To improve the management of driftnet fishing.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2018

Mrs. Feinstein (for herself, Mrs. Capito, and Ms. Harris) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To improve the management of driftnet fishing.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Driftnet Modernization and Byeatch Reduction Act".

SEC. 2. DEFINITION.

Section 3(25) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802(25)) is amended by inserting ", or with a mesh size of 14 inches or greater," after "more".
SEC. 3. FINDINGS AND POLICY.

(a) FINDINGS.—Section 206(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826(b)) is amended—

1. in paragraph (6), by striking “and” at the end;
2. in paragraph (7), by striking the period and inserting “; and”; and
3. by adding at the end the following:

“(8) within the exclusive economic zone, large-scale driftnet fishing that deploys nets with large mesh sizes causes significant entanglement and mortality of living marine resources, including myriad protected species, despite limitations on the lengths of such nets.”.

(b) POLICY.—Section 206(e) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826(e)) is amended—

1. in paragraph (2), by striking “and” at the end;
2. in paragraph (3), by striking the period and inserting “; and”; and
3. by adding at the end the following—

“(4) prioritize the phase out of large-scale driftnet fishing in the exclusive economic zone and promote the development and adoption of alternative
fishing methods and gear types that reduce the incidental catch of living marine resources to the maximum extent possible.”.

SEC. 4. TRANSITION PROGRAM.

Section 206 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826) is amended by adding at the end the following—

“(i) Fishing Gear Transition Program.—

“(1) In general.—The Secretary shall conduct a transition program to facilitate the phase-out of large-scale driftnet fishing and adoption of alternative fishing practices that minimize the incidental catch of living marine resources.

“(2) Permissible uses.—

“(A) In general.—The Secretary is authorized to provide funding to fishery participants for one or more of the following:

“(i) Any fee originally associated with a permit authorizing participation in a large-scale driftnet fishery, if such permit is surrendered for permanent revocation, and such permit holder relinquishes any claim associated with the permit.

“(ii) A forfeiture of fishing gear associated with a permit described in clause (i).
“(iii) The purchase of alternative gear with minimal incidental catch of living marine resources, if the fishery participant is authorized to continue fishing using such alternative gears.

“(B) PAYMENT CONDITION.—The Secretary may not make a payment to a fishery participant under subparagraph (A) unless the Secretary certifies that the permit authorizing participation has been permanently revoked and that no new permits will be issued to authorize such fishing.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for purposes of carrying out this subsection, $450,000 for each of fiscal years 2018 through 2020.”.

SEC. 5. EXCEPTION.

Section 307(1)(M) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(1)(M)) is amended by inserting before the semicolon the following: “, unless such large-scale driftnet fishing—

“(i) deploys, within the exclusive economic zone, a net with a total length of less than two and one-half kilometers and a mesh size of 14 inches or greater; and
“(ii) is conducted prior to January 1, 2020.”