

F V S E E A D L E R
S T E V E N F O S M A R K

Agenda Item F.3.a
Attachment 1
June 2008

May 27, 2008

Mr. Donald Hansen, Chair PFMC
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

RE: EXEMPTED FISHING PERMIT – CHILIPEPPER ROCKFISH

Dear Mr. Donald Hansen:

The Pacific Council kindly approved my application to fish commercially for chilipepper rockfish using fly troll gear under an EFP in November 2007. Soon after the meeting, I became ill and was unable to fish due to the medical condition. Because my future was uncertain, I failed to arrange for an observer in a timely manner. Therefore, no trained observers were available. I write today to request your consideration for an extension of time to fish the EFP over the next two years 2009 - 2010.

May I also request your consideration of the use of cameras rather than an observer, if possible, to monitor the fishery. This fishery requires full retention and therefore all activity on deck can be observed if fish identification is possible through a scientist.



Sincerely,

Steven Fosmark
Owner – Operator

C: Mr. Rod McInnis, NMFS
Ms. Marija Vojkovich, CDFG

EXEMPTED FISHING PERMIT – CHILIPEPPER ROCKFISH

Request for an exempted fishing permit (EFP).

Project Title: Evaluation of an epibenthic trolled longline to selectively catch chilipepper rockfish (*Sebastes goodei*).

Date of Application: May 21, 2008

Applicant: Steven Fosmark
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Purpose and Goals

Chilipepper rockfish stocks on the west coast are considered healthy. However, because of weak stock management, the OY for this species cannot be taken. In 2006, chilipepper landings were 39.7 mt (<http://www.psmfc.org/pacfin/data/r001.p06>) of a 2000 mt OY. Area closures to protect overfished rockfish species have effectively closed access to this resource. *Italics are suggestions.*

The long-term objective of this project is to describe and evaluate the effectiveness of a species-selective longline technique, which if proven effective, will allow commercial fishermen access to chilipepper rockfish, a relatively abundant species of rockfish. This fishery is constrained by the current rockfish area closures (Rockfish Conservation Areas, RCA), implemented to protect overfished rockfish species. Despite the depressed condition of some west coast groundfish stocks, there are other stocks that remain healthy. These healthier stocks could safely sustain increased harvest levels if they could be fished more cleanly and without bycatch of more depleted stocks. If stronger stocks could be targeted without increasing fishing mortality on depressed stocks, the California commercial fishing fleet would have alternative fishing opportunities that would provide some economic relief to the industry while providing the public with a highly desirable product.

The objective of the research for which we are requesting an EFP would be to establish the performance characteristics of the gear and to rigorously document the catch and bycatch when deployed in areas where chilipepper are abundant and bycatch species are not, under commercial fishing conditions. The objectives would be: 1) to test the trolled gear and fishing strategy with vertical lines and artificial flies, and 2) determine Groundfish Fishing Areas that are abundant with chilipepper rockfish, and that correspond to low densities of overfished species. The second objective may better help to answer the question of how EFP results can potentially be translated into future fleet-wide fishing opportunities.

The location, gear characteristics (number of hooks, length of mainline, etc.), species composition, size distribution, and sex ratio (of chilipepper) of each set of gear will be recorded by onboard observers.

The EFP that we are requesting would allow up to three (3) vessels. Each would be limited to a bimonthly landing as established for 2008 to fish inside the current RCA using otherwise legal open access fixed gear. It is suggested limitations same as for fixed gear, and for bocaccio and widow, etc. Possible bimonthly limits for other than bocaccio. Suggest chilipepper limitation same as either open access, or trawl.

This EFP for chilipeppers is a mid-water project and will use a test line with a couple of hooks; prospecting is useful to avoid bocaccio. Prior to setting the gear, a test set will be made with vertical gear in which the gear is set vertically. This will be with no hooks closer than 3 fm of the bottom, based on acoustic soundings, to ensure that the target species is present and to minimize the chance of encountering any of the overfished rockfish species. Line will be an off-the-bottom longline with corks attached close to line, consisting of drop line, main line, and wire attached to a reel (see Diagrams 1-3, pp. 4-5). The gear will consist of a maximum of 500-750 hooks per set. Gear consists of open access troll fly and vertical hook and line gear that is set and fished in a unique way such that the hooks sink to near, but not hard on bottom

Once the test set establishes the presence of chilipepper rockfish, the gear will be deployed as follows: the vessel moves slowly ahead as the gear is deployed. The gear remains attached to the vessel at all times. Artificial “flies” are used in lieu of bait. The mainline consists of 200-600 lb. test monofilament, and may be spooled on a hydraulic drum. One end, with buoy and weight attached in such a way that the gear does not touch the bottom is sent overboard as the boat moves slowly ahead, and the remaining gear is deployed. The weighted buoy line length is adjusted in such a way that does not have bottom contact to reduce the likelihood of bycatch and to prevent the hooks from hanging up on bottom. Hooks are spaced approximately 18-30” apart on 12” monofilament gangions (approximately 60 lb test). Hooks are tied with artificial flies, and no bait is used. This gear is reported by the fisherman to selectively catch chilipepper rockfish when properly deployed (Steve Fosmark, Moss Landing, CA, F/V SeeAdler, Phone: 831-373-5238; cell phones: 831-601-4074; or Boat 831-601-7934 email: FVSeeAdler@aol.com).

