

OPTIONS FOR REGULATORY MEASURES TO BE CONSIDERED IMMEDIATELY AFTER ADOPTION OF THE HMS FMP ("B" OPTIONS)

	Description of Options	Intent of Option	Expected Result of Action	Next Steps	Results of No Action
	PERMITS - Commercial (Discretionary - Pick One)				
25	Require a federal vessel permit for all commercial HMS fisheries within and outside the EEZ. One permit would cover all HMS fisheries.	To require a federal vessel permit for all commercial HMS fisheries within and outside the EEZ.	A federal vessel permit would provide a database of all west coast-based HMS fishing vessels which would be subject to the regulatory measures adopted under this FMP.	Consider Options 25-26 (if desired)	Current state laws would remain in effect which vary by state
26	(Team Preferred Option) Require a federal vessel permit for all commercial HMS fisheries within and outside the EEZ with endorsements for individual fisheries.	To require a federal vessel permit for all commercial HMS fisheries within and outside the EEZ with endorsements for individual fisheries.	A federal vessel permit would provide a database of all west coast-based HMS fishing vessels which would be subject to the regulatory measures adopted under this FMP. The individual fishery endorsements would specify which fisheries the vessel is engaged in.	Consider Options 25-26 (if desired). Proceed to next Option	Current state laws would remain in effect which vary by state
	PERMITS - Recreational (Discretionary - Pick One)				
27	Require a federal recreational permit for anglers (16 years or older) to fish for and retain or possess HMS in the EEZ.	To require a federal angler permit for HMS recreational fishers within the EEZ.	A federal angler permit would provide a database of all west coast HMS anglers who would be subject to the regulatory measures adopted under this FMP.	Consider Options 27-29 (if desired)	Current state laws would remain in effect which vary by state
28	(Team Preferred Option) Require a federal permit for all recreational vessels to fish for HMS within and outside the EEZ.	To require a federal vessel permit for HMS recreational vessels within and outside the EEZ.	A federal vessel permit would provide a database of all west coast HMS recreational vessels (both charter and private) which would be subject to the regulatory measures adopted under this FMP.	Consider Options 27-29 (if desired)	Current state laws would remain in effect which vary by state
29	Require a federal or state permit for all recreational vessels to fish for HMS within and outside the EEZ.	To require a vessel permit (which could be federal or state) for HMS recreational vessels within and outside the EEZ.	A vessel permit would provide a database of all west coast HMS recreational vessels (both charter and private) which would be subject to the regulatory measures adopted under this FMP.	Consider Options 27-29 (if desired). Proceed to next Option	Current state laws would remain in effect which vary by state

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<p>FAR OFFSHORE FISHERIES</p>				
<p>30 Allow HMS fisheries which are allowed inside and outside the EEZ to fish outside the EEZ without filing a far offshore fishery declaration.</p>	<p>To lessen the burden on fishers who are targeting HMS using gears which are legal both inside and outside the EEZ.</p>	<p>All three states currently have far offshore fishery regulations which require fishers to declare when they plan to fish on the high seas. These fishers are then allowed to fish outside 200 miles, but cannot fish inside the EEZ during the same trip. Oregon and Washington currently have exceptions for albacore troll, but California does not.</p>	<p>Proceed to next Option</p>	<p>Current state laws would remain in effect which vary by state</p>
<p>DRIFT GILLNET FISHERY</p>				
<p>31 (Team Preferred Option) Incorporate the existing time/area closures off WA, OR, and CA for shark protection into the FMP.</p>	<p>To incorporate the existing time/area closures off WA (north of 46°16'N) OR, and CA for shark protection into the FMP</p>	<p>The state of WA currently does not allow the use of drift gillnet gear and OR does not allow drift gillnets to target thresher shark. OR and CA also have time/area closures for thresher shark protection. The common thresher shark was overfished in the 1980s and the stock is currently rebuilding. This rebuilding has been largely aided by area and season closures imposed by the states, including the closure north of 46°16'N. Keeping the closures in place will assist with rebuilding.</p>	<p>Consider Options 31-33 (if desired); Proceed to next Option</p>	<p>DGN fishery allowed throughout EEZ unless management is deferred to states</p>
<p>32 Close the portion of the EEZ north of 45° N latitude for shark protection and to address bycatch and protected species concerns.</p>	<p>To allow the use of drift gillnet gear in the EEZ to target swordfish (which primarily occur south of 45°N) while:</p> <ul style="list-style-type: none"> • protecting adult thresher sharks • minimizing bycatch, and • reducing interactions with protected species 	<p>The state of WA currently does not allow the use of drift gillnet gear and OR does not allow drift gillnets to target thresher shark. OR also has time/area closures for thresher shark protection. An experimental fishery was conducted off WA and OR in 1986-1988 and was closed because of bycatch concerns and incidental takes of sea turtles and marine mammals. The common thresher shark was overfished in the 1980s and the stock is currently rebuilding which has been largely aided by area and season closures imposed by the states, including the closures off WA and OR. Closing the drift gillnet fishery north of 45°N would afford greater thresher shark protection, minimize bycatch and reduce interactions with protected species while allowing the fishery to continue to target swordfish (which primarily occur south of 45°N) which is the intent of the current WA and OR regulations.</p>	<p>Consider Options 31-33 (if desired); Proceed to next Option</p>	<p>DGN fishery allowed throughout EEZ unless management is deferred to states</p>

