

DRIFT GILLNET FISHERY HARD CAPS

At its June 2021 meeting the Council adopted a revised purpose and need statement and preliminary range of alternatives for a hard cap closure regime for the California large mesh drift gillnet (DGN) fishery. The Council originally took action on these protected species hard caps in September 2015 but National Marine Fisheries Service (NMFS) terminated the rulemaking process in 2017, because it found the hard caps regulations were inconsistent with Magnuson-Stevens Fishery Conservation and Management Act National Standard 7. NMFS' rationale for this finding may be found in a June 9, 2017 letter to the Council ([Agenda Item H.1.a, Supplemental NMFS Report 2](#), June 2017). This finding was subsequently affirmed in litigation.

When it adopted the preliminary range of alternatives, the Council directed its Highly Migratory Species Management Team (HMSMT) to more fully develop the range of alternatives consistent with the purpose and need and addressing NMFS' concerns with the original Council proposal stemming from the economic analysis results. The HMSMT met online October 13 and discussed varying closure periods during a single DGN fishing season as a range of options under the relevant alternatives. Based on this discussion the HMSMT has submitted a report that includes, for reference, the revised purpose and need statement; more detailed descriptions of the alternatives based on the Council's June action; and information to aid the Council in adopting a final range of alternatives and, if appropriate, identify its preliminary preferred alternative.

Council Action:

Adopt a Range of Alternatives and Preliminary Preferred Alternatives, as Appropriate.

Reference Materials:

1. Agenda Item H.3.a, HMSMT Report 1.
2. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

- | | | |
|-----|---|----------|
| H.3 | Drift Gillnet Fishery Hard Caps | Kit Dahl |
| a. | Reports and Comments of Management Entities and Advisory Bodies | |
| b. | Public Comment | |
| c. | Council Action: Adopt a Range of Alternatives and Preliminary Preferred Alternatives, as Appropriate | |