State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
License and Revenue Branch
1740 N. Market Blvd
Sacramento, CA 95834
http://www.wildlife.ca.gov

EDMUND G. BROWN JR, Governor
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MARKET SQUID BRAIL PERMIT TRANSFER PROVISIONS

Authority – Transferable Market Squid Brail Vessel Permits
Beginning April 1, 2005, Section 149.1(o), Title 14, of the California Code of Regulations (CCR), allows the owner of a commercial fishing vessel with a valid Transferable Market Squid Brail Permit (TMSBP), to transfer the permit to a replacement vessel. Under Section 149.1(l), Title 14, of the CCR, the owner of a commercial fishing vessel with a valid TMSBP, may transfer the title of the vessel to another entity. Requests for transfer or change of ownership of a TMSBP are subject to the following conditions:

Permit Authorization
A Market Squid Brail Permit authorizes the use of brail gear including dip and scoop nets to take market squid for commercial purposes. Lights may also be used as specified in regulation to aggregate squid for purposes of commercial harvest. No other gear is authorized under this permit to take or assist in the taking of market squid for commercial purposes.

Gross Tonnage Endorsement (GTE) Authority
The GTE remains in effect for the lifetime of each permit, regardless of the gross tonnage to which it was transferred. Section 149.1(n), Title 14, of the CCR, requires each Market Squid Brail Permit (MSBP) be endorsed with the gross tonnage at the time of initial permit issuance, regardless of the gross tonnage of a vessel to which it is transferred. Vessel owners must provide a copy of the vessel's Federal Coastal Pelagic Species Permit (FCPSP) to document the gross tonnage. (Section 149.1(n)(2), Title 14, of the CCR).

Any vessel owner transferring a MSBP must also provide gross tonnage information for the replacement vessel as described above. (Section 149.1(n), Title 14, of the CCR).

If the vessel owner does not hold a FCPSP for the vessel, the gross tonnage will be determined by multiplying the length (L), breadth (B), and depth (D) of the vessel by 0.0067. Records of length, breadth, and depth used for determining gross tonnage will be those recorded on the vessel's United States Coast Guard (USCG) Certificate of Documentation. (Section 149.1(n)(1)(B), Title 14, of the CCR).

In addition, Fish and Game Code Section 7857(a), requires vessel owners to possess a valid California Commercial Fishing License before a MSBP can be issued.

NOTE: If the transferee is applying for the first time for a commercial fishing license they must provide valid identification as defined in Section 700.4. (See page 7, Section 700.4 Automated License Data System).

Instructions to Transfer a TMSBVP to a Replacement Vessel
TMSBP's may be transferred to another entity who is the owner of a replacement commercial fishing vessel of comparable capacity. (Section 149.1(o)(3)(A), Title 14, of the CCR).

The permittee must submit the following documentation:

- A written notarized request that identifies the new vessel owner, replacement vessel information, the conditions of the sale, and shall specify the terms of the transfer are valid and true.
- Copy of the new vessel owner's California Commercial Fishing License.
- Copy of the Commercial Boat Registration for the replacement vessel.
- The original current TMSBP.
- Copy of the current proof of ownership for the permitted vessel.
- Copy of the current proof of ownership for the replacement vessel.
- All applicants applying as a business must provide documentation identifying the business entity. Acceptable forms include:
    - Articles of Incorporation
    - Articles of Organization
    - Certificate of Limited Partnership
    - Statement of Partnership Authority
    - Limited Liability Partnership
- Copy of a valid FCPSP with the vessel's gross tonnage or USCG Certificate of Documentation.
- Nonrefundable transfer fee of $500.00.

If the TMSBP for a replacement commercial fishing vessel is not of comparable capacity, one additional valid TMSBP shall be transferred and surrendered to the Department at the time of the transfer (Section 149.1(o)(B), Title 14, of the CCR).

In cases where two or more permits are transferred to a replacement vessel pursuant to guidelines in subsection (o), the replacement vessel shall be issued a transferable permit which reflects a gross tonnage endorsement (GTE) which is recorded as either the sum of the gross tonnage endorsements from the original vessels, or the gross tonnage of the replacement vessel, whichever of the two values is less. (Section 149.1(n)(4), Title 14, of the CCR).

Instructions for Notifying the Department When a Change of Vessel Ownership Occurs:

If a TMSBP is issued for a vessel that is owned by an individual or by a bona fide partnership or corporation, and the individual, bona fide partnership, or corporation transfer the title of ownership of the vessel to another entity, the original entity to which the permit is issued must notify the Department of the change of ownership (Section 149.1(I), Title 14, of the CCR).

