



Regulatory Summary

West Coast Region Limited Entry Drift Gillnet Permit

(March 2018)

This guide summarizes regulations for the West Coast drift gillnet fishery. It provides useful information that will assist owners and operators of vessels with a Federal Limited Entry Drift Gillnet (LE DGN) permit in understanding regulations implementing Amendment 5 to the Pacific Highly Migratory Species Fishery Management Plan.

The LE DGN permit applies to individuals fishing with large-mesh (14 inch or greater stretched mesh) DGN gear that is not stationary or anchored to the bottom. Individuals who target, retain, transship, or land fish captured with a large-mesh DGN must have a valid Federal LE DGN permit. Federal LE DGN permits are issued to an individual, and a vessel must be specified on the permit.

For the complete official fishing regulations, refer to Title 50 of the Code of Federal Regulations (CFR), Part 660. Regulations are subject to change, and with any discrepancies between this summary and the regulations will be resolved in favor of the regulations published in the *Federal Register* and the CFR.

Permit Requirements

Q1: What are the general permit requirements?

If you use DGN gear to catch highly migratory species (HMS; swordfish, tuna) a general HMS permit and Federal LE DGN permit are required. All permit requirements are listed below.

Federal requirements:

- General HMS Permit endorsed for DGN gear to catch and land HMS off the States of California, Oregon, and Washington. Landing restrictions apply.
- Federal LE DGN Permit to target, retain, transship, or land fish with large-mesh DGN.
- Marine Mammal Authorization Program Certificate issued by the National Marine Fisheries Service (NMFS) West Coast Region (WCR) Protective Resources Division. To obtain a Certificate, visit:
http://www.westcoast.fisheries.noaa.gov/protected_species/marine_mammals/fisheries_interactions.html

State requirements:

- California: California State LE DGN permit and California swordfish permit. Visit: <https://www.wildlife.ca.gov/Licensing> for more information.
- Oregon: Oregon no longer issues DGN permits. DGN landings are prohibited.
- Washington: DGN landings are prohibited. DGN gear is prohibited in waters off Washington by State and Federal law.

Q2: How do I apply for a Federal LE DGN permit?

You may request a permit application from the following sources. Only active 2017-2018 State of California LE DGN permits holders are eligible to apply.

Email: wcr-permits@noaa.gov

Phone: (562) 980-4238

Website: www.westcoast.fisheries.noaa.gov

Q3: Where do I send the completed application and fee?

Mail the completed application, fee, and required documents to:

WCR Permits Office
501 W Ocean Blvd., Suite 4200
Long Beach, CA 90802

Q4: How do I renew my Federal LE DGN permit?

Permits are valid from April 1 – March 31 and must be renewed yearly. The WCR Permits Office will send notices to renew permits to the most recent address of the permit holder. Permit owners are responsible for renewing their permit prior to the deadline, April 30 of the permit year. A Federal LE DGN permit that is allowed to expire will not be renewed unless the permit owner requests reissuance by July 31 (three months after the renewal application deadline) and NMFS determines that failure to renew was proximately caused by illness, injury, or death of the permit owner. If the permit expires, it will be forfeited and NMFS will not reissue the permit to anyone.

Q5: How do I transfer my permit to another owner or vessel?

Complete the Drift Gillnet Limited Entry Permit Change of Vessel, Permit Holder, or Vessel Owner Form. Submit this with the required documents to the Long Beach Permits Office. This form can be obtained by contacting the Permits Office or from the WCR website at

http://www.westcoast.fisheries.noaa.gov/fisheries/migratory_species/pacific_hms_permits.html

Q5: Continued

Permits can be transferred to another individual if the current permit owner has held the permit for at least three consecutive years, including carryover years of holding a State of California LE DGN permit.¹ Transfers can also be made if the permit holder has a serious illness or permanent disability that prevents the permit holder from earning a livelihood from commercial fishing, if a deceased permit holder's estate or heirs submit a transfer request within six months of the permit holder's death, or upon dissolution of marriage if the permit is held as community property.

