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United States Senate
WASHINGTON, DC 20510

Informational Report 1
April 2015

MAR 25 2015

PFMC

March 2, 2015

Ms. Dorothy M. Lowman
Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, #101
Portland, OR 97220

Mr. William W. Stelle, Jr.
Administrator, West Coast Region
National Marine Fisheries Service
7600 Sand Point Way, NE, Building 1
Seattle, WA 98115

Dear Chair Lowman and Administrator Stelle:

We are writing to you in support of the Pacific Fishery Management Council's goal, stated in March 2014, to transition the West Coast swordfish fishery from using drift gillnets to more environmentally sustainable fishing gears. We are greatly concerned that bycatch in the drift gillnet fishery continues to kill endangered and protected species that are of great national and ecological significance. Consequently, we urge you to develop a comprehensive plan to transition this fishery to more environmentally sustainable fishing gears that includes the use of enforceable limits to reduce bycatch in this fishery and 100 percent monitoring until the transition has occurred.

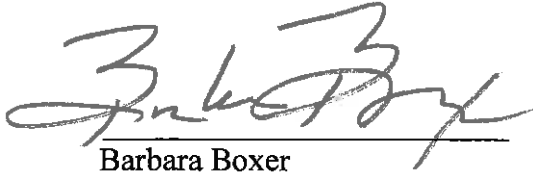
The Magnuson-Stevens Fishery Conservation and Management Act, the primary law governing marine fisheries management in U.S. federal waters, requires that fisheries managers, to the extent practicable, minimize bycatch, and, to the extent bycatch cannot be avoided, minimize the mortality of such bycatch. According to NOAA's National Bycatch Report, the West Coast drift gillnet fishery kills more cetaceans than all other West Coast and Alaska fisheries combined. One estimate indicates that as many as 100 dolphins, whales, seals, and sea lions on average are killed each year as a result of this fishery. In addition, drift gillnet discards include turtles, ecologically important shark species and valuable recreational fish such as marlin. While efforts have been made to reduce the level of bycatch in the West Coast swordfish fishery, including the use of pingers to deter marine mammals and depth restrictions for nets, more must still be done.

We are aware of other gears that can be used to catch swordfish with significantly lower bycatch rates, including existing harpoon gear and experimental buoy gear. In 2012, NOAA entered into a Memorandum of Understanding with Morocco to test the use of selective buoy gear as an alternative gear. We strongly encourage the Pacific Fishery Management Council and the National Marine Fisheries Service to continue this important research and the development of these and other innovative and sustainable fishing methods for catching swordfish.

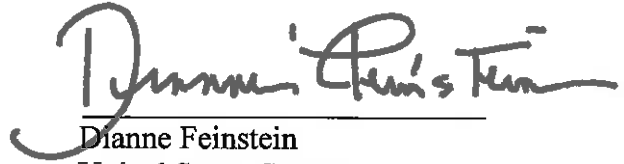
Ultimately, we support a healthy and sustainable West Coast swordfish fishery that can supply the U.S. market. To this end, we support your goal to transition the West Coast swordfish fishery to fishing gears that are more environmentally sustainable and urge you to act quickly to develop a comprehensive plan that includes enforceable limits on bycatch and additional

monitoring during the transition. Please keep us informed of your progress and timeline toward achieving this goal. Thank you for your consideration of this important issue.

Sincerely,



Barbara Boxer
United States Senator



Dianne Feinstein
United States Senator



Ron Wyden
United States Senator

Congress of the United States
Washington, DC 20515

February 27, 2015

RECEIVED

Ms. Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, #101
Portland, OR 97220
pfmc.comments@noaa.gov

MAR 16 2015

Mr. William W. Stelle, Jr.
Administrator, Northwest Region
National Marine Fisheries Service
7600 Sand Point Way, NE, Bldg 1
Seattle, WA 98115-0070
will.stelle@noaa.gov

PFMC

Dear Chair Lowman and Administrator Stelle:

We write in support of the Pacific Fishery Management Council's goal, stated in March 2014, to transition the West Coast swordfish fishery from using drift gillnets to more environmentally friendly and economically sustainable gear types. Bycatch in the drift gillnet fishery continues to threaten the health of our ocean, and continues to kill endangered and protected species that are of great national and ecological significance. As part of a comprehensive plan, we support the development and use of more environmentally sustainable gear and enforceable hard caps for bycatch control of protected species, along with monitoring to ensure the limits are successfully implemented.

