

## HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON AUTHORIZATION OF DEEP-SET BUOY GEAR AND FEDERAL PERMITTING

### 1) Introduction

At its March 2016 meeting under Agenda Item F.3, the Pacific Fishery Management Council (Council) passed a [motion](#) to move forward with developing a range of alternatives (ROA) to authorize a deep-set buoy gear (DSBG) fishery concurrent with continuance of data collection through exempted fishing permits (EFPs). At the March 2017 meeting, the Council tasked the Highly Migratory Species Management Team (HMSMT) to develop an ROA for DSBG authorization for the June 2017 Council meeting. The HMSMT provided a preliminary ROA and other fishery authorization considerations for the Council's review. The Council provided further guidance on developing the ROA in order to consider adopting it for public review at the September 2017 meeting. The HMSMT met in La Jolla, CA, August 8-10, to revise the report presented in June ([Agenda Item H.4.a, HMSMT Report](#)) to further refine the ROA, taking into consideration the Council's guidance.

The June HMSMT report included discussion of alternatives discussed by the HMSMT but not moved forward for further Council consideration. In an effort to streamline the revised description of the ROA, this discussion has been removed. A summary of the changes in the range of alternatives from the HMSMT's June Report appears at the end of this report.

The remainder of the introductory section of this report contains a description of the proposed action, the purpose and need for the action, and the action area. These remain unchanged from what the HMSMT presented in June except, based on Council guidance, the action area has been changed to Federal waters off Oregon and California.

The remaining sections of the report describe the range of alternatives, including No Action. For the action alternatives, ranges are presented for the various elements of a management program including A) Permitting, B) Gear definition, C) Active gear tending footprint area, D) Gear deployment and retrieval (daytime setting), E) Use of multiple gear types on one trip, F) Geographic area of the fishery, and G) Fishery timing (fishery closure on weekend days). There are two additional program elements for which alternatives are not proposed: H) Species retention restrictions and I) Fishery monitoring.

#### Proposed Action

The proposed action is to authorize a DSBG fishery targeting swordfish and other highly migratory species under the Fishery Management Plan for U.S. 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 could be established in the FMP or in Federal regulations under the FMP's management framework.

## Purpose and Need

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 allowing for the fishery to remain economically viable. Research and exempted fishing trials with DSBG 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 as a component of a West Coast swordfish fishery that effectively addresses the 10 national standards for conservation and management enumerated in the Magnuson Stevens Act, Section 301, in particular [National Standards](#) (NS) 1 (optimum yield) and 9 (minimize bycatch). DSBG is also needed as a commercially viable addition to the suite of legal swordfish gear types, to provide sustained participation in the swordfish fishery by West Coast fishing communities. In doing so, authorization of the fishery would also address NS 8.

## Action Area

The action area for authorizing a DSBG fishery is the U.S. Exclusive Economic Zone (EEZ; from 3 to 200 nautical miles) off the coast of California and Oregon.

### **2) No Action Alternative**

DSBG would not be authorized as a legal gear under the HMS FMP. Swordfish are currently targeted using fishing gears authorized for use and managed under the HMS FMP, including harpoon and drift gillnet (DGN). The Hawaii shallow-set longline fishery also lands swordfish and other HMS to West Coast ports. If DSBG is not authorized, these gears would remain as the primary fishing gears supplying U.S.-caught swordfish to the U.S. West Coast.

### **3) Action Alternatives**

#### **A Permitting**

The HMSMT proposes two overarching alternatives for permitting:

##### 1) Open access

A new gear endorsement for DSBG would be added to the existing Federal HMS permit. The nature of the gear endorsement would depend on whether standard buoy gear (SBG) or both SBG and linked buoy gear (LBG) are authorized (see section B).

##### 2) Limited entry (LE) in the Southern California Bight (SCB) only

Defined as south of Point Conception (34° 27' N.) to the U.S.-Mexico EEZ border; This LE permit would be separate from the existing Federal HMS permit, and only an endorsed Federal HMS permit (open access) would be required north of 34° 27' N. Both the Federal HMS permit

and the LE permit would be required to fish in the SCB. A LE DSBG permit allows fishing with SBG or with SBG + LBG gear (depending on the gear authorized as determined under the alternatives in section B). Stacking of LE DSBG permits is not allowed, so that a vessel may not simultaneously fish more than 10 pieces of DSBG.

