

# Considerations for Developing Alternatives for a Deep-Set Buoy Gear Fishery and Federal Permitting of the West Coast Swordfish Fishery

## 1.0 Introduction

At its March 2016 meeting under Agenda Item F.3, the Council passed a motion (attached to this document) to move forward with developing a range of alternatives to authorize a deep-set buoy gear (DSBG) fishery concurrent with continuing to collect information through exempted fishing permits (EFPs). In addition, in 2014 the Council expressed its intent to create a Federal limited access (limited entry) permit for the California/Oregon large mesh drift gillnet (DGN) fishery, which would supplement or supplant the current California state limited access drift gill net shark and swordfish permit for this fishery. (Note that there is an existing Federal HMS permit as described at 50 CFR 660.707, i.e., there are no explicit limits on the number of these permits issued per gear type.)

Federal action on these matters would potentially be complicated if California Senate Bill 1114 were passed. The Council's Legislative Committee was briefed on this bill at the April 2016 Council meeting (see Agenda Item C.4). This bill would establish a state limited access permit program for any Federally authorized DSBG fishery and effectively end the DGN fishery through the attrition of current active participants. The bill also offers incentives for holders of state drift gillnet shark and swordfish permit to obtain a DSBG permit that would be created by this bill. While the Council and NMFS can establish a permit requirement to fish in Federal waters, California Fish and Game Code Section 7850(a) states "A person must hold a commercial fishing license issued by the [Department of Fish and Wildlife] to take fish for commercial purposes, and bring fish ashore in California for the purpose of selling them." In addition to this general commercial license, a fishery-specific license, such as the one proposed in SB 1114 also may be required. Thus, even if the Council created a new Federal permit for these HMS fisheries, fish caught in Federal waters could not be landed in California without a complementary state permit.

This document includes information to assist with the development of alternatives for a Federally authorized DSBG fishery, including the permitting of that fishery. Federal permitting of the DGN fishery, especially in relation to the DSBG fishery, is also touched upon.

## 2.0 The Proposed Actions, Purpose and Need

The Council's March 2016 motion directed the development of a purpose and need statement using the description in the draft Swordfish Fishery Management and Monitoring Plan (September 2015). Descriptions for both authorizing the DSBG fishery and Federal permitting of the swordfish fishery are provided below.

### 2.1 *Proposed Action*

#### Authorization of the DSBG Fishery

The proposed action is to authorize a fishery targeting swordfish and other highly migratory species with deep set buoy gear (DSBG) under the Fishery Management Plan for West Coast Fisheries for Highly Migratory Species (HMS FMP). DSBG would be identified as a legal commercial fishing gear in the FMP and pursuant regulations. Management measures for the fishery would be established in the FMP and/or in Federal regulations under the FMP's management framework.

## Federal Permitting of the West Coast Swordfish Fishery

The proposed action is to establish one or more Federal permits with specified conditions (e.g., permitted gear type) for vessels harvesting swordfish in Federal waters of the West Coast EEZ and/or landing swordfish in West Coast ports.

### **2.2 Purpose and Need**

#### Authorization of the DSBG Fishery

The purpose of the proposed action is to encourage the use of a fishing gear in the West Coast commercial swordfish fishery that minimizes bycatch and bycatch mortality of finfish and protected species (including sea turtles, marine mammals, and seabirds) to the extent practicable while ensuring that the fishery remains economically viable. Research and exempted fishing trials with deep set buoy gear have demonstrated that this innovative gear type has minimal protected species interactions and finfish bycatch. Economic viability encompasses support for a swordfish fishery conducted by vessels with West Coast home ports, and increased availability of locally-caught swordfish in the market.

The proposed action is needed to address National Standard 9 and Section 303 of the Magnuson-Stevens Act to minimize bycatch and bycatch mortality and conserve non-target species to the extent practicable and better integrate fishery management under the HMS FMP with enhanced protection of ESA-listed species and other marine mammals. DSBG is also needed as a commercially viable alternative to other legal swordfish gear types, such as harpoon, to provide sustained participation in the swordfish fishery by West Coast fishing communities. In doing so, authorization of the fishery would also address National Standard 8.

#### Federal Permitting of the West Coast Swordfish Fishery

The purpose of establishing one or more Federal permits for the West Coast swordfish fishery is to allow the Council and NMFS to manage the types of gear used to harvest swordfish in Federal waters and the number of participants in the fishery. Permitting can further the goals of reducing bycatch and preventing overutilization of the resource.

