

Preliminary Exempted Fishing Permit Application:  
Alternative Swordfish Target Fishing Gears and Methods  
August 15, 2014

**Principal Applicants and Roles:**

The Alliance of Communities for Sustainable Fisheries, a 501-c-3 organization based in California's Central Coast, is the principal EFP applicant which will be responsible for overall coordination and results reporting.

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**Preliminary Associate Applicants and Roles would include:**

Drift Gillnet Fishermen  
Longline Gear Fishermen  
Deep-set Longline Gear Fishermen  
Shallow-set Longline Gear Fishermen  
Buoy Hook and Line Gear Fishermen  
Harpoon Gear Fishermen  
University experts currently working with the SWFSC on dynamic ocean management efforts  
Government agency or non-governmental organizations contributing proposal review support, financial support, analytical support, or marketing support

Names and email contact information: TBD

**Purpose and Goals Statement:**

The purpose of this EFP application is to test the performance of five swordfish target gear types in time/area zones thought to be of high concentration of swordfish and low concentration of bycatch of protected or undesirable species, in comparison to the average performance of the drift gillnet fleet fishing under existing fishery regulations.

This EFP is responsive to the Council decision to "...solicit EFP proposals to test alternative gear types or new approaches for using pelagic drift gillnet gear...", as well as the following portions of policy goal statements identified by the Council at the June 2014 Council meeting for managing a West Coast swordfish fishery under full Magnuson-Stevens Act authority.

1. "Reduce bycatch in the California drift gillnet fishery..."
2. "Support collaboration between fishing communities, agencies, scientists, and nongovernmental organizations to develop alternative fishing gears, conduct research to further minimize bycatch in the drift gillnet fishery, and..."

3. “Evaluate future access to the Pacific Leatherback Conservation Area (PLCA)...”

Three key research questions to be addressed are:

1. Can gear or other fishing practices be identified that will further reduce protected species mortality?
2. What is the difference in catch and bycatch rates for the various gear types?
3. What is the survival rate of bycatch released from the gears, especially for blue sharks.

### **Experimental Design:**

#### General Experimental Design Description

Fishing will occur on vessels of each of the gear types and take place based on fishermen’s knowledge of appropriate signs of swordfish presence during the typical August 15 – January 31 swordfish fishing season. While a “side-by-side” scenario within a specified area is desirable to evaluate the efficiency of each gear types is desirable, it may not be practical based on how each gear fishes.

Species catch, including those brought to the vessel or released outside the vessel, of the EFP boats will be compared between each gear type and with the average annual catch of the non-EFP drift gillnet fleet, on a catch-per-unit-effort basis.

Oceanographic conditions will be monitored in real time during the EFP and experts would be engaged to assist in utilizing spatio-temporal data generated by real-time monitoring technology to create tools for fishery managers and stakeholders to make timely, informed decisions on fishing locations to be avoided.

#### Specific Experimental Design

To-be-developed if the application process proceeds beyond the September meeting of the Pacific Council.

### **Reasoning Why an EFP is Needed:**

An EFP is required to provide for fishing of drift gillnet gear inside the existing August 15- November 15 Pacific Leatherback Conservation Area and to provide for the use of the longline gear types currently not allowed by regulation. There are a number of factors to be balanced in structuring an EFP: 1) the need to ensure sufficient opportunities and flexibility in the design of the EFP to encourage fishers to participate and to maximize the potential for success, 2) the need for the EFP to closely reflect operational characteristics of a real fishery, and 3) the need to make sure that the sample size is sufficient under different scenarios to answer questions about the performance of the fishery from both a target and bycatch species perspective as well as to address some research questions. The general structure of an EFP that should balance these objectives is to work with around five vessels per gear type if possible.

### **Application of EFP Results to the Fishery Beyond the Applicants:**

In the event this EFP can demonstrate superior target fishery performance by the test vessels, it is possible that the results can form the basis of management objectives and regulations that would apply to the existing drift gillnet permit holders and/or new permits for any gear type proven to be successful. If ultimately successful, a healthy West Coast swordfish fishery would

reduce domestic reliance on foreign caught swordfish with greater bycatch and impacts on protected species.