### Limited Entry Permit Alternatives

#### *a. Possession*

The HMS LE DSBG permit is held by a person, who must designate a vessel on the permit. The designated vessel need not be owned by the permit holder. The permit holder may change the vessel designation on the permit periodically (e.g., annually, or 3 times per year, etc.). The vessel owner must also hold a HMS permit. In addition to these general elements of permit possession, the Council may choose one or more of the following options to include as elements of the possession requirements:

(i) Permit holder on board requirement

The person holding the LE DSBG permit is required to be on board the vessel when fishing DSBG under the LE permit. Requiring permit holders to be on board assures they participate in the fishery, with exceptions for illness or injury.

(ii) Hold multiple permits

A person may hold more than one LE DSBG permit. This option is necessary for allowing DGN LE permits to be traded in for multiple LE DSBG permits under LE qualification criteria below, but may also be considered regardless of DGN trade-ins. The Council may set a maximum number of permits that may be held by a single individual.

(iii) Include flexibility in FMP to change the authorized number of permits

To facilitate an adaptive approach for regulating the size of the LE DSBG fishery, the HMS FMP could include a statement allowing the Council to change the authorized number of LE DSBG permits as part of the HMS biennial management process.

#### *b. Permit renewal*

The HMSMT identified the following two alternatives for permit renewal after the initial allocation of LE permits:

(i) Permits are valid for one fishing year and expire if not renewed.

All DSBG LE permits are valid for the one-year period from April 1 through the following March 31. Annual renewal is required to maintain permit ownership. Unrenewed permits are eligible for re-issuance to any qualified individual (or entity), which could occur through the biennial management process.

- (ii) Same as (b.i.) plus demonstrated fishery activity

All DSBG LE permits are valid for the one-year period from April 1 through the following March 31. To renew a permit, the permit holder must demonstrate fishery activity, (e.g., made at least one DSBG swordfish landing on the West Coast during a specified time period, such as previous 3 years). Annual renewal is required to maintain permit ownership. If the LE permit is not renewed, it is eligible for re-issuance to any qualified individual (or entity).

*c. Transfer*

The HMSMT identified the following two alternatives for permit transfer:

- (i) Freely transferable: All DSBG LE permits may be transferred to another person at any time.
- (ii) Transferability restrictions, e.g., permits may be transferred 3 years after permit issuance, potentially with landings requirements.

The Highly Migratory Species Advisory Subpanel (HMSAS) may have recommendations for potential permit transfer conditions and timing.

*d. Qualifications used to initially allocate LE permits*

The HMSMT identified the following four alternatives for determining how permits could be initially allocated:

- (i) Tiered system.

Under this alternative, the Council would be able to set the number of permits to be initially issued within an acceptable range. Once specifics of the tiers have been identified by the Council, the HMSMT can provide the number of permits each tier could potentially authorize. The HMSMT will provide a preliminary table as an example in a supplemental report. Permits would be issued based on the following qualification tiers in ranked order. The Council would need to specify a time frame in which individuals qualifying under a specific tier may claim a DSBG permit.

1. DSBG EFP permit recipients with a minimum of 10 DSBG landings. (To prevent speculative activity a control date would need to be established.)
2. “Active” (DGN swordfish landings within any of the 5 fishing seasons prior to March 31, 2018) DGN permit trade-ins (one time opportunity as part of DSBG permit issuance) in which one DGN permit may be surrendered to receive DSBG LE permit(s). The Council would additionally determine the number of DSBG LE permits received for surrendering a DGN permit.
3. Harpoon landings in the last 5 fishing seasons (harpoon swordfish landings within any of the 5 fishing seasons prior to March 31, 2018)
4. DSBG EFP crew (Maximum of two crew per active EFP vessel, who participated on trips with a minimum of 10 DSBG landings)
5. “Active” (as defined above) DGN permit holders (no trade-in)

6. “Inactive” (no swordfish landings in the last 5 fishing seasons) DGN permit trade-in (as described above)
7. “Inactive” DGN permit holders (no trade-in)

The tiered approach would allow the Council to more precisely control the number of DSBG permits issued in the SCB without predetermining an exact number (i.e. establish an acceptable range) as well as allowing for easy addition of permits in the future under biennial cycles. The list of tier criteria is not exhaustive and could be applied in a different order, although after discussion with the public, the HMSMT believes the above ranking optimally considers all constituent positions.

