

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON DRIFT GILLNET MONITORING, MANAGEMENT, AND ALTERNATIVE GEAR REPORT

General Comments on Alternative Gear Report

Because of numerous misconceptions of the term “bycatch,” Highly Migratory Advisory Subpanel (HMSAS) would like to remind everyone that bycatch is defined by the Magnuson-Stevens Act in Section 3. 401-297:

“The term bycatch means fish which are harvested in a fishery, but which are not sold or kept for personal use, and includes economic discards and regulatory discards. Such term does not include fish released alive under a recreational catch and release fishery management program.”

We want to clear up misconceptions that fish that are not targeted but are sold are often wrongly represented as bycatch.

There are fish released alive such as mola mola that should not be considered bycatch.

Comments on Drift Gill Net Monitoring And Management

The Council passed a motion to have the Highly Migratory Species Management Team (HMSMT) review opening of an area of the Pacific Leatherback Conservation Area. The HMSAS supports the preliminary analysis of the Team to open the small triangle area out to 100 miles south of Point Sur, that is only 2 percent of the Pacific Leatherback Conservation Area (PLCA) including the provisions in the emergency rule allowing National Marine Fisheries Service (NMFS) to issue a Marine Mammal Protection Act 101(a)(5)(E) permit for the drift gillnet (DGN) fishery. Fishermen have participated in reducing bycatch in the fishery. The DGN fishery is an excellent way to target swordfish and agrees longline as an alternative could be considered.

We support opening the triangle area to allow fishing August 15, when the historical season began before the PLCA was implemented to allow fishermen the opportunity to access swordfish when water conditions are favorable. It is understood that new requirements may be needed, including observers and Vessel Monitoring System.

We support further modifications in the PLCA as indicated in the NMFS Southwest Fisheries Science Center report with research results showing effects of closures on the catch per unit of effort.

We support alternative fishing gear. But, realize that buoy gear will not provide commercial quantities of swordfish for the west coast market. West coast swordfish need to be harvested and our fleet needs to fish them either by DGN or longlines. We need to try deep-set longlines for swordfish during the day or shallow-set at night. NMFS research projects are supported by the HMSAS.

We encourage the Council to respond to California Assembly member Mark Stone, explaining the Council regulatory process and regulations in the Fishery Management Plan (FMP). This

may include adaptive management oversight, Protected Resource regulations, and clarification of the merits of the fishery to the Assembly members. The Council should include NMFS research to reduce bycatch impacts by longlines and DGN supported by data reports designed to improve the fishery. The interpretation of this information is needed to understand the data.

The HMSAS discussed the current California State legislation to ban the DGN fishery. Priority should be given to coordinating with the Council, NMFS, and the States to move permitting the DGN fishery over to a Federal process to consolidate the permits under the HMS FMP. We recommend the fishery be moved completely to the Federal plan to simplify management, as the fishery is conducted in Federal waters.

In summary, the HMSAS strongly believes this fishery can continue in a sustainable manner and that the Council should continue authorization of the DGN fishery.

PFMC
03/12/14