**EEF Duration:**

The EFP application is for the fishing years of 2015 and 2016, with modifications possible in 2016 based on the results of 2015 (see Specific Experimental Design). A phased approach might be used in the EFP where fewer vessels of each gear type are used in the first year (e.g., 2) and based on those results, up to five vessels for each gear type would be used in the second year.

**Vessel Descriptions:**

Vessels will be selected based on willingness to participate and demonstrated expertise in HMS fisheries.

**Target Species and Protected Species Needed:**

Target species, including primarily swordfish but including other healthy HMS stocks, are currently not limited by quota or impact level; thus specifying an amount needed from the public fishery allocation is not necessary. Protected or overfished species impacts are proposed to be limited by the amount provided for the current drift gillnet fishery, with all impacts from the EFP counting towards those impact caps or levels. Further protected species considerations include:

- 1) Observer will immediately report all interactions with protected species with take caps.
- 2) All captains will be trained in release of protected species and carry necessary gear.
- 3) Turtles: take cap on leatherbacks and loggerheads
- 4) Marine mammals: take cap on sperm whales and short-finned pilot whales
- 5) Striped Marlin: no retention and take cap TBD (to remain consistent with current regs and avoid conflict with sport fishery)
- 6) Consult with protected species staff on potential hot spots for marine mammals offshore.

**Catch Accounting and Observer Methods:**

General Description

One hundred percent human observer will be required for each fishing vessel while fishing is conducted except for harpoon only vessels. Observers are proposed to be provided by the NMFS from those that are or can be made available for West Coast HMS fisheries. Fishery impact accounting will be recorded by observers consistent with current protocols in place for the NMFS observer program. Marketable catch will be sold to licensed fish dealers and recorded on commercial fishery fish tickets.

Specific Description

TBD if the application process proceeds beyond the September meeting of the Pacific Council, including statements from specific vessel owners as to willingness to place cameras or other electronic monitoring devices in addition to 100% human observers, as well as ability to pay for observer coverage in the event the NMFS cannot provide observers.

**Data Collection & Analysis Methodology:**

General Description

Recent year oceanographic data will be analyzed in determining trigger thresholds for time/area optimal zone identification. Catch comparisons between gear types and with the annual average drift gillnet catch, by target species and non-retained species, will use standardized

tests of catch per unit effort (CPUE) and non-retained catch per unit effort (N-RPUE) values to determine statistical significance levels. Released catch will be distinguished as alive, dead and serious injury.

Specific Description

TBD if the application process proceeds beyond the September meeting of the Pacific Council.

**Area to be Fished and Gear Used:**

General Description

The potential area to be fished includes US EEZ waters 3-200 miles offshore of the West Coast from the US-Mexico border to Cape Falcon, Oregon, with particular emphasis in areas known to have had high concentrations of swordfish in the past. Specific requirements for longline gear include the following: For SSL, the following would be prohibited: fishing inside of 100 nmi from the U.S. West Coast and nighttime sets. For DSL, the following would be prohibited: daytime fishing, no inside of 50 nmi (or 40 nmi), no fishing inside Southern California Bight,

Specific Description

TBD if the application process proceeds beyond the September meeting of the Pacific Council.

**Results Reporting Schedule:**

A preliminary status report for the 2015 fishing year will be provided at the November, 2015 Council meeting and a draft final report is proposed to be provided at the April, 2016 Council meeting. The same Council meeting reporting schedule applies to the 2016 fishing year, staggered by one year.

**Other**

It is expected that this preliminary EFP proposal will be reviewed by the appropriate Council Advisory Bodies, be the subject of public comment, and be discussed by the Council at the September 2014 Council meeting. Comments and suggestions forthcoming from this process will be considered by the applicants in the event the Council approves further consideration at the next step in the Council process.