The HMSMT does note that use of any DGN permit trade-in option as a criterion would require a short decision period for DGN permit holders to choose that option, as issuance of additional permits through criterion further down the list would be dependent on the number of issued permits.

(ii) Permit only

Under this alternative eligibility would be based on possession of a permit for an existing swordfish fishery. The HMSMT identified two sub-options under this alternative:

- (1) Possess state or Federal DGN permit or state harpoon permit on the date of the final rule for this action.
- (2) Possess state or Federal DGN permit or state harpoon permit on the date of the final rule for this action OR 1) possessed a DSBG EFP at any time or 2) has demonstrated DSBG effort.

Under this sub-option, the Council may additionally consider whether to include crew members from vessels fishing under DSBG EFPs. The Council would also need to set a control date (a control date for DSBG, if adopted under tiered permit system sub-option 1, may apply), decide whether a maximum number of crew per vessel would be eligible, and determine what additional criteria would be necessary to identify eligible crew.

(iii) History

Under this alternative the HMSMT identified sub-options based on 1) gears and 2) time periods, as follows:

(1) *Gear:*

Made at least one swordfish landing on the West Coast:

- Suboption 1: Using any gear
- Suboption 2: Using only DGN, harpoon or DSBG gear(s)

(2) *Landings time period:*

- Date for setting time period
  - Suboption 1: Establish a time period by announcing a control date for this action

- Suboption 2: Establish a time period based on the publication of the final rule for this action
- Length of time period
  - Suboption 1: In any one of the 2 fishing seasons prior to and including the date used above
  - Suboption 2: In any one year of the 5 fishing seasons prior to and including the final year date

The time periods outlined above include the whole April 1-March 31 fishing season in which the control/final rule date occurs. For example, if the control date is September 17, 2017, a two year window would be April 1, 2016-March 31, 2018. A 5 year window would be April 1, 2013-March 31, 2018.

Basing eligibility on landings made within a small time-frame as the sole criterion for permit issuance may be overly restrictive and could arbitrarily favor individuals with recent experience over others with a legitimate interest in the fishery. It may be necessary to modify or add to the time period options once the HMSMT has compiled data to determine eligibility. Furthermore, establishing a control date soon would prevent speculative activity and make it easier for the HMSMT to estimate the number of people eligible for LE permits under these options, as the HMSMT could use landings history that has largely already occurred.

(iv) Permit + history

This alternative would have a potentially large number of sub-options based on the combination of permit possession and landings history as above in alternatives (d.ii) and (d.iii). If all the possible combinations of sub-options under d.ii and d.iii were used, this would result in 16 sub-options.

(v) DGN Permit trade-in stand alone

DGN permit trade-in is used as one of the criteria under alternative i above, including the one-time trade-in option during the initial permit issuance period. This concept is presented here as a stand-alone alternative. Under this alternative, only DGN permit holders who surrender their permit would receive a DSBG permit. The number of DSBG permits a DGN permit holder would be eligible for depends on whether they have demonstrated recent activity in the DGN fishery. As described above under alternative i, “active” DGN permits are those with documented swordfish landings in the the 5 DGN fishing seasons prior to February 1, 2018. “Inactive” permittees are those who had no documented swordfish landings in the 5 DGN fishing seasons prior to February 1, 2018. Eligibility would be:

1. “Inactive” DGN permit holders would be eligible to receive one DSBG permit upon trade-in.
2. Two DSBG permits for “active” DGN permit holders would be eligible to receive two DSBG permits upon trade-in.

## B Gear Description

As noted in its June report, the HMSMT has adopted terminology, in order to maintain consistency, prevent confusion when discussing the fishery further, and allow the Council to establish one permit for multiple gear configurations. Deep-set buoy gear (DSBG) refers to the overarching gear type in its multiple configurations. Under the umbrella of DSBG, there is currently standard buoy gear (SBG) (previously referred to as “traditional” buoy gear) and linked buoy gear (LBG). The HMSMT proposes two alternatives for which gear types would be initially authorized:

- 1) SBG (10 pieces maximum, 30 hooks maximum)
- 2) SBG + LBG (10 pieces maximum in combination, 30 hooks maximum)

### Definitions:

*Standard Buoy Gear (SBG)* - An actively tended vertical gear configuration that is designed to target west coast highly migratory species. An individual piece of SBG consists of a vertical monofilament mainline suspended from a non-compressible float (>45 lb. flotation) and strike indicator float system that uses a minimum 3.6kg weight to expedite sink rate and facilitate strike detection. A collective gear set includes ten individual pieces of gear that can fish up to three hooks each (30 total hooks maximum; minimum size 16/0 circle hooks) that must be positioned below 90m deep when fishing. Each piece of gear must also include a locator flag, a radar reflector and vessel/fisher identification.

