California Fish and Game Commission
Marine Resources Committee Meeting
November 12, 2026

California Department of Fish and Wildlife – Marine Region Written Update

Tidepool Invertebrate Regulations

Background

The California Department of Fish and Wildlife's (CDFW) Invertebrate Management Project is leading a comprehensive overhaul of tidal invertebrate regulations to address increased public interest in harvesting, outdated regulatory language, and enforcement challenges. CDFW has conducted harvester surveys along the coast and is working with researchers to gather biological and social-science data to inform regulatory revisions. This modernization effort is intended to ensure the long-term sustainability of California's tidepool ecosystems, improve regulatory clarity, strengthen protections for vulnerable species, and support sustainable harvesting opportunities.

The current tidepool regulatory framework relies on a complicated spatial definition requiring measurement of tide lines and a 1,000-foot seaward boundary. This approach is unclear, impractical, and inconsistently interpreted. The bag limit for many invertebrate species defaults to the general allowance of 35 individuals per species per day, which is ecologically inappropriate for several taxa and does not provide sufficient protection for sensitive species. CDFW is evaluating species-specific limits for all tidepool-associated invertebrates as part of this overhaul.

Goals of the Regulation Overhaul

- Remove Tidepool Definition- Remove the spatial definition of a tidepool and manage each species regardless of where it is in the ocean.
- **General Prohibition for Non-Specified Invertebrates** – Establish a regulatory structure where only invertebrates explicitly listed may be taken, providing broad protection for all others.
- **Species-Specific Protections** – Update or add size limits, take limits, or seasonal measures for vulnerable, depleted, or biologically sensitive species.
- **Generalized Species Groups with Individual Species Limits** – Define broader invertebrate categories with standardized general limits and stricter sub-limits for sensitive species.

- **Gear and Tool Regulation Updates** – Modernize gear provisions including SCUBA use, hand tool definitions, container requirements, and whole-animal rules for shore-collected organisms.

Next Steps

1. Tribal outreach: 2026–2028
2. Identification of affected communities: Ongoing
3. Additional MRC discussions: 2027–2028
4. Fish and Game Commission (FGC) regulatory process: 2028–2029

Box Crab Experimental Fishery

Exploratory Fishing Permit (EFP) #2023-01 is approaching the end of its third year in January 2027. This is the second EFP focused on exploratory fishing for brown box crab (*Echinocerus* (formerly *Lopholithodes*) *foraminatus*). The first permit (2019-2023) was developed to collect Essential Fishery Information (EFI) and evaluate the potential for a commercial fishery for box crab and its design elements. The current permit, which is held by Sustainable Seas Technology (SST), aims to fill information gaps while testing the feasibility of using on-demand pop-up fishing systems with strings of trap gear to address whale entanglement risk in this deep-water (300 – 1,000 feet) fishery.

Major amendments were made to the SST permit in October 2024 and February 2026. The first amendment extended the maximum trap service interval from 96 hours (4 days) to 168 hours (7 days). The scope of the permit was then significantly expanded through the second amendment: fishing area extended from Southern California to statewide, permit capacity increased from 5 to 20 authorized vessels, gear allowance increased from 75 to 200 traps per authorized agent, total allowable catch for box crab nearly tripled to 500,000 pounds per year, and two new king crab species were added (*Paralithodes rathbuni* and *Lithodes couesi*) in addition to California king crab (*P. californiensis*), which was already approved for retention.

Since fishing began in January 2024, turnover of authorized agents has been high and overall participation has been low. Seven authorized agents and the EFP holder have fished the permit, landing 44,775 pounds of box crab and 6,083 pounds of California king crab through September 2026. Currently, just one vessel is active in Southern California (fishing about 30 traps), and only one has fished in northern California (fishing the full 200 trap allotment) thus far. Three on-demand fishing systems have been tested from manufacturers Sub Sea Sonics, Ropeless Systems, and Desert Star, paired with line

management systems by Guardian Ropeless or fisher-designed sleds. Participants have demonstrated strong success with on-demand gear, and results are being used to refine and improve the reliability of these systems at depth.

Essential Fishery Information is being generated through catch-sampling, electronic monitoring, fishermen logbooks and landing records, and a tag-recapture study. In conjunction with results from the prior EFP, this information is being used to evaluate the viability of a new, sustainable fishery and its design elements. Although more data are still needed from northern California, data from Southern California are sufficient to inform some management measures such as size limits, fishing seasons, depths, and gear specifications. Thus, further exploration of a commercial fishery in Southern California could be considered. However, some challenges to fishery authorization have been identified, including statutes in Fish and Game Code (FGC) which unless modified would not allow a future fishery to be prosecuted consistent with EFP testing conditions (e.g., longer service intervals than the 96-hour maximum required by FGC Section 9004). In addition, the minimal participation in this EFP to date may signal a lack of strong demand for this fishery.

At the California Fish and Game Commission's March 2027 Marine Resources Committee meeting, the Department is scheduled to provide more details about the preliminary results of the box crab EFPs and how they pertain directly to elements of a fishery, discuss the opportunities and challenges to fishery authorization, and next steps. With the final year of the EFP approaching, there is interest in a third EFP to bridge the gap between the end of this EFP and potential fishery authorization. This would allow time for EFI from northern California to be generated, solutions for challenges to fishery authorization to be explored, opportunity to increase participation with adjustments to data collection requirements, and potential management measures such as size limits, seasons, depths, and gear specifications to be tested in Southern California.