

REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: August 6, 2018

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst

Council File No: 18-0002-S91
Assignment No: 18-07-0716

SUBJECT: Drift gill net permits.

CLA RECOMMENDATION: Adopt Resolution (Bonin – Koretz) to include in the City’s 2017-2018 State Legislative Program SUPPORT for SB 1017 (Allen) which would require the Department of Fish and Wildlife (DFW) to develop a program by March 31, 2020 to voluntarily transition the holders of drift gill net permits out of the fishery by January 31, 2023, the end of the 2023 fishing season.

SUMMARY

Drift gill nets (DGN) are a type of apparatus used in commercial fishing for swordfish and mako sharks. They function by creating openings that are large enough for the target species to fit their head through, but not their entire body, eventually leading to the fish being held in place by the net’s mesh slipping behind the gills. Such nets have been banned in many places throughout the world because of their significant environmental impact.

Active DGN boats injure and kill more dolphins and porpoises than all of the other West Coast fisheries combined. SB 1017 (Allen) would incentivize California’s swordfish fishing industry to transition away from these harmful nets to more sustainable gear types, such as deep-set buoy systems, by establishing a program to buy back state DGN permits with public and private funds. The bill creates incentives for fishermen to take part in the program by giving buyback participants a free lifetime swordfish permit and sunsetting the DGN fishery in 2023. The bill would allow the Department of Fish and Wildlife (DFW) to pay fair market value to fishermen who voluntarily surrender their permit and drift gill nets, up to \$10,000 and \$65,000 respectively.

The Resolution recommends support for SB 1017, which would require DFW to develop a program by March 31, 2020 to voluntarily transition the holders of DGN permits out of the fishery by January 31, 2023, the end of the 2023 fishing season; and disallow the further use of drift gill nets.

BACKGROUND

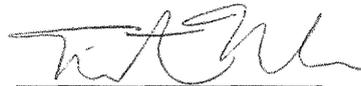
Existing law allows the taking of swordfish and sharks through the use of DGN by permit. While the prevalence of DGN has declined significantly since the 1980s, as a result of regulations and economic feasibility, there are still 26 active DGN fishers in the California fishery.

Roughly 60% of the catches in the California swordfish fishery utilizing drift gill nets are “bycatch”, which are nontarget species caught within the nets. Drift gill nets designed to catch swordfish have been responsible for the death of numerous protected and endangered marine species, including sperm whales and leatherback turtles. California eliminated new entrants into the fishery, except by permit transfer, in 1994. An alternative fishing method utilizing deep-set ocean buoys, which would reduce the estimated bycatch amount to under 5%.

SB 1017 would require the Department of Fish and Wildlife (DFW) to develop a program, as prescribed, by March 31, 2020, to voluntarily transition the holders of drift gill net permits out of the drift gill net fishery, and to implement the program upon appropriation from the Legislature of private or federal funding received by the DFW for this purpose.

BILL STATUS

02/07/18	Introduced.
02/14/18	Referred to Committee on Natural Resources and Water.
05/30/18	Read third time. Passed. (Ayes 33. Noes 0.) Ordered to the Assembly.
06/07/18	Referred to Committee on Water, Parks, and Wildlife.
06/26/18	Passed and re-referred to Committee on Appropriations. (Ayes 10. Noes 2.)



Tristan Noack
Analyst

SMT:tcjn

Attachment: Resolution

RESOLUTION RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, California is the last state in the United States that allows fishermen to use harmful drift gillnets in the swordfish fishery, and this gear has been banned on the high seas and in many countries worldwide because of the unavoidable impacts on marine wildlife, including whales, dolphins, sharks, pinnipeds, and sea turtles; and

WHEREAS, According to the latest federal estimates, over the 2001-2015 period California swordfish drift gillnets were responsible for the death of an estimated six endangered Pacific leatherback sea turtles, four loggerhead sea turtles, and seven sperm whales; and

WHEREAS, During the same period the fishery caught over 1,300 marine mammals and threw overboard over 140,000 fish and sharks; and

WHEREAS, Because of these impacts, the Pacific Fishery Management Council moved to implement hard caps to limit bycatch and to require 100 percent observer coverage for the fishery, but those protections were shelved last year by Commerce Secretary Ross; and

WHEREAS, SB 1017 (Allen) was introduced to require the Department of Fish and Wildlife to develop a program by March 31, 2020, to voluntarily transition the holders of drift gill net permits out of the fishery by January 31, 2023, the end of the 2023 fishing season; and

WHEREAS, SB 1017 will incentivize California's swordfish fishing industry to transition away from harmful drift gillnets to more sustainable gear types, such as deep-set buoy systems, by establishing a program to buy back state drift gillnet permits with public and private funds;

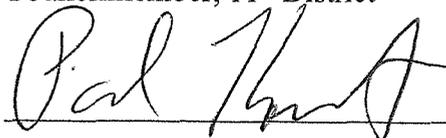
NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2017-2018 State Legislative Program SUPPORT for SB 1017 to require the Department of Fish and Wildlife (DFW) to develop a program by March 31, 2020, to voluntarily transition the holders of drift gill net permits out of the fishery by January 31, 2023, the end of the 2023 fishing season.

Presented by:



Mike Bonin
Councilmember, 11th District

Seconded by:



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