*Linked Buoy Gear (LBG)*: An actively tended gear type in which two or more pieces of standard buoy gear (SBG) may be linked together by means of a horizontal monofilament mainline; no more than three gangions/hooks are connected to this horizontal line per individual piece, not the vertical lines. Serviceable links between each LBG section are suspended at a minimum depth of 11m meters (36 feet) below a non-compressible float system (>45 lb. flotation) that allows for strike detection (based on SBG design standards). No more than 30 hooks (minimum size 16/0 circle hooks) can be deployed simultaneously and all hooks must be fished below >90m. No more than 10 sections of LBG may be used at one time and the overall horizontal footprint of the gear must be less than 5nm. Terminal buoys must include a locator flag, a radar reflector, and vessel/fisher identification.

## C Active Gear Tending / Footprint Area

Based on the Enforcement Consultants (EC) recommendations, the HMSMT proposes the following definition of active tending: The fishing vessel must maintain a distance of no more than 3 nm from any one piece of gear and maintain properly configured gear in accordance with all other regulations. Each piece of SBG and the terminal ends of LBG must be marked with a flag and a radar reflector. Buoys must be marked with required identifying information.

In June 2017, the Council requested the HMSMT to develop a definition of the total footprint area over which the entire extent of all ten pieces of buoy gear may be spread at any one time as another component of the active tending requirement. Establishing a maximum footprint would

prevent a vessel from staying within three nautical miles from a single piece of gear while the remaining pieces could be any number of miles farther away. The HMSMT recommends that the same definition of total footprint area apply to both SBG and LBG used either exclusively or in combination. The following two alternatives are proposed for total footprint area:

1) No footprint area

Fishermen commented that it would be difficult to keep the gear within a set area because of sea conditions. Pieces of gear may drift significant distances due to currents. Also, once a fish is on the gear a fisherman may want to let the fish tire by allowing the fish to swim for a while. This piece of gear could end up some distance from other gear.

2) Require that no piece of gear can be more than 5 nm from all other pieces of gear

The active tending definition requires a vessel be within 3 nm of the closest piece of gear, so requiring that all pieces of gear must be within a 5 nm diameter circular footprint would ensure that the vessel would remain within a maximum distance of 8 nm to all pieces of gear. An exception could be made for gear with a hooked fish.

The HMSMT intends to discuss these options further with the EC and HMSAS at the September Council meeting. As the HMSMT noted in its June 2017 report on DSBG ROA, the definition of active tending is based on EFP fishing that has occurred in the SCB. Experience in other areas of the coast would provide more information on whether this definition is practicable under sea conditions that may be encountered in more northerly areas.

## D Gear Deployment and Retrieval

DSBG is intended to be fished during daytime and using the gear this way complements the objective of minimizing bycatch. The HMSMT recommends a requirement that gear may not be deployed until after local sunrise. In terms of gear retrieval, EFP participants noted that it is not uncommon for fish to be caught around sunset, making it very difficult to retrieve all gear before sunset. The HMSMT identified three alternatives that allow some flexibility to allow gear retrieval after dark.

1) No restriction on time of gear retrieval

This provides the greatest flexibility and relies on fishermen using the gear as intended including daytime deployment.

2) Gear retrieval must begin at least 1 hour before local sunset.

Beginning gear retrieval means a fisherman has started haul back on the first piece of gear in a set. Once gear retrieval begins, it must be continued until all gear has been retrieved.



- 3) All gear without a fish on must be aboard the vessel no later than 1 hour after local sunset and all gear with a fish on must be aboard the vessel no later than 3 hours after local sunset.

Once gear retrieval begins, it must be continued until all gear has been retrieved.

#### Additional Considerations:

Under options 2 and 3, all pieces of gear with a fish on must be marked in a way to distinguish it from any gear still in the water without a fish on. The HMSMT heard that fishermen are likely to mark all their gear with a strobe light so marking gear with a fish on would have to be different and specific to that circumstance. For example, a distinct pennant could be affixed to those pieces of gear. Marking gear with a fish on would aid in enforcement, especially under alternative 3 above.