The permittee must submit the following documentation:

- A written notarized request notifying the Department that the individual, bona fide, partnership, or corporation is transferring the title of ownership of the permitted vessel to another entity and identify the new entity.
- The original current TMSBP.
- Copy of the current proof of ownership for the permitted vessel.
- All applicants applying as a business must provide documentation identifying the business entity. Acceptable forms include:
    - Articles of Incorporation
    - Articles of Organization
    - Certificate of Limited Partnership

- Statement of Partnership Authority
- Limited Liability Partnership

- Copy of the current proof of ownership for the permitted vessel.
- Copy of the new vessel owner's California Commercial Fishing License.
- Original Commercial Boat Registration for the permitted vessel.
- Nonrefundable transfer fee of $500.00

Instructions for Notifying the Department of Dissolution of Partnership or Corporation:
If a TMSBP, is issued for a vessel that is owned by a bona fide partnership or corporation, which becomes dissolved, the partnership or corporation must notify the Department of the name of the partner or share holder who is the successor permit holder (Section 149.1(k), Title 14, of the CCR).

The permittee must submit the following documentation:

- A written notarized request notifying the Department that the individual, bona fide, partnership, or corporation is transferring the title of ownership of the permitted vessel to another entity and identify the new entity.
- The original current TMSBP.
- All applicants applying as a business must provide documentation identifying the business entity. Acceptable forms include:
  - Articles of Incorporation
  - Articles of Organization
  - Certificate of Limited Partnership
  - Statement of Partnership Authority
  - Limited Liability Partnership
- Copy of the current proof of ownership for the permitted vessel.
- Copy of the new vessel owner's California Commercial Fishing License.
- Original Commercial Boat Registration for the permitted vessel.
- Nonrefundable transfer fee of $500.00.

Instructions for Notifying the Department of Death of Permittee:
In the event of the death of the holder of a TMSBP, the estate must apply for transfer of the permit to another entity within one year of the permit holder's death (Section 149.1(o)(3)(E), Title 14, of the CCR).

The estate must submit all of the following with the request:

- A notarized written request that identifies the deceased permit holder and the transferee. The request must be within one year of the date of the death of the permit holder as listed on the permit holder's death certificate.
- Copy of the death certificate.
- Copy of a court document naming the executrix of the estate.
- The deceased's original valid TMSBP.
- Copy of the transferee's California Commercial Fishing License.
- Copy of the current Commercial Boat Registration for permitted vessel.
- Copy of the current proof of ownership for the permitted vessel.
- Nonrefundable transfer fee of $500.00

APPEAL PROVISIONS AND DEADLINE
If denied, the Department will notify the permittee in writing, explaining the reason for denial. The permittee has the right to appeal such denial to the Fish and Game Commission. Pursuant to Section 149.1(p), Title 14, of the CCR, appeals must be received by the Commission within 60 days of the Department's denial.

Please contact Ms. Vandella Campbell, Commercial Fishing Limited Entry Program Analyst at (916) 928-5816, or email Vandella.Campbell@wildlife.ca.gov, if you require additional assistance.

DEPARTMENT'S EVALUATION TIME FOR A TRANSFER OF A TMSBP
Evaluation of the transfer request should be completed within 20 business days after receipt by the License and Revenue Branch provided additional documentation is not required. If approved, a letter authorizing the transfer will be sent to the permittee with instructions on the process for completing the transfer.

Mail documents and transfer fee to:

California Department of Fish and Wildlife
License and Revenue Branch
1740 N. Market Blvd.
Sacramento, California 95834
Attn: Vandella Campbell

TITLE 14, CALIFORNIA CODE OF REGULATIONS EXCERPTS

§149.1 Market Squid Fishery Restricted Access Program.
(k) Dissolution of Partnership or Corporation. If a transferable Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit is issued for a vessel that is owned by a bona fide partnership or corporation which becomes dissolved, the partnership or corporation shall notify the department of the name of the partner or shareholder who is the successor permitholder and the department shall reissue the permit to that partner or shareholder. Change of vessel ownership provisions defined in subsection (l) and transfer fees in subsection (i)(2) apply.
(l) Change of Vessel Ownership.
(1) If a transferable Market Squid Vessel Permit, Market Squid Brail Permit, or Market Squid Light Boat Permit is issued for a vessel that is owned by an individual or by a bona fide partnership or corporation, and the individual, bona fide partnership, or corporation transfers the title of ownership of the vessel to another entity, the original entity to which the permit is issued must notify the department of the change in ownership, and submit a non-refundable transfer fee as specified in Section 705.
(2) Upon payment of fees, and surrender to the department of the original permit or permits, the department shall issue the applicable permit to the new owner of the vessel that is valid for the remainder of the fishing season. Gross tonnage endorsement provisions defined in subsection (n) below shall apply.
(3) Non-Transferable Market Squid Vessel Permits, Non-Transferable Market Squid Brail Permits and Non-Transferable Market Squid Light Boat Permits which are issued to individuals shall not be transferred to a new owner. Sale or transfer of ownership of a vessel that is authorized to fish under a non-transferable market squid permit shall render the permit null and void.
(n) Gross Tonnage Endorsement. Each Market Squid Vessel Permit or Market Squid Brail Permit shall be endorsed with the gross tonnage at the time of initial issuance. Any vessel

