

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON DRIFTNET MODERNIZATION AND BYCATCH REDUCTION ACT – TRANSITION UPDATE

The Highly Migratory Species Management Team (HMSMT) reviewed the Situation Summary for this agenda item, which highlights two key components of the Drift Gillnet Modernization and Bycatch Reduction Act (Driftnet Act) currently relevant to Council action: (1) provisions on an eventual prohibition of the U.S. West Coast large-mesh drift gillnet (DGN) fishery as currently authorized, and (2) the provisions on the transition program in the Act. The HMSMT focused on the provisions of the transition program in the Act to identify the information that can be provided by the HMSMT if the Council decides to move forward with additional consultation as part of the transition program.

Below is potentially relevant information and recommendations for analyses that could inform further Council discussion or consultation with the National Marine Fisheries Service (NMFS) on this matter:

- *Does compensation for fishery-related permits apply only to the Federal limited entry (LE) DGN permit or also to any outstanding state permits required to prosecute the fishery?*
 - California Department of Fish and Wildlife (CDFW) has stated that by January 31, 2024, state DGN permits will no longer be valid. Therefore, any analyses should focus only on the Federal LE permit values.
- *How should the value of forfeited gear be assessed?*
 - It may be appropriate to use inflation-adjusted values of historic purchase costs.
- *How should the cost to purchase alternative gear be assessed?*
 - The HMSMT would suggest the Council consult with the Highly Migratory Species Advisory Subpanel to obtain costs of alternative fishing practices to support the phasing out of the DGN fishery.
- *How would the Federal transition program relate to the already concluded California state transition program (e.g., should state transition program participants be additionally compensated under the Federal program)?*
 - The Council should request an updated report from CDFW on the final status of the state buyback program and current Federal LE permit numbers from NMFS when considering this question.

The HMSMT is prepared to assist with the development of any of the above information as requested and will wait for further Council direction on clarification of priorities and timelines. Irrespective of these proposed items, the Council could send a letter to NMFS encouraging them to prioritize work on the transition program if funding is secured.