Description of Options	Intent of Option	Expected Result of Action	Next Steps	Results of No Action
<p>33</p> <p>Close the portion of the EEZ off Oregon and Washington east of a longitudinal line (around 125° to 126°) year-round for shark protection and to address bycatch and protected species concerns</p>	<p>To allow the use of drift gillnet gear in the EEZ to target swordfish (which primarily occur off Oregon and Washington outside ~75 miles) while:</p> <ul style="list-style-type: none"> • protecting adult thresher sharks • minimizing bycatch, and • reducing interactions with protected species 	<p>The state of WA currently does not allow the use of drift gillnet gear and OR does not allow drift gillnets to target thresher shark. OR also has time/area closures for thresher shark protection. An experimental fishery was conducted off WA and OR in 1986-1988 and was closed because of bycatch concerns and incidental takes of sea turtles and marine mammals. The common thresher shark was overfished in the 1980s and the stock is currently rebuilding which has been largely aided by area and season closures imposed by the states, including the closures off WA and OR. Closing the drift gillnet fishery east of a longitudinal line at about 125° to 126° would afford thresher shark protection, minimize bycatch and reduce interactions with protected species while allowing the fishery to continue to target swordfish which is the intent of the current WA and OR regulations.</p> <p>NOTE: OR is currently closed east of 1000 fm year-round and within 75 miles of the shoreline from May 1 through August 14. This would extend this closure north and year-round, and the longitudinal line would be easier to enforce.</p>	<p>Consider Options 31-33 (if desired); Proceed to next Option</p>	<p>DGN fishery allowed throughout EEZ unless management is deferred to states</p>
<p>Protected Species</p> <p>(Team Preferred Option) Incorporate specific directives for reducing takes of protected species into the FMP.</p>	<p>To incorporate existing federal laws into the FMP which specify regulations to reduce the takes of protected species.</p>	<p>This option would incorporate existing federal laws into the FMP which specify regulations to reduce the takes of protected species.</p>	<p>Proceed to next Option</p>	<p>Existing federal take reduction laws would remain in effect, but would not be incorporated into FMP</p>

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<p>PELAGIC LONGLINE FISHERY</p> <p>(Team Preferred Option) Allow high seas longlining outside the EEZ, subject to WPFMC regulations, but initiate review and consultation processes to develop more specific regulations for the protection of turtles and seabirds for the areas fished by the West Coast-based high seas longline fleet.</p>	<p>To close the longline "loophole" by adopting regulations consistent with the WPFMC which would apply to Hawaii-based longliners fishing off the west coast and west coast-based longliners fishing on the high seas.</p> <p>One of the primary purposes of this FMP is to promote inter-regional collaboration on the management of fisheries with other fishery management councils; this action would be consistent with that goal.</p>	<p>This option would require west-coast based high seas longline fishers to comply with Interim Rule regulations specified for the Hawaii swordfish longline fleet (at least until December 10, 2001) pending consultation and analysis of fleet and protected species dynamics to determine the most appropriate protected species regulations for the main areas fished by the west coast-based fleet. This would correct the inconsistency that now allows Hawaii longliners to circumvent most protected species season-area closures and mitigation measures for protected species by landing their swordfish catches in west coast ports, and for west-coast-based longliners, including ex-Hawaii vessels, to fish in the Hawaii fishing areas without being subject to the Hawaii longline regulations. At the same time it recognizes that the major swordfish targeting areas of the west-coast-based fleet, while they sometimes overlap, generally differ from those of the Hawaii-based fleet. As such these vessels may be subjected to different species complexes and encounter rates, which may require a different set of mitigation measures.</p>	<p>Consider Options 35-38 (if desired)</p>	<p>High seas longline fishery would remain in effect, but would not be subject to WPFMC regulations (i.e., one of the "loopholes" would remain)</p>
<p>Authorize a pelagic longline fishery within the EEZ, with effort and area restrictions, to evaluate longline gear as an alternative to DGN gear to reduce bycatch, or bycatch mortality, and determine if a longline fishery is an economically viable substitute for DGN gear.</p>	<p>To allow a pelagic (conventional) longline fishery within the EEZ, subject to time/area closures</p>	<p>Currently, pelagic longline gear is allowed outside the EEZ. There is also a limited, developmental fishery authorized by the State of Oregon to use pelagic longline gear within the EEZ; however, to date, no effort has been made to use this gear within the EEZ.</p> <p>NOTE: There is a significant amount of controversy among various sectors regarding the use of this gear. It is unknown whether the proposal by the California drift gillnet fishery would reduce the amount of bycatch and/or the amount of bycatch mortality which currently occurs in the drift gillnet fishery. There is little information with which to evaluate this fishery. Exempted and/or research fisheries have been proposed as alternatives.</p>	<p>Consider Options 35-38 (if desired)</p>	<p>Pelagic longline fishery allowed throughout EEZ unless management is deferred to the states</p>