owner transferring a Market Squid Vessel Permit or Market Squid Brail Permit shall also provide gross tonnage information for the replacement vessel as described below.
(1) The gross tonnage shall be determined as follows:
(A) If the owner of the vessel holds a Federal Coastal Pelagic Species Permit issued by the National Marine Fisheries Service for that vessel, the owner of the vessel shall submit a copy of the vessel owner's current valid Federal Coastal Pelagic Species Permit with the vessel's endorsed gross tonnage.
(B) If the owner of the vessel does not hold a Federal Coastal Pelagic Species Permit for the vessel, the gross tonnage will be determined by multiplying the length (L), breadth (B), and depth (D) of the vessel by 0.0067. Records of length, breadth, and depth used for determining gross tonnage will be those recorded on the vessel's United States Coast Guard documentation paper.
(2) The gross tonnage endorsement will remain in effect for the lifetime of each permit, regardless of the gross tonnage of a vessel to which it was transferred.
(3) In cases where a permit is transferred to a vessel with a smaller gross tonnage, the original gross tonnage endorsement will remain, and excess gross tonnage cannot be split out from the original permit endorsement for any purpose.
(4) In cases where two or more permits are transferred to a replacement vessel pursuant to guidelines in subsection (o), the replacement vessel shall be issued a transferable permit which reflects a gross tonnage endorsement which is recorded as either the sum of the gross tonnage endorsements from the original vessels, or the gross tonnage of the replacement vessel, whichever of the two values is less.
(o) Transfer of Permits to Replacement Vessels.
(1) Conditions for permit transferability as defined in this subsection shall provide the mechanism for achieving the capacity goals defined in subsection (m) of this Section over time.
(2) Definitions of Comparable Capacity.
(A) For purposes of permit transferability described in this subsection, two vessels are of comparable capacity if the gross tonnage, as defined in subsection (n) of this Section, of the replacement vessel is not in excess of ten percent greater than the gross tonnage of the originally permitted vessel [the replacement vessel's gross tonnage must be less than (the gross tonnage of the original vessel) plus (0.1 multiplied by the gross tonnage of the original vessel)].
(B) A replacement vessel shall be considered of comparable capacity in cases of permit transfers where the gross tonnage of the original vessel exceeds the gross tonnage of the replacement vessel by any amount. Gross tonnage endorsement provisions for the replacement vessel defined in subsection (n) shall apply.
(3) After August 31, 2005 the following conditions for transferability of permits to replacement vessels will be in effect for permits in each class as described:
(A) The owner of a vessel with a valid Transferable Market Squid Vessel Permit may transfer the permit to another person who is the owner of a replacement commercial fishing vessel of comparable capacity as defined in this subsection.
(B) If transfer is sought of a Transferable Market Squid Vessel Permit for a replacement commercial fishing vessel which is not of comparable capacity as defined in this subsection, one additional valid Transferable Market Squid Vessel Permit shall be transferred and surrendered to the department at the time of the transfer. Market Squid Vessel Permit transfers are not authorized in cases where the gross tonnage of the replacement vessel is not of comparable capacity to the sum of the gross tonnages of the two original vessels as defined above.

