrieving vessel operator believes the traps are derelict and subject to retrieval under this Section.

(D) On or before the first day of each month, vessel operators shall report information required by subsection (a)(2)(C) for any traps retrieved during the prior month. Reporting shall be via email or text to LostGear@wildlife.ca.gov, or on an electronic form prescribed by the Department.

~~(D)~~ (E) All retrieved commercial Dungeness crab traptraps 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.~~

(F) Notwithstanding subsection (a)(2)(A), an unlimited number of commercial Dungeness crab traps may be retrieved per fishing trip and transported to shore during the same fishing trip:

1. from July 16 through October 31, or
2. as authorized by the Director during a fishery closure or season delay pursuant to Section 132.8. Vessel operators may not possess more than six (6) retrieved traps on board when transiting Fishing Zones—as that term is defined in Section 132.8(a)(7)—which are open for commercial Dungeness crab fishing.

*... [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.