The HMSMT also discussed whether a fisherman could retrieve someone else's gear as a courtesy. This could reduce the chance of lost gear but additional requirements may have to be developed for this activity.

#### E Multiple Gears

The HMSMT identified three alternatives for the use of multiple gear types on one trip:

- 1) Prohibit use of multiple gears on a trip.
- 2) Allow use of multiple gears on a trip.
- 3) Prohibit use of DGN and DSBG on the same trip.

The requirement to actively tend DSBG will limit the gears with which fishermen could concurrently fish with DSBG and maintain maneuverability to allow for active tending of DSBG and/or staying within the active tending boundary. Other gears could be set and retrieved on the way out to and returning from sea, and DSBG fished in between, potentially at a large distance from the other gear.

Prohibiting fishing with both DSBG and DGN gear on the same fishing trip could prevent DGN-caught fish from being mis-labeled as DSBG-caught fish when landed, a concern raised by some constituents during public comment. However, the HMSMT feels that this option is contrary to the supplemental nature of DSBG and that there may be more effective options to address this concern. If the Council identifies this as a concern, it could task HMSMT with developing alternatives for consideration at a future Council meeting.

The HMSMT also discussed the need to properly attribute catch by different gear types on a fish ticket. The HMSMT is primarily concerned about proper attribution for management purposes, not for market differentiation (the purpose of alternative 3 above). The problem arises when the first receiver labels the fish ticket with only one gear type even if multiple gears are used on the trip. Catch attribution would be especially important if swordfish are landed with different gears (e.g., harpoon or DGN in addition to DSBG) on one trip, because it would be difficult if not impossible to make the gear attribution post hoc. The HMSMT discussed a requirement to keep catch segregated on board the vessel to facilitate proper attribution upon landing. However, at its

August meeting the HMSMT heard public comment that segregating catch, especially large fish like swordfish, can be difficult if there is limited hold space. Further, industry members indicated that the price of swordfish is not based on the method of take, but on the quality of the product. Swordfish now undergo grading, similar to that of tuna, so that identifying individual swordfish caught using different gears is not of concern to them at time of landing. At this time the HMSMT is not proposing any options to address this issue. As the fishery develops the salience of this problem will become more apparent and the Council could address it through future adjustments to the management program.

## F Geographic Area

At its June 2017 meeting, the Council provided guidance on the range of alternatives specifying the geographic area within which the fishery would be authorized. Based on that guidance, the HMSMT proposes the following two alternatives:

- 1) All Federal waters (3-200 nm offshore) off California + Oregon
- 2) All Federal waters (3-200 nm offshore) off California + Oregon deeper than 150 fathoms

The specification of a minimum depth boundary, such as 150 fathoms, for geographic area in alternative 2 mitigates some concerns about potential catch of non-target species.

So far there has been no EFP activity north of central California, and therefore there is no information to determine the impacts of the DSBG fishery in northern California and Oregon. Future EFP fishing activity may produce some data from this area although the applications reviewed to date mostly propose fishing in the SCB. The [June Supplemental HMSMT Report](#) discusses the idea of applying performance criteria when authorizing DSBG fishing in these northern areas to address uncertainty about the effects of fishing. The HMSMT identified fishermen's experience with DSBG and initial required observer coverage as candidate performance criteria. This concept could be further developed at the direction of the Council.

The HMSMT still considers it administratively inefficient and detrimental to the development of a DSBG fishery in more northern areas if a fishery in these areas were authorized in a separate action in the future, compared to the relative ease of restricting the geographical areas if or when new information indicates a conservation or management need.

## G Fishery Timing Restrictions

The HMSMT identified two alternatives intended to capture Council guidance in June:

- 1) No restrictions within the existing fishing season/statistical year. (Note that Alternative D, gear deployment and retrieval, includes options to prohibit deploying the gear at night.)

As stated in [June 2016, D5 Attachment 1](#), 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. 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.). If unanticipated impacts generate a necessity, additional time restrictions could be implemented through the biennial management process after the management program is in place.

## 2) Restrict the fishery to weekdays only in the Southern California Bight

This proposal was in the Council's motion from June and is intended to address a public comment about potential conflicts with recreational fishing. This restriction would apply to the Southern California Bight where conflicts between commercial and recreational gear are most likely. It is expected to only be necessary if the fishery is open access, and additionally could be implemented through geographical range limits on weekend fishing.

