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May 14, 2015

Ms. Dorothy Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, OR 97220-1384
pfmc.comments@noaa.gov

Dear Ms. Lowman,

To fulfill the expressed interest in the exploration of alternative swordfish fishery gears and techniques within the West-Coast EEZ, at its March 2015 meeting, the Council approved with modifications the application of three fishermen, Pete Dupuy,¹ David Haworth, and John Gibbs, to conduct EFP pelagic longline fishing to test for economic viability as well as demonstrate whether levels of fishery bycatch and incidental take of protected resources fall within acceptable limits. Regarding this EFP, in order to provide the Council with the most useful data, we seek the Council's further consideration and clarification regarding the fishing effort limitation modification specified by the Council as part of its approval of the EFP. The EFP as submitted by applicants specified fishing by three vessels. As a modification, the Council approved EFP fishing for a single vessel.

Ironically, Pete Dupuy's initial application—in this his second attempt to conduct EFP longline fishing within the West-Coast EEZ after he was unable to follow through with a similar EFP approved by the Council in 2006—was going to be, as it was in 2006, for a single vessel. Concerns from fishery scientists at the SWFSC that the amount of fishing effort from a single vessel would be insufficient to derive statistically significant results convinced Pete that additional vessels were needed in order for the EFP to provide scientifically credible results. In response, Pete amended the EFP at the last minute to include David Haworth and John Gibbs. We point this out because we think that the Council may not have been made aware of the reason for including three vessels in the initial EFP application.

For the Council's further information regarding the background leading up to this EFP

¹ Unfortunately, Pete recently passed away rather suddenly. Although he was a dedicated contributor to the Council process, and a long-time advocate for the full inclusion of a longline gear fishery in the HMS FMP, Pete's part in this EFP is now to be in memoriam.

application, Pete had demonstrated a remarkably low level of fish discard mortality and interaction with protected resources over a ten-year period in his high-seas, deep-set tuna longline fishery and wanted to see if the same low bycatch/interaction levels would also occur inside the EEZ. Additionally, experimental deep-set longline fishing for swordfish by the SWFSC showed promise. In combination with shallow-set techniques already shown to greatly reduce sea bird and sea turtle interactions, this EFP provided an opportunity to compare deep-set with shallow-set longline gears in near real-time, and give the Council valuable data to evaluate the performance of these gears commonly used in HMS fisheries world-wide.

Funding to cover the cost of providing 100% observer coverage, as well as to provide for scientific monitoring and analysis of EFP fishing data may be available through NOAA's Bycatch Reduction Engineering Program. We have submitted a BREP pre-proposal for: "Testing potential bycatch reduction from deep-set compared to shallow-set pelagic longline fishing targeting swordfish in the California Current" that is contingent on issuance of this EFP. We made the first cut, and have been invited to submit a full BREP proposal. Our concern is that the lack of scientific rigor due to the fishing effort limitations of a single vessel that has to switch back and forth between deep-set and shallow-set gears will not generate enough catch data to provide for statistically significant results, and would then jeopardize the potential for acquiring BREP funding because scientifically credible data may not result.

In consultation with the scientific community to arrive at an experimental design for this EFP that is more likely to generate scientifically credible data, and still address the Council's wishes, we propose, and hope the Council will approve, a further modification of this EFP that permits the use of two vessels. Not only will the addition of an additional vessel double the amount of catch data that is generated, but it allows one vessel to fish with deep-set gear, and the other to fish with shallow-set gear in a true side-by-side manner that will greatly enhance the ability to compare performance between these two gears.

We are excited, as are many in the scientific and conservation communities, to have the opportunity to conduct this important fishery evaluation work and hope that the Council agrees, and approves the use of two vessels for this EFP in order to provide the level of scientific rigor that fishery managers and professionals would expect.

Sincerely,

Doyle A

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DN: c=US, o=U.S. Government, ou=ECA, ou=IdenTrust, ou=HANAN AND ASSOCIATES INC, cn=Doyle A Hanan:A01097C0000014B2CDA0AE900001433
Date: 2015.05.14 21:15:33 -0700

Doyle Hanan, PhD., Chief Investigator;
on behalf of David Haworth and John Gibbs

cc.

Phil Anderson,
Chuck Bonham,
William Brizendine,
David Crabbe,
Jeff Feldner,
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Dorothy Lowman,
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