

Draft Gear Regulation

During the 2014/2015 gill net season, there was a request to allow a person with striped bass gill net quota to get on another licensee's boat and use his marked gill net to catch his quota. Fishing another person's gear is prohibited in law (NRA 4-505). This issue went to the striped bass workgroup for a recommendation on providing for this activity. It was approved and at the July Commission meetings, the Department scoped the regulatory idea of allowing a commercial licensee to use someone else's gear if the owner of the gear is on board the boat and the owner of the gear is in possession of their valid commercial license. Commissioner Manley (TFAC) requested that we look into allowing the other licensee to be on a different boat but harvesting from the same net. This would address a different issue where a gill netter has more striped bass in his net than quota he has left and he could allow another waterman (on his own boat) to harvest the fish. The Department said it would consider this and discuss it with the Attorney General's office. At the TFAC October meeting, there also was a discussion about harvesting from another person's pound net (not activated in your name).

The Department met with the Attorney General's office and NRP regarding a regulation that would address all 3 requests. The following is a draft of the regulatory language developed at that meeting. Note that it applies to striped bass and not all finfish. Because this draft regulation is addressing more than was originally scoped with the Commissions, we are seeking comments/feedback on the new draft. **Please provide your comments by Nov. 2.**

Draft Regulation

A tidal fish licensee may harvest striped bass from a gill net or pound net belonging to another licensee with the permission of the gear owner who must be present at the net while the harvest occurs and in possession of his tidal fish license.