

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON DRIFT GILLNET HARD CAPS AND OTHER ADOPTED PRIORITIES FOR 2015-2016 FISHERIES

Management of the Drift Gillnet Fishery

At the September Council meeting, there was an approved motion to move forward on hard caps and observer coverage in the California large mesh drift gillnet (DGN) fishery.

The Highly Migratory Species Advisory Subpanel (HMSAS) supports the November 5th letter from the National Marine Fisheries Service (NMFS) (Agenda Item I.4.b, Supplemental NMFS Report, November 2014) that raises some serious questions about the Preliminary Preferred Alternative for managing the DGN.

The DGN fishery is currently managed under the HMS Fishery Management Plan (FMP), the Marine Mammal Protection Act (MMPA) and the Endangered Species Act (ESA). Takes of marine mammals are specifically managed under the Pacific Offshore Cetacean Take Reduction Team and they are already working on these issues. The fishery is not creating a significant impact on the protected species and hard caps are not needed. Therefore we do not support hard caps for marine mammals.

Finfish performance objectives are not appropriate because of the low mortality of bycatch (i.e., *Mola mola*), and low relative catch rates (i.e., blue shark, and marlin).

The Council should take into consideration the determination of how a serious injury/mortality is defined as pointed out by NMFS in its Supplemental Report.

There are financial issues with 100 percent observer coverage. However, the HMSAS supports moving towards 100 percent electronic coverage on all DGN vessels, if it is funded by NMFS and is a proven effective method.

The HMSAS supports a clear path to opening the Pacific Leatherback Conservation Area (PLCA) once these changes are implemented and proven successful.

The HMSAS supports the fleet working with research partners to further improve data collection and our understanding of the pelagic ecosystem.

Shallow-Set Longline

The HMSAS recommends that the shallow-set longline (SSLL) issues for inside and outside the U.S. Exclusive Economic Zone (EEZ) are handled differently. For the SSLL outside the EEZ, the HMSAS recommends that the part allowing a SSLL fishery outside the EEZ in the original FMP is reconstructed and moved to completion. A review of the past processes will show that the Council approved a SSLL fishery outside the EEZ in 2003. Currently, the Hawaiian longline SSLL fleet and foreign longline fleets are fishing outside of the West Coast EEZ whereas West Coast fishermen are prevented from deploying a SSLL gear outside our EEZ. There is interest

from West Coast fishermen to prosecute a SSSL fishery outside the U.S. EEZ under the same operating regulations as the Hawaiian fleet. It seems unfair that the West coast fishermen are prevented from the same opportunity as the Hawaiian fishermen. The suggested completion of the FMP would be treated as a FMP Amendment during which questions about allowed turtle impacts, allowed mammal impacts, fishermen permitting, etc. would be determined.

For the proposed SSSL fishery inside the EEZ, the HMSAS recommends that it be handled under the exempted fishing permit (EFP) process. NMFS has indicated that there is interest from fishermen to pursue a SSSL EFP permit. It is anticipated that the SSSL EFP will show fishing for HMS is sustainable with limited encounters of species of concern. The HMSAS also recommends a consideration for a deep-set longline (DSSL) EFP.

PFMC
11/17/14