The Magnuson-Stevens Fishery Conservation and Management Act, the primary law governing marine fisheries management in U.S. federal waters, requires that fisheries managers, to the extent practicable, minimize bycatch, and, to the extent bycatch cannot be avoided, minimize the mortality of such bycatch. The drift gillnet fishery has begun to improve bycatch avoidance by lowering the nets deeper into the water column, using pingers to warn off protected species, and developing new bycatch mitigation fishing techniques. But these efforts do not go far enough. Enforceable bycatch limits are imperative. Further, continued gear innovation and significant advances in fishing techniques are necessary to meet bycatch limits, ensuring a sustainable fishery and protecting marine life.

High bycatch rates undermine the standard we set for ourselves and weaken the United States' reputation as a world leader in sustainable fisheries management. We are aware of other gear that can be used to catch swordfish with low bycatch rates, including existing harpoon gear and experimental buoy gear. In 2012, NOAA entered into a Memorandum of Understanding with Morocco to test the use of selective buoy gear as an alternative gear. We urge the Council and NOAA Fisheries to continue research and development on these and other innovative and sustainable fishing methods for catching swordfish.

We share the goal of a healthy and sustainable swordfish fishery on the U.S. West Coast. It is important for U.S. consumers of swordfish to have sustainable alternatives to internationally-supplied products that lack the environmental safeguards provided by U.S. management. In furtherance of these goals, we urge the Pacific Fishery Management Council and National Marine Fisheries Service to act quickly to develop a comprehensive plan to aggressively address this critical issue.

Thank you for your consideration and attention to this important issue.

Sincerely,

Dan Carr ~~John~~

Grace J. Neapolitano Michael M. Hardon

Miree Thompson Doris O. Matsui

J. M. King Lurline Kugel Allard

Earl Blumman Zoe Lynn

Jon M. Dermott Mark DeSalmer

~~John~~ Alan Lowenthal

~~John~~ Alan B. Schiff

**Note: This letter was also sent
to the Honorable Sam Farr,
U.S. House of Representatives.**



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910
THE DIRECTOR

RECEIVED

The Honorable Barbara Boxer
U.S. Senate
Washington, DC 20510

MAR 16 2015

MAR 09 2015

Dear Senator Boxer:

PFMC

Thank you for your recent letter encouraging both bycatch reduction in and the transition of the West Coast swordfish fishery from the use of drift gillnets.

The National Marine Fisheries Service (NMFS) is committed to reducing bycatch in all West Coast fisheries. This includes fostering the development and use of new sustainable gear and methods as alternative options for harvesting swordfish. The support you expressed for experimentation with alternative gears and other measures is appreciated, especially given the challenges involved and the importance of this endeavor to local industry, California communities, and consumers.

As you stated in your letter, the Pacific Fishery Management Council (Council) has taken significant steps to investigate alternative gear and reduce bycatch in the California drift gillnet fishery. At its next meeting, March 7-12, 2015, the Council will consider five proposals for conducting experiments with different gear and methods under exempted fishing permits (EFPs) to harvest swordfish with reduced bycatch. These proposals were developed by industry and/or research institutions, with input from NMFS. The Council is poised to make its final decisions about the EFPs and will forward its recommendations to NMFS for further review, and, if approved, issuance of permits to test the gear.

Also at this meeting, the Council will consider management of the drift gillnet fishery with the potential use of hard caps under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to further minimize bycatch. Currently, the fishery is managed to comply with species take limits under the Endangered Species Act and Marine Mammal Protection Act. NMFS looks forward to working with the Council, including the State of California representatives, throughout this process to discuss hard caps under the MSA.



I appreciate your interest in healthy and sustainable swordfish harvest with reduced bycatch off California. NMFS will continue to work with the Council and others toward this goal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eileen Sobeck', written in a cursive style.

Eileen Sobeck

Assistant Administrator for Fisheries

cc: Dorothy Lowman, Pacific Fishery Management Council
Donald McIsaac, Pacific Fishery Management Council
William Stelle, Regional Administrator, West Coast Region