

Agenda Item H.4 Deep-Set Buoy Gear Permit Clarifications

Council Action:

- Reconsider Council Final Action to Authorize Deep-Set Buoy Gear and Related Proposed Fishery Management Plan Amendment Language

DRAFT-NOT FOR ADMINISTRATIVE PURPOSES

I move that the Council recommend the following to clarify and modify the FMP amendment for the purpose of implementing regulations authorizing a Limited Entry Deep Set Buoy Gear (LE DSBG) Permit:

1) That a LE DSBG permit may be held by a "person" as defined in 50 CFR 660.702

a. that transfers be prohibited, and

b. that NMFS develop regulatory language that prohibits changes to the makeup of a permit holding corporation, partnership, or other entity that would constitute a "transfer" for entities other than Individuals, except in the case of death of the originally qualified individual, as described in CDFW Supplemental report 1.

2) Allow a one-time transfer of LE DSBG permits upon death of the permittee to a family member as described in CDFW supplemental report 1.

3) For the purpose of LE DSBG Permit qualification, define an "EFP holder" as described in CDFW Supplement Report 1 to include:

a. Any individual with NMFS approval to captain a commercial vessel and use DSBG under the authority of an EFP; or

b. Any individual who is identified by NMFS as having managed a DSBG EFP, including vessel owners whose vessel fished under authority of a DSBG EFP.

4) Identify LE DSBG permit qualifiers and accept applications during a single pre-determined period defined by NMFS for Tiers 1 through 8. Rank applicants within Tiers as described in CDFW Supplemental Report 1:

a. Tiers 1-5 based on their total swordfish landings within the time period for that Tier

b. Tiers 6-9 on a first come, first served basis.

5) Modify the LE DSBG Permit Qualification Criteria to those found in CDFW Supplemental Report 1.

Moved by John Ugoretz; second by Bob Dooley Motion passed unanimously.