## **3.0 Deep-Set Buoy Gear Fishery Management Measures**

### **3.1 Gear Definitions**

The March 2016 Council motion directed the development of at least two alternatives for gear definitions: 1) DSBG as “traditionally” defined and referenced in the DSBG EFPs, and 2) both “traditional” DSBG and modified DSBG currently being tested by the Pflegler Institute of Environmental Research (PIER), which it refers to as linked DSBG. The HMSMT proposed a definition for “traditional” DSBG in its March 2016 report and this definition is provided below.

Deep-set buoy gear: A vertical mainline suspended in the water column from a non-compressible float system that allows strike detection, free-drifting, and from which up to three gangions (maximum of 3 hooks per piece of gear) with hooks are attached at depths greater than 90 m ( below the thermocline and targeting 250-400 m). Gear also includes a locator flag and a radar reflector or flashing strobe to minimize loss, and the gear must be “actively tended” or available for immediate servicing upon an animal taking the hook.

If the Council decides to authorize a fishery including linked DSBG this gear would have to be defined too. As implied by the name, two or more pieces of DSBG are linked together by means of a horizontal mainline. Dr. Chugey Sepulvida of PIER, who is leading research and development on linked DSBG, suggests the gear would have following characteristics:

- Strike detection similar to DSBG.
- Horizontal mainline with serviceable links to each piece of gear are suspended at a minimum depth of 11m meters (36 feet) below surface floats.
- In addition to hook on the vertical mainlines, no more than 5 baited hooks may be affixed to any section of horizontal mainline and all hooks are maintained below a depth >90m (targeting 250-400 m).
- No more than 15 sections of horizontal mainline are linked together with an overall footprint between terminal buoys not to exceed 5 nautical miles.
- At least one terminal buoy includes a locator flag and a radar reflector or flashing strobe to prevent loss.

The Council could consider creating two definitions, with the linked DSBG definition referencing the DSBG definition for characteristics that are the same for both configurations. This approach could make development of the fishery management package easier. First, PIER is only beginning trials on the linked DSBG type and better gear specifications are likely to come out of that process. With two definitions, changes in the linked DSBG definition would not also affect the definition traditional DSBG. Second, the two definitions provide more flexibility in the decision making process for authorizing a DSBG fishery, because the Council can weigh options that include either one or both definitions, and by extension the authorization of a fishery for just traditional gear or including the linked gear.

### **3.2 Gear Tending**

In its March motion the Council directed that alternatives be developed for: 1) requiring gear be actively tended, 2) providing incentives to actively tend gear, and 3) limiting gear (e.g., 10 buoys) to promote active tending.

An important feature of DSBG is that it is actively tended: The fisherman keeps all the deployed gear in sight and the strike indicator allows quick retrieval of a piece of gear with a fish on it. This quick retrieval helps to reduce bycatch mortality, because an unwanted species can be quickly released from the gear. Lost gear that could potentially “ghost fish” or entangle larger air breathing animals such as marine mammals and turtles is another important concern. If gear are not actively monitored the possibility of losing a piece of gear increases.

The terms and conditions for the current DSBG EFPs include a provision that “The operator of the fishing vessel must actively tend all gear at all times, and must maintain the gear within sight (typically within 2 nm of the gear) of the fishing vessel.” The criteria for determining “actively tended” gear in this EFP condition is that the fisherman must keep the gear in sight, which is further specified as typically staying within 2 nm of the gear. Another condition of the EFPs is that no more than 10 pieces of gear can be deployed at any one time. Limiting the pieces of gear deployed is another way to promote or facilitate active tending, because as more gear are strung out in a line, the more difficult it would be to keep all the pieces in sight from the vessel.

Active tending also goes beyond just keeping all pieces of gear in sight. It also implies that the fisherman will quickly respond when there is a strike on a piece of gear. The EFP conditions include a requirement that “Deep-set buoy gear must be deployed as quickly as practicable, and upon detection of a strike, must be retrieved as quickly as practicable.”

It would seem difficult to enforce any general provision on active tending, because of the difficulty in judging whether any particular pattern of behavior does or does not constitute active tending. In terms of enforceability, specifying requirements such as the pieces of gear that may be deployed, minimum or maximum spacing of the gear, maximum distance across which all pieces of gear may be deployed, or maximum distance between the vessel and any one piece of gear would make determining a violation easier. On the other hand, any such specifications would reduce fishermen's flexibility to deploy the gear in such a way so as to maximize catch.

