

New Regulatory Language

Section 29.80, Title 14, CCR, is amended to read: § 29.80. Gear Restrictions.

(a) General Provisions.

[...No proposed changes to subsection (a)(1)]

(2) Nets, traps or other appliances may ~~not be not~~ used except as provided in this Section.

(3) It is unlawful to disturb, move, or damage any trap; or remove any saltwater crustacean from a trap, that belongs to another person without written permission including permission transmitted electronically, in possession from the owner of the trap. Any person with written permission from the owner of a crab trap will be in compliance with subsection (c)(3) if the written permission contains the owner's GO ID number that matches the GO ID number on the buoy of the crab trap being fished.

(b) 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 hoop nets, as defined in (b)(1)(A) or (b)(1)(B), shall be possessed by a person when taking spiny lobster or crab, not to exceed a total of 10 hoop nets possessed when taking spiny lobster or crab, per vessel. The owner of the hoop net or person who placed the hoop net into the water shall raise the hoop net to the surface and inspect the contents of the hoop net at intervals not to exceed 2 hours.

[...No proposed changes to subsections (b)(1) and (b)(2)]

(3) Hoop nets used south of Point Arguello, Santa Barbara County, shall be marked with a surface buoy. Except as provided in subsections (b)(3)(A) and (b)(3)(B), the surface buoy shall be legibly marked to identify the operator's GO ID number as stated on the operator's sport fishing license or lobster report card. This section does not apply to ~~H~~hoop nets deployed from by persons on shore or manmade structures connected to the shore, ~~are not required to be marked with a surface buoy.~~

(A) The surface buoy of hoop nets deployed from commercial passenger fishing vessels shall be legibly marked to identify the commercial boat registration number of the vessel.

(B) The surface buoy of hoop nets provided by a licensed guide to clients for use on guided trips shall be legibly marked to identify the guide license number of the accompanying guide.

(c) Crab traps:

[...No proposed changes to subsection (c)(1)]

(2) ~~Starting August 1, 2016, crab~~Crab traps shall contain at least one destruct device of a single strand of untreated cotton twine size No. 120 or less that creates an unobstructed escape opening in the top or upper half of the trap of at least five inches in diameter when the destruct attachment material corrodes or fails.

(3) ~~Starting August 1, 2016, every~~Every crab trap except those used under authority of subsection 29.85(a)(5) of these regulations shall be marked with a buoy. Each buoy shall be legibly marked to identify the operator's GO ID number as stated on his/her sport fishing license.

(4) ~~Starting August 1, 2016, crab~~Crab traps shall not be deployed and used in ocean waters seven days prior to the opening of the Dungeness crab season.

[...No proposed changes to subsections (d) through (j)]

Note: Authority cited: Sections 200, 205, 265, 275, 1050, 7075, 7078, 8254, and 8259, Fish and Game Code. Reference: Sections 110, 200, 205, 265, 275, 1050, 2365, 2535, 2536, 2538, 7050, 7055 and 7056, Fish and Game Code.

Section 122, Title 14, CCR, is amended to read:

§ 122. Spiny Lobster Permits and Restricted Areas.

[...No proposed changes to subsections (a) through (c)]

(d) Restricted Fishing Areas.

[...No proposed changes to subsection (d)(1)]

(2) No lobster traps shall be set or operated within 250 feet of the following specified navigation channels.

[...No proposed changes to subsection (d)(2)(A)]

(B) Dana Point Harbor entrance: This area is bounded by straight lines connecting the following points in the order listed:

~~33° 27.262' N. lat. 117° 41.492' W. long.;~~

~~33° 26.289' N. lat. 117° 41.721' W. long.;~~

~~33° 26.254' N. lat. 117° 41.509' W. long.;~~

~~33° 27.201' N. lat. 117° 41.286' W. long.;~~

~~33° 27.409' N. lat. 117° 41.522' W. long.;~~ and

~~33° 27.262' N. lat. 117° 41.492' W. long.~~

33° 27.262' N. lat. 117° 41.492' W. long.;

33° 26.511' N. lat. 117° 42.061' W. long.;

33° 26.477' N. lat. 117° 41.850' W. long.;

33° 27.201' N. lat. 117° 41.286' W. long.;

33° 27.409' N. lat. 117° 41.522' W. long.; and
33° 27.262' N. lat. 117° 41.492' W. long.

[...*No proposed changes to subsection (d)(2)(C)*]

(D) Port of Hueneme entrance: This area is bounded by the mean high tide and straight lines connecting the following points in the order listed except where noted:

34° 8.639' N. lat. 119° 12.976' W. long.; thence northward along the mean high tide line onshore boundary to

34° 9.086' N. lat. 119° 13.112' W. long.;

34° 7.620' N. lat. 119° 14.417' W. long.;

34° 6.500' N. lat. 119° 15.000' W. long.;

34° 5.800' N. lat. 119° 13.380' W. long.;

34° 7.167' N. lat. 119° 13.330' W. long.;

34° 8.668' N. lat. 119° 11.958' W. long.; thence westward along the mean high tide line onshore boundary to

34° 8.586' N. lat. 119° 12.713' W. long.; and

34° 8.639' N. lat. 119° 12.976' W. long.

[...*No proposed changes to subsections (e) through (h)*]

Note: Authority cited: Sections 1050, 7075, 7078, 8254 and 8259, Fish and Game Code. Reference: Sections 1050, 2365, 7050, 7055, 7056, 7071, 7852.2, 8026, 8043, 8046, 8250, 8250.5, 8254, 9002, 9002.5, 9005, 9006 and 9010, Fish and Game Code.