



Fishery Basics — Fishing Gear

Gear Regulations

Gear regulations protect non-target species, ensure sustainable fishing of the targeted species, and reduce **bycatch** and **habitat alteration**. **Commercial** fishing gear regulations in the United States are established by one of the 8 federal [Regional Fishery Management Councils](#) or a state agency, like the [California Department of Fish and Game \(CDFG\)](#).

There are multiple approaches to regulating the gear used by fishermen. For example, regulations:

1. Determine the minimum mesh sizes of netting in **gillnet** (See Fishing Gear – Gillnets & Entangling Nets) and **trawl** (See Fishing Gear – Trawl Nets) **fisheries**. In fisheries that use nets as the primary means of capturing fish, regulating the mesh size of the net reduces the capture and mortality of **juvenile** fish. By setting a minimum mesh size juveniles and other unintended species should be able to slip through the mesh.
2. Allow only specific types of gears to be used in particular fisheries, like **traps/pots** (See Fishing Gear – Traps) in the **Spot Prawn** (See California Fisheries) fishery. Limiting the type of gear used in particular fisheries not only reduces the amount of bycatch of non-target species, but also minimizes habitat alteration. Prior to the 2003 ban of **trawls** (See Fishing Gear – Trawl Nets) in the California Spot Prawn fishery, the [CDFG reported \(pdf\)](#) that the total ratio of **finfish** bycatch to total Spot Prawn **catch** was 7.5 to 1 in the northern fishery and 17.7 to 1 in the southern fishery.
3. Standardize the size of components of the gear, like regulating the **roller** size in **bottom trawl** (See Fishing Gear – Trawl Nets) fisheries. Historically, bottom trawls were dragged along relatively flat seafloors, but as total catches declined, fishing **efforts** became focused on more structurally complex habitats. The **rockhoppers** that are used to fish in these habitats can significantly alter the habitats, sometimes destroying the habitat completely. In an effort to reduce the damage from rockhoppers, regulations restricting the size of **rollers** are now implemented in trawl fisheries in California.

If a vessel is fishing within a **limited entry** fishery that vessel is required to have a permit. By having a commercial fishing permit, the fishing vessel captain agrees to abide by all regulations set forth for that particular fishery, for example the vessel will only fish with authorized gear.

There are three primary agencies that enforce gear regulations: [NOAA's Office of Law Enforcement](#), the [U.S. Coast Guard's Office of Law Enforcement \(CG-531\)](#) and a state agency like the [California Department of Fish and Game's Marine Law Enforcement division](#). Enforcement officials from any of the agencies have the authorization to spot-check the gear being used by any vessel, either at sea or at a dock when the vessel is **landing** its catch. If a vessel is found to be operating with unauthorized gears that vessel will face penalties in the



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forms of fines or loss of permits. Additionally, with so many vessels fishing in U.S. waters it is impossible to check the gear of every vessel. Thus it is up to vessel captains to abide by an honor system and honor the regulations set forth for the fishery in which they operate.

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