Limiting the pieces of gear that can be deployed at any one time is likely the most practicable measure to promote active tending. The EFP limitation on 10 pieces is a result of adapting requirements from the DSBG fishery in the Atlantic where oceanographic conditions are different (the strong northward flowing Gulf Stream) as well as how the gear is deployed. Experience in the Atlantic and with the DSBG EFPs demonstrates that 10 pieces of gear can be actively tended and establishing a limit lower than this could jeopardize the economic viability of the fishery. The question then resolves to whether the limit should be increased beyond 10 pieces. With no prior experience through research and trials to go on, it is difficult to determine whether increasing the number of pieces deployed would compromise active tending and/or increase the risk of lost gear. PIER's design of linked DSBG envisions the deployment of more pieces, up to 20, at any one time. This is consistent with the objective of designing a gear better matched to a larger volume fishery, comparable to DGN. However, this is a different gear configuration and future research results are not likely applicable to the traditional, independently deployed DSBG configuration.

The Council motion also references the creation of incentives to promote active tending. This is more of a "bottom up" approach that allows the individual to weigh the costs and benefits of his or her particular behavior when it comes to tending the gear. California SB 1114 includes provisions at section 8584.5 directing the California Department of Fish and Wildlife (CDFW) to "establish measures and incentives that are needed to prevent, reduce, and eliminate the incidence of derelict deep set buoy gear left at sea to the extent that these measures are not established pursuant to Federal law." Such measures "may include, but are not limited to, all of the following: (1) Registration of individual buoy systems under a tag issued by the department. (2) Requirements for labeling gear. (3) Incentives for the retrieval and retention of gear, including, fees for the issuance of buoy tags to replace lost buoy tags and time delays for the issuance of replacement buoy tags." Note that these provisions are conditioned on Federal action. Thus even if this bill passes into law there still would be scope for the Council to develop incentive-based provisions.

### **3.3 Geographic Area**

The Council's March motion provided guidance that the gear should be initially limited to Federal waters off California. To date, most research and development and EFP fishing has occurred in the Southern California Bight. Historically productive swordfish fishing grounds for the DGN fishery extended north of Point Conception. However, outside the Bight weather can be worse, especially during fall and winter months when the DGN fishery is most productive. To date, DSBG has been envisioned for smaller vessels, in a small scale fishery; this better matches costs to the relatively low yield realized from DSBG. Small vessels may have difficulty operating in the ocean conditions found outside the Bight. Protected species interactions and finfish bycatch rates may differ in some areas outside the Bight as well.

The Council should articulate the management concern that would be addressed by any restriction on the area of operation for a DSBG fishery beyond the stipulation that it be in Federal waters off California. Factors that may be considered in determining the area of operation include: 1) Increased risk of lost gear (for example, in rough seas); 2) Increased bycatch potential, especially for marine mammals, sea turtles, or seabirds; and 3) Gear conflicts within a DSBG fishery or between a DSBG fishery and other fisheries.

### **3.4 Target and Prohibited Species**

The motion also specified that the target species should be defined as in the EFP terms and conditions with prohibited species and incidental catch allowances defined as in the HMS FMP.

From a regulatory standpoint target species are only defined with respect to restrictions on retention. Any species that can be retained is a potential target species, although in most fisheries it is easy to identify one or a few species that make up the bulk of landings and are therefore considered the target species of the fishery. Swordfish are the target of DSBG but other marketable species may be caught.<sup>1</sup> To specify the range of target species, regulations could specify either species that may be retained or those that must be released back into the water.

Federal regulations at 50 CFR 660.702 define prohibited species as “any highly migratory species for which quotas or catch limits under the FMP have been achieved and the fishery closed; salmon; great white shark; basking shark; megamouth shark; and Pacific halibut.” At 50 CFR 660.705, prohibitions include “(e) When fishing for HMS, fail to return a prohibited species to the sea immediately with a minimum of injury, except under the following circumstances: (1) Any prohibited species may be retained for examination by an authorized observer or to return tagged fish as specified by the tagging agency. (2) Salmon may be retained if harvested in accordance with subpart H of this part, and other applicable law. (3) Great white sharks, basking sharks, and megamouth sharks may be retained if incidentally caught and subsequently sold or donated to a recognized scientific or educational organization for research or display purposes. (4) Pacific halibut may be retained if harvested in accordance with part 300, subpart E of this Title, and other applicable law.”

