

FEDERAL DRIFT GILLNET PERMIT AMENDMENT

In June 2014, when the Council first discussed a comprehensive approach to managing the West Coast swordfish fishery, one of the potential actions it identified was to implement a Federal limited access permit for the California large-mesh drift gillnet (DGN) fishery for swordfish and shark. Such a permit would be required to use this gear type in Federal waters off the West Coast and would either supplement or replace the current California state permit system for this fishery. The Council established a control date of June 23, 2014 as a reference for allocation decisions when considering potential future management actions to limit the number of participants in the large-mesh DGN fishery (79 FR 64161).

The Council had scheduled action on this issue for June 2016. California Senate Bill 1114, which would have established conditions to phase out the DGN fishery in conjunction with a permit program for a deep-set buoy gear fishery, provided additional impetus for the Council to address the Federal permit issue. A Federal permit would give the Council more control over participation in the fishery over the long term. Although Senate Bill 1114 died in committee, similar legislative proposals may emerge in the future, limiting the Council's scope of action in managing this fishery. Thus, in June 2016 the Council decided to develop a range of alternatives for a Federal large-mesh drift gillnet gear permit based on the condition that only fishers authorized to fish with large-mesh drift gillnet gear under state law would be entitled to a Federal HMS permit endorsed for drift gillnet. The Council's intent is to implement the Federal permit program relatively rapidly. Subsequent actions could then address potential participation in the fishery, for example by dealing with so-called latent permits – permits with no associated landings over some recent time period. (For example, SB 1114 would have defined a permit as latent if swordfish or thresher shark have not been landed under it in at least three years between 2010 and 2015 inclusive.) Thus, the scope of the current action is simply to create the conditions and process so that all current California state permit holders qualify for the proposed Federal permit.

Section 2.4 of the Fishery Management Plan for West Coast Fisheries for Highly Migratory Species (HMS FMP) describes fixed elements of the FMP that require an amendment to change. This list includes implementation of limited entry programs.

The Council tasked the Highly Migratory Species Management Team (HMSMT) with developing a proposed range of alternatives for Council consideration and adoption for public review at the September Council meeting. The HMSMT met August 8-11 to address this task and provides the attached HMSMT Report (Agenda Item J.5.a, HMSMT Report).

Council Action:

Approve a Range of Alternatives for Developing a Federal Limited Access Permit for the California Large-Mesh Drift Gillnet Fishery.

Reference Materials:

1. Agenda Item J.5.a, HMSMT Report.

Agenda Order:

J.5 Federal Drift Gillnet Permit Amendment

Kit Dahl

- a. Reports and Comments of Advisory Bodies and Management Entities
- b. Public Comment
- c. **Council Action:** Approve a Range of Alternatives for Developing a Federal Limited-Access Permit for the California Large-Mesh Drift Gillnet Fishery

PFMC

08/23/16