## H Species Retention

The HMSMT recommends allowing the retention of all species except those listed as currently prohibited in the HMS FMP and any other species listed as prohibited under State and Federal law/regulations. The HMSMT's June 2017 report included a second option to add additional species to the existing prohibition based on potential conservation concerns. However, the HMSMT was unable to identify what species should be added. Adding species would complement the proposed depth restriction to prevent using the gear to harvest non-HMS species such as groundfish. The HMSMT decided to remove this option, because no concrete concern could be identified, but the HMSMT plans to consult with the GMT at the September Council meeting on this matter. If a concern is identified then an alternative could be proposed to address it.

## I Fishery Monitoring

Existing HMS FMP 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 trade-off between gathering data on the fishery and the cost of observer deployment. Generally, observers are used to verify finfish bycatch and protected species interactions, 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, such as 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.

The HMSMT endorses the standard approach that has been used previously for HMS fisheries where NMFS develops an observer coverage plan, which the Council would have an opportunity to review.

HMS FMP regulations also require logbooks. NMFS would need to design a logbook for the DSBG fishery and require its use. In a future report the HMSMT may provide additional recommendations on logbook data fields specific to the DSBG fishery.

#### 4) Summary of Changes in Proposed Management Measures from Agenda Item H.2.a, HMSMT Report, June 2017

This report incorporates following changes from the range of alternatives presented by the HMSMT in June:

- Changed Action Area to waters off CA/OR per June 2017 Council motion to restrict analysis to those waters.
- Removed CA/OR/WA waters from Geographic Area alternatives.
- Added an alternative to Geographic Area which includes all Federal waters off of CA/OR, excluding waters shallower than 150 fm.
- Added a prohibition on fishing with DGN gear during a DSBG trip under the Concurrent Gear Use alternatives.
- Added DGN permit trade-in to qualification criteria under limited entry permitting alternatives.
- Added a stand-alone DGN/DSBG permit trade-in alternative.
- Added maximum gear footprint alternatives under Active Tending.
- Added Gear Deployment and Retrieval alternatives, including start/end times and marking individual pieces of gear with fish on after the end time.
- Added an alternative to restrict the fishery to weekdays only in the SCB.
- Limited species retention restrictions to only those species listed as prohibited in the HMS FMP.

#### 5) Summary of the Proposed Range of Alternatives

##### A Permitting

- 1) Open access
- 2) Limited entry (LE) in the Southern California Bight (SCB) only
  - a. *Possession*
    - (i) Permit holder on board requirement
    - (ii) Hold multiple permits
    - (iii) Include flexibility in FMP to change the authorized number of permits
  - b. *Permit renewal*
    - (i) Permits are valid for one fishing year and expire if not renewed
    - (ii) Same as (b.i.) plus demonstrated fishery activity
  - c. *Transfer*
    - (i) Freely transferable
    - (ii) Transferability restrictions
  - d. *Qualifications used to initially allocate LE permits*
    - (i) Tiered system

- (ii) Permit only
- (iii) History
- (iv) Permit + history
- (v) DGN Permit trade-in stand alone

**B Gear Description**

- 1) SBG (10 pieces maximum, 30 hooks maximum)
- 2) SBG + LBG (10 pieces maximum in combination, 30 hooks maximum)

**C Active Gear Tending / Footprint Area**

- 1) No footprint area.
- 2) Require that no piece of gear can be more than 5 nm from all other pieces of gear.

**D Gear Deployment and Retrieval**

- 1) No restriction on time of gear retrieval.
- 2) Gear retrieval must begin at least 1 hour before local sunset.
- 3) All gear without a fish on must be aboard the vessel no later than 1 hour after local sunset and all gear with a fish on must be aboard the vessel no later than 3 hours after local sunset.

**E Multiple Gears**

- 1) Prohibit use of multiple gears on a trip.
- 2) Allow use of multiple gears on a trip.
- 3) Prohibit use of DGN and DSBG on the same trip.

**F Geographic Area**

- 1) All Federal waters (3-200 nm offshore) off California + Oregon
- 2) All Federal waters (3-200 nm offshore) off California + Oregon deeper than 150 fathoms

**G Fishery Timing Restrictions**

- 1) No restrictions within the existing fishing season/statistical year. (Note that Alternative D, gear deployment and retrieval, includes options to prohibit deploying the gear at night.)
- 2) Restrict the fishery to weekdays only in the Southern California Bight

**H Species Retention**

**I Fishery Monitoring**