Incidental catch allowances as specified at 50 CFR 660.711 apply to non-HMS fisheries (small mesh gillnet, bottom longline, trawl and pot gear) with respect to the retention of HMS. This section also prohibits the sale of marlin by HMS permitted vessels.

### **3.5 Other Topics**

The Council’s March guidance motion stated the terms and conditions in the current DSBG EFPs, along with topics discussed in reports submitted under DSBG scoping at the March 2016 meeting, should be taken into consideration in developing alternatives.

#### Catch Accounting: Observer Coverage and Logbooks

Regulations governing observer coverage (50 CFR 660.719) establish a requirement that any HMS permitted vessel must accommodate a NMFS certified observer if required by the agency. The level of observer coverage is thus left up to agency discretion. Any observer requirement represents a tradeoff between gathering data on the fishery and the cost of observer deployment. Generally, observers are used to verify bycatch of finfish and protected species, because retained catch is monitored dockside. Observers may carry out other scientific duties such as collecting biological data (lengths, aging structures, etc.) and opportunistic sightings of species of interest (e.g., marine mammals). In weighing the costs and benefits NMFS often does not require observers in a fishery; one example is the surface hook-and-line fishery for North Pacific albacore. This fishery has demonstrably very low bycatch so it is difficult to justify the cost of observers. Another consideration is whether the agency or the industry bears the cost of observers.

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<sup>1</sup> According to [PIER’s March 2016 report](#), during 2015-2016 EFP trials marketable species caught were 142 swordfish, 69 bigeye thresher shark, five escolar, and two opah.

Given the envisioned scale of a DSBG fishery, expecting industry to pay a substantial portion of any observer cost is likely to jeopardize the economic viability of the fishery.

Regulations (50 CFR 660.708) establish a logbook requirement for all Federal HMS permitted vessels. Although logbooks rely on self-reporting, they can be another valuable source of information for operational information (e.g., time and location of catch). As part of authorizing the fishery, specific requirements, such as the layout and contents of the DSBG logbook would have to be determined. The Council may wish to review existing HMS logbooks and make recommendations on the contents of a DSBG logbook.

#### Multiple Gear Types on a Trip

Regulations governing the use of multiple gear types during a single trip should also be considered. For example, given the noted similarities between DSBG and harpoon in terms of scale and product, fishermen may want to use both of these gears either on the same trip or simultaneously (consistent with active gear tending) in some form of hybrid fishery. If multiple gears are allowed, measures to accurately account for catch by gear type should be required.

#### Season

The HMS FMP and regulations (50 CFR 660.709(b)) establish a fishing season for all species beginning on April 1 and ending March 31 of the following year. Dr. Sepulveda of PIER expects that the DSBG may operate in summer months when deliveries of swordfish to market from other fisheries slows, but swordfish abundance off the West Coast increases in the fall and winter. At this time there is no information that suggests anything other than a year round season is necessary for management purposes (stock conservation, bycatch mitigation, etc.).

## **4.0 Managing the Deep-Set Buoy Gear Fishery through Exempted Fishing Permits**

At the March 2016 Council meeting, CDFW submitted a report (Agenda Item F.3.a, Supplemental CDFW Report) noting that “Despite promising preliminary results, California Department of Fish and Wildlife believes that scoping for authorization is somewhat premature at this time...” An alternative rapid authorization of the fishery would be to continue managing and expanding the fishery through issuance of EFPs. In June 2016, under Agenda Item D.3, the Council will review and grant preliminary approval to new EFP applications. This is an opportunity to find out if additional fishermen come forward to apply for an EFP for DSBG. However, there are a number of disadvantages to this sort of “wait and see” approach that relies on individuals to come forward with applications. This approach would be inefficient and uncertain if the Council decides that over the medium term (e.g., 4-6 years), managing the fishery under EFPs is the best course of action. It would be better to actively solicit a sponsor for an EFP under which multiple vessels could fish. The PIER EFP is doing this on a small scale, but PIER may not be interested in sponsoring an expanded EFP that is essentially for management purposes, because it is a research organization.