(C) A Transferable Market Squid Brail Permit issued to an individual, partnership or corporation may be transferred to another entity who is the owner of a replacement commercial fishing vessel of comparable capacity as defined in this subsection.
(D) A Transferable Market Squid Light Boat Permit issued to an individual, partnership or corporation may be transferred to another entity who is the owner of a replacement commercial fishing vessel.
(E) In the event of death of the holder of a Transferable Market Squid Vessel Permit, Transferable Market Squid Brail Permit, or a Transferable Market Squid Light Boat Permit, the estate must apply for transfer of the permit to another entity within one year of the permitholder's death.
(F) A Non-Transferable Market Squid Vessel Permit or a Non-Transferable Market Squid Brail Permit issued to an individual may not be transferred to another entity, but in the event the permitted vessel is lost, stolen or destroyed, or has suffered a major mechanical breakdown, the permit may be placed on a replacement vessel of comparable capacity as defined in subsection (m). A Non-Transferable Market Squid Light Boat Permit issued to an individual may not be transferred to another entity, but in the event the permitted vessel is lost, stolen or destroyed, or has suffered a major mechanical breakdown, the permit may be placed on a replacement vessel. A notarized, written request for transfer must be submitted, along with proof that the permitted vessel is lost, stolen, or destroyed in the form of a copy of the report filed with the United States Coast Guard or any other law enforcement agency or fire department investigating the loss. In the case of mechanical breakdown, the request shall include an estimate of the costs to repair the vessel from a marine surveyor or boat repair yard. The department shall not issue a permit for a replacement vessel pursuant to this subsection if the permitted vessel was reported lost, stolen, destroyed, or damaged for fraudulent purposes.
(4) The applicant for transfer must be the owner of a replacement commercial fishing vessel that has been registered with the department pursuant to Fish and Game Code Section 7881 at the time of application.
(5) A written request for transfer of a market squid permit of any class shall be submitted to the department by the owner of the replacement vessel in the form of a notarized letter, accompanied by the nonrefundable transfer fee and shall include a copy of the permit or permits which are being considered for transfer, current proof of vessel ownership, and gross tonnage information as described in subsection (n), if applicable.
(6) Any market squid permit holder intending to transfer a permit shall submit a notarized letter to the department setting forth the conditions of the sale, and shall specify that the terms of the transfer as documented by the replacement vessel owner are valid and true.
(7) Upon determining that the applicant is qualified to transfer the permit to a replacement vessel, payment of all fees, and surrender to the department of the original permit or permits, the department shall issue the applicable permit to the owner of the replacement vessel that is valid for the remainder of the fishing season. Gross tonnage endorsement provisions defined in subsection (n) above shall apply.
(8) At the time the permit transfer is complete, vessels previously authorized to fish under conditions of a surrendered permit shall not take or attract squid for commercial purposes unless otherwise authorized in regulation or statute.
(p) Transfer Appeals. Any applicant who is denied transfer of a Market Squid Vessel Permit, Market Squid Brail Permit, or a Market Squid Light Boat Permit may appeal the denial to the department in writing describing the basis for the appeal. The appeal shall be received or, if mailed, postmarked within 60 days of the date of the department's denial. The appeal shall be reviewed and decided by the department. The decision of the department may be appealed in writing to the commission within 60 days of the date of the department's written decision.

§ 700.4. Automated License Data System.

(a) Defined:

For the purposes of this Division the “Automated License Data System” or “ALDS” is an automated system that replaced the Department's paper license inventory system. ALDS allows license items to be printed instantly using point of sale terminals and is available at Department license agents and Department license sales offices located throughout the state. ALDS also allows applicants to apply for licensing via the Internet.

(b) Get Outdoors Identification Number

The first time any applicant applies for any license, tag, permit, reservation or other entitlement via ALDS, the applicant shall receive a unique Get Outdoors Identification number or “GO ID.” The GO ID shall not be transferable to any other person.

(c) Identification Required; Acceptable forms of.

Any applicant applying for any license, tag, permit, reservation or other entitlement issued via ALDS shall provide valid identification. Acceptable forms of identification include:

(1) Any license document or GO ID number previously issued via ALDS

(2) A valid driver's license or identification card issued to him or her by the Department of Motor Vehicles or by the entity issuing driver's licenses from the licensee's state of domicile

(3) US Birth Certificate

(4) US Certificate or Report of Birth Abroad

(5) Tribal Identification Card, as defined by each sovereign tribal nation

(6) Birth Certificate or passport issued from a US Territory

(7) US Passport

(8) US Military Identification Cards (Active or reserve duty, dependent, retired member, discharged from service, medical/religious personnel)

(9) Certificate of Naturalization or Citizenship.

(10) A foreign government-issued photo identification

(d) Any applicant less than 18 years of age applying for any license, tag, permit, reservation or other entitlement issued via the ALDS shall provide valid identification. Acceptable forms of identification include:

(1) Any form of identification described above

(2) A parent or legal guardian's identification as described above.

(e) Nonrefundable Application Fee

All licenses, tags, permits, reservations or other entitlements purchased via ALDS shall be subject to a three percent nonrefundable application fee, not to exceed seven dollars and fifty cents ($7.50) per item, to pay the Department's costs for issuing that license, tag, permit, reservation or other entitlement.

§ 705. Commercial Fishing Applications, Permits, Tags and Fees.

(b) Transfer, Upgrade, or Change of Ownership	Fees
(2) Market Squid Permit Transfer (Nonrefundable)	$500.00
(4) Market Squid Permit Change of Vessel Ownership	$500.00