

STAFF SUMMARY FOR AUGUST 4-5, 2015

13. EXPERIMENTAL HAGFISH PERMIT (CONSENT)**Today's Item**Information Action

Receive and approve DFW request to amend gear authorized to take hagfish under Experimental Gear Permit Number X-1868, issued to Mr. Craig Thomsson.

Summary of Previous/Future Actions

- FGC approved experimental permit May 22-23, 2013; Los Angeles
- **Today approve permit amendment Aug 4-5, 2015; Fortuna**

Background

Fish and Game Code, Section 8606 authorizes FGC to approve experimental gear permits, to be issued by DFW, to test new types of commercial fishing gear. In May 2013, FGC authorized DFW to issue an experimental gear permit to Mr. Craig Thomsson for the take of hagfish using 40-gallon barrel traps under specific conditions for a period of one year; in Apr 2014, DFW extended the term of the permit until Dec 30, 2015 (Exhibit 1).

DFW has proposed to add barrel trap gear as an authorized gear for the take of hagfish, and a draft rulemaking is scheduled for notice at this meeting (today's Agenda Item 6). However, DFW has proposed an alternative gear configuration for the draft regulation that reduces the number of vertical lines, due to recent concerns over whale entanglements in fisheries that utilize buoyed vertical lines. Thus, DFW has requested that the experimental gear permit conditions be amended consistent with the proposed regulation (Exhibit 2). Specifically, the number of traps authorized under the permit would be reduced from 40 to 25, and traps would be required to be attached to a maximum of two ground lines with vertical lines and floats rather than an individual vertical line and buoy per trap. It is staff's understanding that DFW has contacted Mr. Thomsson, and that he is amenable to the changes to permit conditions.

Significant Public Comments (N/A)**Recommendation**

FGC staff: Approve DFW request to amend permit under a motion to adopt the consent calendar.

DFW: DFW recommends amending the gear authorized under this permit to be consistent with proposed hagfish gear regulations.

Exhibits

1. [Experimental Gear Permit Number X-1868 issued to Mr. Craig Thomsson](#)
2. [DFW Memo, received Jul 22, 2015](#)

Motion/Direction

Moved by _____ and seconded by _____ that the Commission adopts the Consent Calendar, items 11-13.



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
CHARLTON H. BONHAM, Director



April 9, 2014

EXPERIMENTAL GEAR PERMIT
NUMBER X-1868

To Whom It May Concern:

In accordance with action taken by the Fish and Game Commission (Commission) on May 23, 2013, pursuant to the provisions of the Fish and Game Code (FGC) §8606, permission is hereby granted to:

Mr. Craig Thomsson
The Dandy Fish Company, Inc.
P.O. Box 1138
Bodega Bay, CA 94923

hereinafter called the permittee, to deploy 40 individual 40-gallon plastic tubs to capture hagfish for the purpose of minimizing potential gear conflict with groundfish trawlers operating in federal waters, and possibly with the Dungeness crab trap fishery, which uses traps with individual lines and buoys. These larger-volume hagfish traps may reduce injury to captured hagfish from other captured hagfish within the trap, producing a more marketable product. This document is your Experimental Gear Permit (Permit) to be issued by the Department of Fish and Wildlife's (Department's) License and Revenue Branch (LRB). This permit is valid from July 30, 2013. The gear may only be used under the following conditions:

1. Each trap shall have at least one destruction device pursuant to FGC §9003.
2. Each trap shall have an independent buoy and line.
3. Pursuant to FGC §9004, traps shall be serviced at regular intervals not to exceed 96 hours.
4. Consistent with FGC §9001.6 (a) concerning the use of other hagfish traps, no fish other than hagfish shall be retained by the permittee.
5. All drilled holes shall be no less than 0.5 inches in diameter.
6. Poppers shall not be used and buoys shall be marked with the commercial fishing license identification number only.
7. Pursuant to FGC §7857 (d), a copy of this permit must be on the commercial fishing vessel at all times when activities are being conducted under the authority of this permit.

