

REGULAR

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2015-0811-08	REGULATORY ACTION NUMBER 2015-1016-04S	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

2015 OCT 16 P 2:25
OFFICE OF ADMINISTRATIVE LAW

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

NOV 06 2015
2:02 PM

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY
Fish and Game Commission

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Dungeness Crab		TITLE(S) 14	FIRST SECTION AFFECTED 29.80	2. REQUESTED PUBLICATION DATE August 21, 2015	
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Sheri Tiemann		TELEPHONE NUMBER (916) 654-9872	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2015, 342	PUBLICATION DATE 8/21/2015	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Recreational Dungeness Crab and Crab Trap Regulations	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 29.80 and 29.85
	REPEAL
TITLE(S) 14	

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) November 7, 2015 per GC 11343.4(b)(4)(A)
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Sheri Tiemann	TELEPHONE NUMBER (916) 654-9872	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) sheri.tiemann@fgc.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 10/16/15
TYPED NAME AND TITLE OF SIGNATORY Sonke Mastrup, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 06 2015

Office of Administrative Law

Regulatory Language

Amend Section 29.80, Title 14, CCR, as follows:

§29.80. GEAR RESTRICTIONS.

... [No changes to subsections (a) and (b)]

(c) Crab traps:

(1) 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.

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

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

(e) Crab trap areas: Crab traps, including crab loop traps, may be used north of Point Arguello, Santa Barbara County, 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 of these regulations).

... [No changes to subsections (f) through (j)]

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.

Amend Section 29.85, Title 14, CCR, as follows:

§29.85. CRABS.

(a) Dungeness crabs (*Cancer magister*):

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

(a)(3) Limit: ~~Ten, except in Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, and Monterey counties, when fishing aboard a commercial passenger fishing vessel required to be licensed pursuant to Section 7881 and/or Section 7920, Fish and Game Code, the limit is six.~~

... [No changes to subsections (a)(4) through (a)(6)]

(a)(7) Minimum size: ~~Five and three-quarter inches measured by the shortest distance through the body from edge of shell to edge of shell directly in front of and excluding the points (lateral spines); except in Sonoma, Marin, San Francisco, San Mateo, Santa Cruz, and Monterey counties, when fishing aboard a commercial passenger fishing vessel required to be licensed pursuant to Section 7881 and/or Section 7920, Fish and Game Code, the minimum size is six inches measured by the shortest distance through the body from edge of shell to edge of shell directly in front of and excluding the points (lateral spines).~~

... [No changes to subsections (b) through (d)]

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