

Federation of Independent Seafood Harvesters

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October 28, 2007

Donald Hansen
Chairman
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, OR 97220-1384

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Dear Don,

PFMC

FISH supports the Council's efforts to develop management measures to provide the maximum level of swordfish harvest opportunity, and, as is painfully clear for DGN fishermen, recognizes that a fishery's level of protected resource impacts is directly related to the level of harvest opportunity. In this regard, FISH urges the Council to take steps to increase its DGN management options by federalizing the fishery's limited entry status. A simple shift in focus in the development of a high-seas longline limited entry permit to federalizing limited entry for the DGN fishery would provide more swordfish harvest opportunity because a greater range of management options for insuring critical resource protections would be available.

For example, issue a limited entry permit for the harvest of swordfish by DGN gear to current DGN California limited entry permit holders that meet specified qualifying criteria formulated to reduce the latent DGN effort now represented by inactive permit holders. The gear endorsement for this permit could be switched from DGN gear to longline gear, but not the other way around. In this way, the only authorized use of longline gear for the harvest of swordfish (whether its outside the EEZ, or inside the EEZ should that option become available) would arise from the elimination of the DGN fishing option.

Such an approach has the long-term effect of achieving control of longline effort without the potential for an overall effort increase that could result from a longline only limited entry program based on qualifying criteria that would include non-DGN vessels.

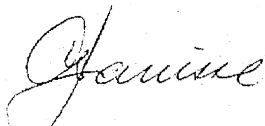
Additionally, this approach has the short-term effect of dramatically increasing the Council's range of management options for the DGN fishery through effort controls that are not now available. For example, with federalized limited entry, framework

management measures could be established that would allow effort quotas, by set certificates or otherwise, for specific times and areas or otherwise, and that could be determined and implemented in much the same way that catch quotas are determined and implemented. If such an approach were applied to the DGN fishery, some fishing might be allowed in the area now completely closed to protect leatherbacks. The Incidental Take Statement for the 2000 Biological Opinion that forms the basis for the current leatherback time/area closure authorizes three leatherback takes per year. With a leatherback take rate in this area of .0077 per set, 389 sets could be allowed in this area without exceeding authorized limits.

As a bonus, the formulation of a limited entry program along these lines might qualify for additional funding under the Limited Access Privilege Program found in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006.

Hopefully, these suggestions are helpful.

Best regards,

A handwritten signature in cursive script, appearing to read "Janisse".

Chuck Janisse