

## BACKGROUND INFORMATION ON SWORDFISH RETENTION LIMITS FOR THE SHALLOW-SET LONGLINE FISHERY

### **Hawaii Regulations on Swordfish Retention**

50CFR665.33(j) Owners and operators of vessels registered for use under a Hawaii longline limited access permit may land or possess no more than 10 swordfish from a fishing trip for which the permit holder notified National Marine Fisheries Service (NMFS) under Sec. 665.23(a) that the vessel would engage in a deep-setting trip.

### **West Coast Regulations on Swordfish Retention**

50CFR660(a)(10) Owners and operators of longline vessels registered for use of longline gear may land or possess no more than 10 swordfish from a fishing trip where any part of the trip included fishing west of 150° W. long. and north of the equator (0° N. lat.).

50CFR660(a) (11) Owners and operators of longline vessels registered for use of longline gear are subject to the provisions at 50 CFR part 223 prohibiting shallow sets to target swordfish in waters beyond the U.S. EEZ and east of 150° W. long. and establishing that no more than 10 swordfish may be landed by a longline vessel registered for use of longline gear from a trip if any sets of longline gear were made on that trip in those waters.

### **Western Pacific Fishery Management Council Recommendation on Change in Swordfish Retention Limit**

*Background (from Synopsis of Action Items, 148<sup>th</sup> Council Meeting, June 28-July 1, 2010)*

The final rule which implemented the Western Pacific Council's management of shallow set swordfish longline fishery (FR Vol. 69, No. 184098-4105) in 2004 included a limit of 10 swordfish per trip for the deep set tuna targeting fishery. The purpose of the trip limit was to prevent vessels departing ostensibly to deep set longlines to catch bigeye and yellowfin tuna, from switching to shallow set gear and targeting swordfish. Since 2004, shallow-set swordfish longlining has been stringently regulated with required gear (8/0 circle hooks, mackerel type bait), 100 percent observer coverage, and 50 percent of the average pre 2000 level of fishing effort in shallow sets, with set certificates distributed to the longline fishermen. In 2009, the Council amended the Pelagics Fishery Ecosystem Plan to remove the set limits on the swordfish longline fishery for the fishing year 2010 onwards. North Pacific swordfish stocks are currently healthy and not approaching an overfished or overfishing condition. Current regulations define deep set tuna longline fishing and with the set limit removed from the shallow-set fishery, the ten swordfish per trip limit is unnecessarily duplicative and burdensome for longline fishermen. Moreover, the 10 swordfish per trip limit creates regulatory discards which contribute to bycatch and which have market value. For these reasons, the Council generated the following recommendation at its 146<sup>th</sup> meeting:

Regarding the deep set longline swordfish trip catch limit, the Council recommended staff review the impact of the catch limit on swordfish incidental catch and draft an options paper with alternatives that may include among other options, modifying the swordfish catch limit, removing the limit altogether, as well as the no action alternative.

At the 147<sup>th</sup> Council meeting the Council considered the alternatives for the Hawaii deepset longline swordfish trip limit and recommended, as the preferred alternative, establishing a 25 swordfish trip limit for deep set tuna targeting longline vessels using circle hooks, and 10 swordfish per trip for vessels using tuna-hooks, if vessels are not carrying observers. If an observer is being carried by a deep-set tuna vessel then there is no limit to the amount of swordfish that can be retained by a longline vessel. The 148<sup>th</sup> Council Meeting will consider final action for the deep set longline swordfish trip catch limit, and may endorse its selection of the preferred alternative made at the 147<sup>th</sup> meeting.

*Council Recommendation (from Press Release)*

At the 148<sup>th</sup> meeting (June 28-July 1, 2010) the Council took final action to allow Hawaii longline vessels setting deep for tuna to retain 25 swordfish per trip when using circle hooks and 10 swordfish per trip when using other hooks. When carrying an observer, the vessels would have no swordfish retention limit, regardless of the type of hook used. North Pacific swordfish stocks are healthy, and this measure will allow fishermen to market rather than waste swordfish that are not alive when boated by longliners that set deep for tuna.

*Note on Rationale for Circle Hook Requirement*

This requirement is an incentive because the False Killer Whale Take Reduction Plan<sup>1</sup> recommends the use of circle hooks in the longline fishery to reduce mortality and serious injury. Circle hooks will be required in the fishery beginning in 2011 so this aspect of the proposal is somewhat moot.

PFMC  
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<sup>1</sup> [http://www.nmfs.noaa.gov/pr/pdfs/interactions/fkwtrp\\_draft.pdf](http://www.nmfs.noaa.gov/pr/pdfs/interactions/fkwtrp_draft.pdf)