

This document was developed by Noah Oppenheim in February 2021 to inform Dungeness Crab Task Force and Executive Committee discussions on the value of recommending changes to Fish and Game Code §8280.3 to the California Legislature.

Section(s) to be modified: 8280.3(i)

- Existing Language: Upon written approval of the department, the owner of a vessel to whom the Dungeness crab vessel permit has been issued may retain that permit upon the sale of that permitted vessel for the purpose of transferring the permit to another vessel to be purchased by that individual within one year of the time of sale of the vessel for which the permit was originally issued if the requirements of this section are satisfied, including the payment of transfer fees. If the permit is not transferred to a new vessel owned by the person to whom the vessel permit was originally issued within one year of the sale of the vessel for which it was originally issued, or if the person does not retain ownership of the new vessel to which the permit is transferred for a period of not less than one year, the permit shall become void by operation of law.
- Language after change: Upon written approval of the department, the owner of a vessel to whom the Dungeness crab vessel permit has been issued may retain that permit upon the sale of that permitted vessel for the purpose of transferring the permit to another vessel if the requirements of this section are satisfied, including the payment of transfer fees. If the permit is not transferred to a new vessel within one year of the sale of the permitted vessel, the permit shall become void by operation of law.
- Effects of change:
 - To no longer require the owner of a Dungeness Crab Vessel Permit (DCVP), upon the sale of their permitted vessel, to maintain ownership in a replacement vessel's documentation or registration for at least one year
 - To eliminate the subsequent redundant step of removing a DCVP transferor from the transferee vessel, which currently results in incurred costs for stakeholders and additional workload for LRB
 - To eliminate the liability incurred by DCVP transferrors who are required to be listed as owners of a transferee vessel that they do not operate
 - To eliminate the challenges of determining vessel ownership during a fishery disaster distribution associated with the required listing of additional owners on a transferee vessel
- Rationale: This change to FGC Section 8280.3(i) would complement prior Fish Omnibus legislation on permitting reform, which were achieved with collaborative agency/stakeholder engagement and resulted in productive changes eliminating redundant provisions. This change would eliminate the requirement for one person to be added to another person's vessel documentation or registration for the sole purpose of transferring a permit. This change would retain the Department's existing role in the DCVP transfer process while eliminating redundant and unnecessary costs/processes at LRB and provide benefit to stakeholders through the reduction of paperwork and elimination of extra regulatory steps and liability concerns.