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37	Impose an indefinite moratorium on pelagic longlining within the EEZ with the potential for re-evaluation by the Council following completion of a bycatch reduction research program carried out under a qualified exempted fishing permit (EFP).	To 1) explicitly prohibit the use of pelagic longlines within the West Coast EEZ until a bycatch reduction research program is completed and a determination made as to whether or not longline gear should be allowed as a legal gear within the EEZ; and 2) establish a bycatch reduction research program with clearly defined goals and objectives that will guide the EFP evaluation process.	This would specifically prohibit the use of pelagic longline gear within the EEZ until a research program has been conducted which tests the effectiveness of various methods to reduce bycatch and bycatch mortality of fish and protected species through changes in gear design and deployment practices.	Consider Options 35-38 (if desired)	Pelagic longline fishery allowed throughout EEZ unless management is deferred to the states
38	(Team Preferred Option) Do not allow the use of pelagic longline gear within the EEZ and initiate the EFP process for the use of pelagic longline gear within the EEZ subject to management measures.	To begin the process to develop an EFP for the use of pelagic longline gear to: <ul style="list-style-type: none"> • conduct research • conduct exploratory fishing, or • a combination of the two 	There is little information with which to evaluate the use of this gear. With a research component, this EFP would provide data on a longline fishery within the EEZ. The HMS Team would work with fishers and members of the environmental community to review EFP proposals and make recommendations to the Council. NOTE: Scientific research may be conducted through NMFS without an EFP.	Consider Options 35-38 (if desired); Proceed to next Option	Pelagic longline fishery allowed throughout EEZ unless management is deferred to the states
39	PURSE SEINE FISHERY (Team Preferred Option) Incorporate the existing time/area closures off WA to address bycatch and protected species concerns.	To allow the use of purse seines in the EEZ to target bluefin tuna (which primarily occur south of WA waters) while: <ul style="list-style-type: none"> • minimizing gear conflicts • minimizing bycatch, and • reducing interactions with protected species 	The state of WA currently does not allow the use of purse seine gear for HMS; however, there is an experimental purse seine fishery for sardines off WA. Concerns over the use of this gear include the amount of bycatch and incidental takes of protected species which may occur. Purse seine fishers usually target tunas (primarily bluefin) which primarily occur south of WA waters.	Consider Options 39-40 (if desired)	Purse seine fishery allowed throughout EEZ unless management is deferred to the states

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40	Close the area within the EEZ north of 44° N latitude to address bycatch and protected species concerns.	To allow the use of purse seines in the EEZ to target bluefin tuna (which primarily occur south of 44°N) while: <ul style="list-style-type: none"> • minimizing gear conflicts • minimizing bycatch, and • reducing interactions with protected species 	The state of WA currently does not allow the use of purse seine gear for HMS and OR does not have an HMS purse seine fishery; however, there are experimental purse seine fisheries for sardines off WA and OR. Concerns over the use of this gear include the amount of bycatch and incidental takes of protected species which may occur. Purse seine fishers usually target tunas (primarily bluefin) which primarily occur south of 44°N.	Consider Options 39-40 (if desired); Proceed to next Option	Purse seine fishery allowed throughout EEZ unless management is deferred to the states
	RECREATIONAL FISHERY				
41	(Team Preferred Option) Adopt formal catch-and-release program for recreational fishery for all HMS.	To have a formal catch-and-release program for all HMS for the recreational fishery which would reduce the amount of bycatch occurring in the fishery	A formal catch-and-release option program would be established for HMS which would encourage the release of HMS, but not require it, which would reduce the amount of bycatch occurring in the fishery.	Proceed to next Option	Status quo - bycatch in the sport fishery would not be reduced
	PROHIBITED SPECIES				
42	(Team Preferred Option) Prohibit taking and sale of striped marlin by commercial HMS fisheries.	To prohibit landings and sales of striped marlin by commercial HMS fisheries	California currently prohibits the landings and sales of striped marlin by commercial HMS fisheries, but Oregon and Washington do not (because marlin usually do not occur that far north). This option would provide for consistency coastwide.	None	Taking and sale of striped marlin by commercial HMS fisheries would be legal