State agencies have sponsored EFPs in the past; in the groundfish fishery the arrowtooth flounder EFP was sponsored by the Washington Department of Fish and Wildlife and the selective flatfish trawl EFP was sponsored by Oregon Department of Fish and Wildlife. Other potential sponsors might be found in the private sector among industry or environmental advocacy organizations. Some nongovernment organizations have shown strong support for the use of DSBG. Under the sponsorship model, the sponsor

would recruit participants and provide training (or contract with PIER to provide training), propose management measures as terms and conditions on the EFP, and, as appropriate, provide observer coverage.

In 2014 the Council solicited EFP proposals to test alternative gear types or new approaches for using large mesh drift gillnet gear through a widely circulated notice. As it turned out, the deadline for receiving proposals was extended to March 2015 in order to garner a sufficient number of applicants. The Council could solicit EFP proposals specifically for an organization willing and able to sponsor multiple fishermen to use DSBG. The Council could specify an initial set of terms of conditions including some minimum competency qualifications for the sponsoring organization. As noted, the terms and conditions would essentially serve as the management measures that might eventually be implemented in an authorized fishery. The qualifications could also include some minimum and/or maximum number of participating vessels. Through periodic review and renewal of the EFP the Council could recommend adjustments to the terms and conditions that could help in crafting the set of management measures implemented for an authorized fishery.

## 5.0 Swordfish Fishery Permitting

In 2014, when the Council initially expressed an interest in taking a holistic approach to managing the West Coast swordfish fishery, one objective was to create a Federal limited access permit for the DGN fishery, which would either supplant or supplement the existing California drift gill net shark and swordfish permit established at section 8561(a) in the California Fish and Game Code.<sup>2</sup> The Council has also discussed including a Federal limited access permit as a component of authorizing a DSBG fishery. The Council and stakeholders have also considered the linkage between these fisheries. Some stakeholders advocate an explicit transition of DGN fishery participants to the use of other gear types, particularly DSBG, although pelagic longline is another proven gear type for targeting swordfish and producing higher catch volume.

California Senate Bill 1114 presents both challenges and opportunities. If passed, it would seem to substantially impair the Council's ability to design a Federal permitting regime for DGN and DSBG fisheries, because it would revise (in the case of DGN) or create (for DSBG) state permit regimes.<sup>3</sup> While the Council and NMFS have the authority to establish a permitting regime for fisheries in Federal waters, it is unclear how any discrepancies between potential Federal and state permitting regimes would be resolved. The Federal council system is intended to be a forum to coordinate management priorities and actions between the states, the Federal government, and stakeholders. Unfortunately, this legislative action would seem to compromise the Council's ability to mediate between these interests.

SB 1114 presents an opportunity, because it contains a variety of concrete proposals for permitting the DGN and DSBG fisheries. These elements of the bill could be a starting point for designing a Federal permitting regime, which would be made more relevant if the bill does not pass into law. These elements include:

- Defining and eliminating "latent" DGN permits.
- Prohibiting the transfer of DGN permits by "actively fished" DGN permit holders, effectively phasing out the fishery through attrition.

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<sup>2</sup> The Council established a control date of June 23, 2014, that may be used as a reference for allocation decisions when considering potential future management actions to limit the number of participants in the large-mesh drift gillnet (DGN) fishery, published as an Advanced Notice of Proposed Rulemaking (79 FR 64161, October 28, 2014).

<sup>3</sup> The Acting Executive Director, on behalf of the Council, sent a letter to SB 1114's sponsor, Senator Ben Allen, on April 26, 2016, expressing concern that if the bill is enacted it would materially impair the Council's ability to manage HMS FMP fisheries.

- Establishing qualifications for a DSBG permit that favor DGN permit holders and DSBG EFP participants.
- Establishing incentives by granting additional permits to “actively fished” DGN permit holders and DGN permit holders that participate in a Federal DSBG EFP.
- Establishing deadlines for surrendering DGN permits to obtain additional DSBG permits.

If SB 1114 passes into law, clearly the Council has the option of deferring these swordfish permitting issues to the state. For the DSBG fishery, the permitting regime in SB 1114 is contingent on Federal authorization of the fishery, giving the Council and NMFS responsibility to implement all other features of a management framework.

## 6.0 Structuring Alternatives

The use of alternatives as a decision making tool arises from the requirements of the National Environmental Policy Act (NEPA) and its implementing regulations. NEPA requires the alternative of no action and all “reasonable” alternatives to no action. In this case the no action alternatives are not to authorize a DSBG fishery and not to implement any additional limited access permits for the West Coast swordfish fishery.