Q6: Are there reporting requirements?

Yes. Federal LE DGN permit holders are required to submit a California Department of Fish and Wildlife Gillnet and Trammel Net Fishing logbook. Logbooks can be obtained by contacting the California Department of Fish and Wildlife.

Mail completed logbooks to:

NMFS Logbooks
8901 La Jolla Shores Drive
La Jolla, CA 92037

Q7: Is there an owner-on-board requirement?

Yes. Owners of the Federal LE DGN permit are required to be on-board while a vessel is using DGN gear. Owners are allowed to designate another individual to fish under their permit for up to 15 days per fishing year. You must notify NMFS of this at least 24 hours prior to a trip by calling (562) 980-4238 or email wcr-permits@noaa.gov. A temporary operator authorization will be issued for that vessel.

If a permit holder is prevented from being on-board a fishing vessel because the person died, is ill, or is injured, NMFS may allow an exemption to the owner on-board requirement for more than 15 days. The person requesting the exemption must send a letter to NMFS requesting an exemption with appropriate evidence. Evidence includes a death certificate or a letter from a certified medical practitioner regarding illness or injury. Requests can be sent to the Permits Office (see Q3).

Vessel Monitoring System (VMS) and Observer Requirements

Q8: Am I required to have a VMS?

Yes. VMS units are required to be operating on all vessels using large-mesh DGN gear to fish in waters off the U.S. West Coast. Contact VMS OLE for more information (see contact information below).

Q9: Am I required to carry an observer?

To facilitate observer placements, vessel owners and operators are required to notify the designated observer contractor, Frank Orth and Associates, at least 48 hours prior to departure on a gillnet fishing trip at (800) 522-7622 or (562) 427-1822. NMFS will monitor compliance with this requirement. NMFS will compare landing receipts and vessel logbooks to Frank Orth and Associates' communication log to verify whether you provided the required pre-trip notification for every gillnet fishing trip you made. Failure to comply with the requirements and deadlines, including failure to notify or refusal to take an observer, is a violation of Federal law for which significant penalties, including forfeiture of catch, may be assessed. All such violations are referred to the NOAA Office of Law Enforcement for appropriate action. Please notify Frank Orth and Associates of all large mesh drift gillnet trips.

¹ Carryover years are the consecutive years as a California LE DGN permit holder prior to the issuance date of a Federal LE DGN permit.

Contact Information

Fishing Permits

NMFS WCR Long Beach office
Permits Office
501 W Ocean Blvd., Suite 4200
Long Beach, CA 90802
wcr-permits@noaa.gov
(562) 980-4238

NOAA Office of Law Enforcement

501 W Ocean Blvd., Suite 4400-A
Long Beach, CA 90802
(562) 980-4050
(800) 853-1964

California Department of Fish and Wildlife

CA DGN Permits, Logbooks
Elizabeth Hellmers
8901 La Jolla Shores Dr.
La Jolla, CA 92037
(858) 334-2813
Elizabeth.hellmers@wildlife.ca.gov

Frank Orth and Associates

Observer Provider
Scott Casey
(800) 522-7622 or (562) 427-1822
Seagoat98@hotmail.com

Sustainable Fisheries Division

Highly Migratory Species Branch
501 W Ocean Blvd., Suite 4200
Long Beach, CA 90802
www.westcoast.fisheries.noaa.gov
(562) 980-4200

Vessel Monitoring System (VMS) Program

Declarations and general questions
Declarations: (888) 585-5518
Helpdesk: (888) 219-9228
wcd.vms@noaa.gov

West Coast Region Observer Program

Charles Villafana
501 W Ocean Blvd., Suite 4200
Long Beach, CA 90802
www.westcoast.fisheries.noaa.gov
(562) 980- 4033
Charles.villafana@noaa.gov