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8. The permittee and any persons who assist the permittee (Authorized Agents) must possess a valid commercial fishing license issued pursuant to FGC §7850, prior to engaging in any fishing operations which are authorized by this permit.
9. Any commercial fishing vessel operating under this permit must have a valid California Commercial Boat Registration issued pursuant to FGC §7881, and the Department Commercial Boat Registration numbers must be displayed in plain sight on each side of the vessel.
 - a. The permittee's license number (L number) must be displayed in plain sight on each side of the vessel using black numbers at least 10 inches in height on a white background.
10. The permittee and any persons who assist the permittee (Authorized Agents) must possess a valid General Trap Permit issued pursuant to FGC §9001, prior to engaging in any fishing operations which are authorized by this permit.
11. The permittee must comply with all appropriate FGC sections or regulations of the Commission relating to protected species, minimum size limits, and seasons or areas closed to fishing.
12. The permittee must cooperate with the Department by allowing personnel designated by the Department to board any commercial fishing vessel operated by the permittee under this permit to observe or inspect equipment, procedures, or fish. The Department will observe normal fishing operations for a minimum of 3 days during the period for which the permit is valid.
13. No other fishing operations, sport or commercial, shall take place when this Experimental Gear Permit is in use.
14. The Department may cancel this permit, at its sole discretion, upon 48-hour written notice to the permittee.

SPECIAL CONDITIONS:

1. In the event of marine mammal entanglement, the permittee must complete the NOAA Fisheries Marine Mammal Authorization Program Mortality/Injury reporting form for every marine mammal entanglement.
 - a. If released alive, report the entanglement to the Marine Mammal Center in Sausalito at (415)289-7350
 - b. Retain any dead entangled marine mammal, if possible, and arrange for disposition of the carcass with the California Academy of Sciences in San Francisco at (415)750-7177.
2. Pursuant to §190, Title 14, of the CCR, the permittee shall document all fishing activities using a logbook provided by the Department. Any additional information requested by the Department shall be provided by the permittee.
 - a. Logbook pages shall be transmitted to the Department by the 10th day of each month following the month to which the records pertain.

Logbook pages shall be mailed to: Travis Tanaka, Department of Fish and Wildlife, 20 Lower Ragsdale Drive, Suite 100, Monterey CA 93940, using postage-paid envelopes provided by the Department.

- b. Failure to keep or submit required records of fishing activity may result in revocation or suspension (including non-renewal) of the license or permit for the taking of all fish or the particular species for which the records are required.
3. This experimental permit shall be held in the name of Mr. Craig Thomsson only.
 4. The permittee must pay a fee of \$1,500 to cover the Department's cost for permit approval and monitoring.

Pursuant to FGC §8606(c), Experimental Gear Permit Number X-1868 is valid for this activity and is valid through December 30, 2015. If no legislation or regulatory action is taken to permanently authorize the activity, or if the permit is not renewed, the activity must be discontinued by the expiration date.

To renew this permit, the permittee must submit a written request to the Commission at least 60 (sixty) days in advance of the desired start date.

This permit is not valid until the permittee has certified by his signature below that they have read and understand the terms of the permit, and has returned one signed copy to the Department with the permit fee of \$1,500.

James Fong, Chief
License and Revenue Branch

I (we) have read, understand and agree to abide by all terms and conditions of this permit.

SIGNED: _____ DATE: _____

Memorandum

2015 JUL 22 PM 2:16

Date: July 21, 2015

To: Sonke Mastrup
Executive Director
Fish and Game Commission

From: Charlton H. Bonham
Director



Subject: **Consent Item for the August 4-5, 2015, Fish and Game Commission Meeting Regarding Amending Experimental Gear Permit X-1868, Re: Hagfish Barrel Traps**

The Department of Fish and Wildlife (Department) requests that Experimental Gear Permit X-1868 be amended to reflect the regulation proposal currently under consideration by the Commission to allow the use of 40-gallon barrel traps as legal gear for the take of hagfish. Permit X-1868 allows the permit holder to fish up to forty 40-gallon barrel traps, each with its own vertical line and float. The Department is requesting that permit X-1686 be amended to limit the number of traps to 25, which must be attached to a maximum of two ground lines, with vertical lines and floats. This amendment aligns permit X-1686 with the gear provisions specified in the proposed regulation. All other permit conditions will remain the same, and the permit will expire December 30, 2015.

If you have any questions regarding this item, please contact Dr. Craig Shuman, Regional Manager, at (805) 568-0216.

Attachment

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