Alternatives may take a “programmatic” form or a “program component” form. In the programmatic approach each alternative contains all the components necessary to implement the management framework.<sup>4</sup> This approach fosters a holistic analysis in relation to the overall objectives entailed in each proposed management framework, but can make it difficult to compare the pros and cons of particular elements within the overall management proposal. Under the program component approach, sets of alternatives for each measure in an overall management framework are described. The decision maker then chooses one preferred alternative from each list of alternatives to construct the management framework. This allows more detailed comparison of different approaches to specific measures but may make it more difficult to evaluate how the parts relate to the whole. The Council may wish to provide guidance on its preferred approach to structuring the alternatives in addition to the specific guidance about the contents of the alternatives.

Conceiving and presenting alternatives in a matrix form can be a useful approach for specifying program components and different ways they can be combined to construct programmatic alternatives. In such a matrix the rows represent program components while the columns represent programmatic alternatives. The Council March motion and the discussion in section 3.0 of this document can be used to construct a list of program components that need to be considered. Some of these components, such as a logbook requirement, may not benefit from the consideration of alternative approaches and can be considered the same across a range of programmatic alternatives. Table 1 is an example of such a matrix. If the programmatic approach to constructing alternatives is used, a starting point would be to identify the objective of each alternative management program, as suggested in Table 1.

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<sup>4</sup> NEPA regulations introduce the concept of a “programmatic” impact analysis (that is, an analysis of a “program or policy statement”) in the context of “tiering” from a “broad” analysis to a “site specific” analysis. The use of the term programmatic here shouldn’t be confused with its use in the regulations and NEPA practice that has evolved out of the interpretation of the regulations.



**Table 1. Example of a matrix for developing management framework alternatives.**

	<b>No Action</b>	<b>Alternative 1</b>	<b>Alternative 2</b>	<b>Alternative 3</b>	<b>Alternative 4</b>
<b>Example Program Objective</b>	None	Rapid implementation of a basic management framework	Manage fishery with EFPs and defer authorization	Establish a closely regulated initial fishery tied to DGN transition	Establish a large fishery and allow gear variation (e.g., linked DSBG)
Gear definitions					
Gear tending					
Geographic area					
Prohibited species					
Catch accounting					
Multiple gears					
Season					
Permitting					

## Motion Passed under Agenda Item F.3, March 2016

Offered by Michele Culver, seconded by Rich Lincoln.

I move that the Council:

Move forward with developing a range of alternatives to authorize a deep-set buoy gear (DSBG) fishery concurrent with continuing to collect information through exempted fishing permits (EFPs), with the following preliminary guidance to the HMS Management Team (HMSMT):

- a. In general, use the provisions included in the DSBG EFPs (i.e., two DSBG EFPs) and descriptions in the letter of acknowledgment (LOA) for the PIER research to guide development of alternatives and potential regulatory language.
- b. Purpose and Need – Use the description in the draft Swordfish Fishery Management and Monitoring Plan (September 2015) relative to the purpose and goals of this proposed action.
- c. Definition of Gear – Develop at least two alternatives: 1) DSBG as “traditionally” defined and referenced in two DSBG EFPs, and 2) both “traditional” DSBG and modified DSBG as described in PIER research proposal for LOA.
- d. “Actively Tended” Gear – Discuss and present alternatives for: 1) requiring gear be actively tended, 2) providing incentives to actively tend gear, and 3) limiting gear (e.g., 10 buoys) to promote active tending.
- e. Geographic Area – ~~Intent is to initially limit the authorization of the gear to the area where it has been tested under one or more of the EFPs.~~ Amendment offered by Marci Yaremko, seconded by Buzz Brizendine: Intent is to initially limit the gear to Federal waters off California. (Amendment carried unanimously).
- f. Species Allowed – Define target species as defined in the EFPs, and prohibited species and incidental catch allowances as defined in the FMP for other HMS fisheries.
- g. Address other topics not covered above that were raised by the National Marine Fisheries Service (Agenda Item F.3.a NMFS Report), California Department of Fish and Wildlife (Agenda Item F.3.a Supplemental CDFW Report), HMSMT Reports, and Enforcement Consultants (Agenda Item F.3.a Supplemental EC Report).

Motion as amended carried unanimously.