

Regulatory Language

Section 29.80, Title 14, CCR, is amended to read:

Option #1

§29.80. Gear Restrictions.

- (a) General: Saltwater crustaceans may be taken by hand. Nets, traps or other appliances may not be used except as provided in this section.
- (b) ~~Baited~~ Hoop nets may be used to take spiny lobsters and all species of crabs. Between Point Arguello, Santa Barbara County, and the United States-Mexico border, not more than five baited hoop nets, as defined in (b)(1), may be fished used or possessed by a person to take when taking spiny lobster or crab, not to exceed a total of 10 ~~baited~~ hoop nets ~~fished from on~~ any vessel.
- (1) Hoop Net Defined: A hoop net shall be defined as: Fishing gear that is comprised of a rigid ring, not to exceed 36 inches in diameter, which is connected to soft mesh thereby forming a circular shaped net whose enclosed bottom portion is even with or which hangs down from the ring. Lift lines may be attached to the ring. A second rigid ring not exceeding 18 inches in diameter, which is connected by soft mesh to the first ring, may be used. No lift lines may be attached to the smaller ring. When the net is being raised the larger ring is above and parallel to the smaller ring with the enclosed bottom portion of the soft mesh even with or hanging below the bottom ring. All parts of the hoop net, and attached lift lines will collapse and lie flat when resting on the ocean floor in such a manner that the gear does not entrap or restrict the free movement of crustaceans until lifted.
- (c) Crab traps shall have at least two rigid circular openings of not less than four and one-quarter inches inside diameter so constructed that the lowest portion of each opening is no lower than five inches from the top of the trap.
- (d) Crab loop traps may have up to six loops.
- (e) Crab trap areas: Crab traps, including crab loop traps, may be used north of Point Arguello to take all species of crabs (see regulations for take of Dungeness crabs in traps from commercial passenger fishing vessels in Section 29.85, Title 14, CCR).
- (f) Shrimp and prawn traps may be used to take shrimp and prawns only. Trap openings may not exceed 1/2 inch in any dimension on traps used south of Point Conception nor five inches in any dimension on traps used north of Point Conception.
- (g) Diving for crustaceans: In all ocean waters, except as provided in Section 29.05, skin and SCUBA divers may take crustaceans by the use of the hands except divers may not possess any hooked device or spear while diving or attempting to dive for crustaceans.
- (h) Hand operated appliances: Spades, shovels, hoes, rakes or other appliances operated by hand may be used to take sand crabs and shrimp.
- (i) Dip nets and Hawaiian type throw nets: Shrimp may be taken with dip nets and Hawaiian type throw nets north of Point Conception.
- (j) Shrimp trawls: Shrimp beam trawls may be used to take shrimp only in San Francisco Bay waters east of the Golden Gate Bridge, and in San Pablo Bay. The beam trawl frame from which the net is hung may not exceed 24 inches by 18 inches. The trawl may be towed by motorized vessels but may not be retrieved by mechanical devices. Any fish, other than shrimp, caught in the trawl must be returned immediately to the water.

Option #2

§29.80. Gear Restrictions.

- (a) General: Saltwater crustaceans may be taken by hand. Nets, traps or other appliances may not be used except as provided in this section.
- (b) ~~Baited~~ Hoop nets may be used to take spiny lobsters and all species of crabs. Between Point Arguello, Santa Barbara County, and the United States-Mexico border, not more than ~~five~~ 3 baited hoop

nets as defined in (b)(1), may be fished used or possessed by a person to take when taking spiny lobster or crab, not to exceed a total of 40 ~~6~~ baited hoop nets fished from on any vessel.

(1) Hoop Net Defined: A hoop net shall be defined as: Fishing gear that is comprised of a rigid ring or rings, not to exceed three rings, with the ring or rings measuring no greater than 36 inches in inside diameter nor be less than 10 inches in inside diameter which is connected to soft mesh. The top ring cannot measure greater than 21 inches nor less than 19 inches in inside diameter. When the net is being raised the lift lines are connected to the top ring. All parts of the hoop net, and attached net, ring and lift lines may collapse and lie flat when resting on the ocean floor, or the top ring may be supported and not sit more than 10 inches off the ocean floor when deployed. The ring material may not be thicker than one inch in any dimension. While deployed, there shall be nothing attached to the hoop net that prevents lobsters from freely escaping.

(c) Crab traps shall have at least two rigid circular openings of not less than four and one-quarter inches inside diameter so constructed that the lowest portion of each opening is no lower than five inches from the top of the trap.

(d) Crab loop traps may have up to six loops.

(e) Crab trap areas: Crab traps, including crab loop traps, may be used north of Point Arguello to take all species of crabs (see regulations for take of Dungeness crabs in traps from commercial passenger fishing vessels in Section 29.85, Title 14, CCR).

(f) Shrimp and prawn traps may be used to take shrimp and prawns only. Trap openings may not exceed 1/2 inch in any dimension on traps used south of Point Conception nor five inches in any dimension on traps used north of Point Conception.

(g) Diving for crustaceans: In all ocean waters, except as provided in Section 29.05, skin and SCUBA divers may take crustaceans by the use of the hands except divers may not possess any hooked device or spear while diving or attempting to dive for crustaceans.

(h) Hand operated appliances: Spades, shovels, hoes, rakes or other appliances operated by hand may be used to take sand crabs and shrimp.

(i) Dip nets and Hawaiian type throw nets: Shrimp may be taken with dip nets and Hawaiian type throw nets north of Point Conception.

(j) Shrimp trawls: Shrimp beam trawls may be used to take shrimp only in San Francisco Bay waters east of the Golden Gate Bridge, and in San Pablo Bay. The beam trawl frame from which the net is hung may not exceed 24 inches by 18 inches. The trawl may be towed by motorized vessels but may not be retrieved by mechanical devices. Any fish, other than shrimp, caught in the trawl must be returned immediately to the water.

Note: Authority cited: Sections 200, 202, 205, 215 and 220, Fish and Game Code. Reference: Sections 200, 202, 205, 206, 215 and 220, Fish and Game Code.