

*Supplemental* Agenda item G.2.d.

*Received at the meeting  
11-1-01*

**TO: Dr. Donald McIsaac and the PFMC**

**FR: STRP, UASC, RFA, UAC, CBD, AFTCO, MCSD, BAC, ASA, CSBA, CSPA**

Contact: Ron Gaul, STRP, PO Box 400, Forest Knolls CA, 94933, 415-488-0370

**RE: Gillnet and Longline Options for the HMSFMP Final Draft for public review**

November 1, 2001

Dr Donald McIsaac, Executive Director  
7700 NE Ambassador Place, Suite 200  
Portland, Oregon, 97220

Dear Mr McIsaac:

We, the undersigned conservation and sportfishing organizations, look forward to the finalization of a highly migratory species fishery management plan (HMSFMP) for public review and would like to draw your attention to several issues that we hope will be addressed adequately in that draft. In particular, we have concerns about the following fisheries:

- California high seas pelagic longline fishery;
- California/Oregon swordfish drift gillnet fishery; and
- California tuna gillnet fishery.

All of these fisheries have recorded interactions with protected species, as well as significant economic and regulatory discard mortalities of finfish.

**• California high seas pelagic longline fishery**

The California high seas pelagic longline fishery is now fishing for swordfish in much of the same waters, using nearly identical gear, where the Hawaii based longline swordfish fishery operated. As you are probably aware, the Hawaii based swordfish longline fishery was closed earlier this year by court order due to interactions with the Endangered Species Act (ESA) listed sea turtle species. The new Biological Opinion issued for this fishery was a "jeopardy" opinion regarding both leatherback and loggerhead turtles.

There is no reason to doubt that the California high seas longline fishery is not responsible for nearly identical interactions as that of the HI swordfish longline fishery. Due to the lack of an observer program, no information on the survival rate of discarded finfish in this fishery is available.

#### **California/Oregon drift gillnet fishery**

The California/Oregon drift gillnet fishery for swordfish currently operates within the west coast 200 mile exclusive economic zone (EEZ). Following legal actions filed last year by environmental organizations, a new biological opinion was issued that again is a "jeopardy" opinion for leatherback and loggerhead turtles.

The National Marine Fisheries Service (NMFS) has responded by establishing a time and area closure for the critically endangered leatherback sea turtle off northern California and Oregon. However, in light of the jeopardy opinion, and the cumulative impacts of other fisheries already discussed, and the fact that a time and area closure is based on very little data (only 2 satellite tagged leatherback turtles), we believe the actions taken to date to regulate this fishery are inadequate. The area closed is too small. By NMFS' own estimate, this closure would still allow a mortality rate of leatherback sea turtles that is likely to continue to jeopardize their survival and recovery. Finfish discards are also of concern because 15-20% of the albacore caught in this fishery are discarded dead. Blue sharks are not a targeted species, and are not retained in this fishery. Yet they suffer the largest mortality rate, 55% of those caught were discarded dead last year.

We are concerned that the present 20% observer coverage this fishery now enjoys, which we believe is too low to adequately monitor the activities of these vessels, may be further reduced in order to provide observers for other fisheries. We are opposed to this and believe a significant observer program must be developed for all the fisheries discussed here.

#### **California tuna gillnet fishery**

The California tuna gillnet fishery is a recent phenomenon that uses 6-7" mesh drift gillnets in offshore waters, apparently targeting the same areas that the California/Oregon drift gillnet swordfish fishery (which uses at least 14" mesh) does. Despite major similarities with the federally managed swordfish fishery, this tuna fishery, which is targeting albacore and bluefin, and landing mostly albacore, is presently managed exclusively by the state, and presently has no observer program. Nets of this size mesh are known to cause mortalities of protected species, based on a DFG study, 1983-89, of the white seabass gillnet fishery. This same DFG study also recorded a 52% discard mortality rate for finfish in gillnets of this size. This fishery, as well as the California state-managed set gillnet fishery for halibut and white sea bass, have no current observer program.

#### **Proposed EEZ longline fishery**

The proposals in the draft HMSFMP, to establish a pelagic longline fishery in the EEZ, are completely unacceptable in light of the havoc longline fisheries are already known to be causing to ESA protected species throughout the Pacific. Such a fishery is likely to interact with the same populations of sea turtles already jeopardized by current levels of commercial fisheries. If such a fishery is permitted, it would require a re-evaluation of the biological opinions for all the fisheries discussed here due to the additional cumulative impacts it would bring to ESA listed species.

In conclusion, we recommend the final draft HMSFMP options incorporate following:

1. the new HMSFMP seriously evaluate the cumulative impacts of all its fisheries on protected species and reduce those impacts significantly;
2. all fisheries implement a 100% observer coverage plan in order to effectively assess impacts on protected species, as well as other non-targeted finfish species;
3. various gillnet fisheries be regulated and permitted in a coherent manner that does not allow fishers to avoid certain protective regulations by changing its so-called "intended target species";
4. no new EEZ longline fishery be allowed.

Thank you for your consideration.

Todd Steiner, Director, Sea Turtle Restoration Project (STRP)  
Bob Strickland, President, United Anglers of California (UAC)  
Bill Shedd, President, American Fishing Tackle Company, Inc. (AFTCO)  
Tom Raftican, President, United Anglers of Southern California (UASC)  
Randy Fry, President, Nearshore Chapter, UASC  
Jim Donofrio, Executive Director, Recreational Fishing Alliance (RFA)  
Red Bartley, Chairman, Northern California RFA; President, California Striped Bass Association (CSBA)  
Marlin Club of San Diego (MCSD)  
Doug Olander, Editor-in-Chief, Sport Fishing Magazine  
John Beuttler, California Sportfishing Protection Alliance (CSPA)  
Brendan Cummings, Center for Biological Diversity (CBD)  
Mike Nussman, President, American Sportfishing Association (ASA)  
Bob Hoose, President, Balboa Anglers Club (BAC)

