



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
7600 Sand Point Way N.E.
Seattle, Washington 98115

September 8, 2014

Mr. Pete Dupuy
Ocean Pacific Seafood
18212 Rosita Street
Tarzana, California 91356

Dear Mr. Dupuy:

Thank you for your letter regarding the prohibition on shallow-set longline (SSLL) fishing by West Coast-based vessels targeting swordfish in waters beyond the U.S. exclusive economic zone and east of 150° W longitude. I appreciate the views that you expressed with regard to regulatory fairness between longline fisheries operating out of the West Coast and Hawaii.

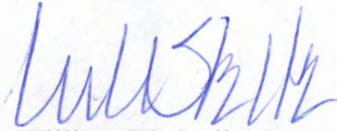
In 2004, when the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP) was submitted to the Secretary of Commerce, the National Marine Fisheries Service (NMFS) did not approve the provisions of the Plan that would have allowed SSLL fishing on the high seas east of 150° W longitude. As you note in your letter, that decision was based on the result of consultations under section 7 of the Endangered Species Act with respect to the proposed area to be fished. At that same time, NMFS suggested to the Pacific Fishery Management Council (Council) potential solutions to address the issue of loggerhead sea turtle take and mortality while allowing SSLL fishing through a combination of measures, including fleet effort limits, and the use of circle hooks and mackerel-type bait. The Council considered amending the HMS FMP at its April 2009 meeting to allow the use of SSLL on the high seas, but expressed concerns about the practicality of the option to limit effort in the proposed SSLL fishery (i.e., latent drift gillnet permits transitioning to SSLL gear). As a result, the Council declined to develop, or recommend to NMFS, an amendment to the HMS FMP to adjust the SSLL fishing prohibition.

The Council will be discussing HMS fisheries management measures at its September 2014 meeting in Spokane, Washington. To further its goal of transitioning the swordfish fishery to a suite of more environmentally and economically sustainable gear types, the Council may discuss SSLL opportunities especially in light of the Council's interest in achieving regulatory fairness with the Hawaii-based SSLL fishery. In that regard, I have instructed my staff to reference the contents of your letter when presenting the NMFS Report under Highly Migratory Species, Agenda Item G.1. My intent is to bring your concerns to the forefront for the Council to consider as it discusses the "Future Council Meeting Agenda and Workload Planning" agenda item on the last day of the meeting.



Thank you, again, for sharing your concerns. If you have further questions, please contact Mark Helvey, HMS Program Manager, at 562-980-4030 or mark.helvey@noaa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "William W. Stelle, Jr.", written in a cursive style.

William W. Stelle, Jr.
Regional Administrator

cc: Don McIsaac, Pacific Fishery Management Council