



UPGRADE A MARKET SQUID LIGHT BOAT PERMIT TO A MARKET SQUID BRAIL PERMIT PROVISIONS

Authority – Upgrade to Transferable Market Squid Light Boat to Transferable Market Squid Brail Permit

Pursuant to California Code of Regulations (CCR), Title 14, Section 149.1(q), the owner of a commercial fishing vessel with a valid Transferable Market Squid Light Boat Permit (TMSLBP), may request to upgrade a TMSLBP to a Transferable Market Squid Brail Permit (TMSBP).

Pursuant to CCR, Title 14, Section 149.1(i)(3), the California Department of Fish and Wildlife (Department) shall charge a non-refundable fee of \$1,500 as specified under CCR, Title 14, Section 705 for each Market Squid Brail Permit Upgrade based on the provisions defined in CCR, Title 14, Section 149.1(q). In addition, pursuant to CCR, Title 14, Section 149.1(q)(2), the vessel owner must surrender the original TMSLBP.

Non-transferable Market Squid Light Boat Permits (NMSLBP) are not eligible for upgrade. (CCR, Title 14, Section 149.1(q)).

Classification of Permits and 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

Pursuant to CCR, Title 14, Section 149.1(n), each Market Squid Brail Permit shall be endorsed with the gross tonnage at the time of initial issuance. Any vessel owner transferring a Market Squid Brail Permit shall also provide gross tonnage information for the replacement vessel as described below. The gross tonnage shall be determined as follows:

- If the owner of the vessel holds a Federal Coastal Pelagic Species Permit (FCPSP) 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 FCPSP with the vessel's endorsed gross tonnage.
- If the owner of the vessel 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 tonnage will be those recorded on the vessel's United States Coast Guard (USCG) Certificate of Documentation.
- 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.

- In cases where two or more permits are transferred to a replacement vessel pursuant to guidelines in CCR, Title 14, 149.1(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.
- 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.

Instructions to Upgrade a TMSLBP to a TMSBP

Purchase of a TMSBP by a permittee who holds a TMSLBP may occur with surrender of a TMSLBP. NMSLBP are not eligible for upgrade. (CCR, Title 14, Section 149.1(q))

The permit holder must submit the following documentation:

- A written request in the form of a notarized letter requesting to upgrade a TMSLBP to a TMSBP.
- The original current TMSLBP.
- 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 valid Commercial Boat Registration for the permitted vessel.
- Copy of a valid FCPSP with the vessel's gross tonnage or USCG Certificate of Documentation.
- Nonrefundable upgrade fee of \$1,500.
- Submit an additional \$2,159.75 This is the difference between the 2021-2022 TMSBP (\$3,093) and 2021-2022 TMSLBP (\$933.25).

Appeal Provisions and Deadline

If denied, the Department will notify the permittee in writing, explaining the reason for denial. An applicant who is denied upgrade of a TMSLBP to a TMSBP 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 Fish and Game Commission. Pursuant to CCR, Title 14 Section 149.1(p), appeals must be received by the Fish and Game Commission within 60 days of the Department's denial.

Department's Evaluation Time for Upgrade of a TMSLBP to a TMSBP

Evaluation of the upgrade 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 upgrade will be sent to the permittee.

Mail documents and fees to:

California Department of Fish and Wildlife
Attn: License and Revenue Branch
PO Box 944209
Sacramento, California 94244-2090

Please contact (916) 928-5822 or email LRBCOMM@wildlife.ca.gov, if you have any questions or need additional assistance.

Title 14, California Code of Regulations Excerpts

§ 149.1 Market Squid Fishery Restricted Access Program.

(n) Gross Tonnage Endorsement. Each Market Squid Vessel Permit or Market Squid Light Boat 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 Light Boat 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.

(q) Market Squid Brail Permit Upgrade. Purchase of a Transferable Market Squid Brail Permit by a permittee who holds a Transferable Market Squid Light Boat Permit may occur with surrender of a Transferable Market Squid Light Boat Permit. Non-Transferable Light Boat Permits are not eligible for upgrade.

(1) An application for upgrade to a Market Squid Brail Permit shall be submitted to the department by a Transferable Market Squid Light Boat permittee in the form of a notarized letter, and shall include a copy of the permit which is being sought for surrender, current proof of vessel ownership, and gross tonnage information as described in subsection (n).

(2) Upon determining that the applicant is qualified to upgrade the permit, payment of all permit and upgrade fees, and surrender to the department of the original permit, the department shall issue the replacement permit that is valid for the remainder of the fishing season. Gross tonnage endorsement provisions defined in subsection (n) above shall apply.

(r) Market Squid Brail Permit Upgrade Appeals. Any applicant who is denied upgrade of a Transferable Market Squid Light Boat Permit to a Transferable Market Squid Brail 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
(3) Market Squid Brail Upgrade	\$1,500