The research would be conducted off central California (36 to 37.50 degrees), at depths of approximately 80-120 fm (chilis tend to get smaller in size and schools are thinner in shallow depths), in areas with canyon edges and walls, smooth hard bottom, with no rocks (example: canyon south of Año Nuevo). This depth range is currently within the RCA established to protect overfished rockfish species.

To ensure that this experimental fishery has a minimal impact on overfished rockfish species, we will use GMT - determined caps on the fishery for the following: [*Suggested preliminary caps for overfished species*]

Widow rockfish: *GMT determined* [1,440 lb (*0.7 mt*) annual cap calculated as a maximum 3% by weight of expected chilipepper take]

Bocaccio: *GMT determined* [7,200 lb (*3.3 mt*) annual cap calculated as a maximum 15% by weight of expected chilipepper take]

Canary: *GMT determined* [20 fish annual cap]
Cowcod: *GMT determined* annual cap [at least 3 fish]
Yelloweye: *GMT determined* annual cap [at least 3 fish]
Darkblotched: *GMT determined* [50 lb bimonthly per vessel cap, 0.4mt annual cap for all vessels]

All species will be retained. Catch of species other than the above are expected to be uncommon although some yellowtail and perhaps other rockfish may be encountered in small numbers. The above caps would apply for each vessel during the two-month cumulative period for the entire EFP and attaining the annual caps for any one species would terminate the EFP for all vessels.

Although the caps specified above are simply recommendations, which we realize may be modified, we provide the above catch levels to illustrate the maximum potential bycatch of overfished species that could be realized under these caps with the present landing limits in place. We anticipate that fishing as described in this EFP will not be constrained by these caps.

Chilipepper rockfish caught under this EFP will be retained and sold by the permitted vessel. Although we have calculated the maximum weight of overfished rockfish that could be caught under the suggested caps, we believe this fishery will not be constrained by these caps and will have a smaller bycatch than indicated above.

The initial duration of this EFP is for one year. However, if the results of this experiment are successful, we would request that the EFP be extended.

This EFP will incorporate a standardized data collection and reporting format coordinated by the California Department of Fish and Game and the NMFS Northwest Fisheries Science Center. Under the terms of this EFP, all vessels participating in this EFP fishery each will carry an observer with the cost of observer coverage borne by the EFP participants. The observer will record all fish caught and ensure that bycatch caps are not exceeded. Vessel captains will keep records of catch by species by set for all sets under this EFP. As it is possible that the catch and bycatch will change seasonally, we expect participants to fish year round (or in each month that the fishery is permitted).

The applicant and the scientist will be responsible for data analysis. Data analysis will consist of statistical analysis of catch and bycatch of all species by set, trip, and month. Catch rates will be expressed as catch per hook, per set, per day, and per trip. Value of the catch will be recorded following sale of the catch. The final report will provide an estimate of fishing effort and total catch; absolute and relative species composition summarized by set, trip, and month; size composition of catch and bycatch; and sex ratio and stage of maturity for chilipepper.

Vessels to participate in this EFP fishery will be chosen on their ability to accommodate an observer, their willingness to maintain detailed catch data and their willingness to fish during the time when fish are available.

Areas to be selected for high-density target species will be between 37.20 degrees (Pigeon Point) and 36 degrees (Point Lopez). Other areas may be selected as needed.

Equipment needed:

Hydraulic reel, 1000 feet of conveyor belting or reel with wide runner, fly-hooks, line, wire, snaps, small buoys, one large buoy, 3 and 5 lb. weights, fish finder, fathometer, or sonar.

Description:

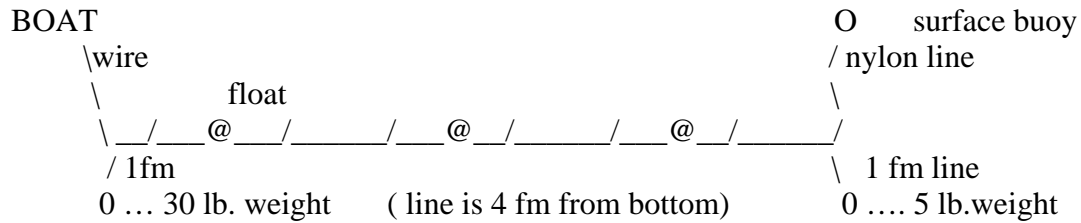
500 to 750 hooks are needed for three or four sets in the morning and afternoon; 1,000 would be the best as the sets are limited.

Design:

Determine depth: if 90 fm deep, use 85 fm of drop line, deployed first and 5 pound weight at the end with attached long line to drop line 1 fm above weight. Buoy attached to line at surface to sustain depth. If long line is 1,000 feet, 750 leaders and hooks with small floats attached to long line between leaders. Floats have short lines and are attached to the long line with short tethers.

Time to fish is short. During the day chilipepper come off the bottom and once they are mid-water one cannot catch them by this method. Therefore the morning and evening are the best times. Otherwise sonar is needed.

Diagram 1.



Line is 1,000 feet long and weight is 3 fm from bottom and 1 fm to where it attaches to provide control. The long line then is 4 fm from the bottom. When the line reacts to bites, take the boat out of gear and the line will float between floats and fish will climb the line to the floats as they do with vertical gear on up and as line is pulled, line rises to the surface. Boat must then be going ahead while pulled to keep the fish on. The tail drop line remains at 85 fathoms. As the boat moves forward the drop line moves close to the end of the boat tight and fish continue to climb the line. As the line is towed in, fish stay in area of line where school is thicker, (pull through spot of fish). As line is pulled on board it becomes vertical.

Diagram 2. Retrieved

Pulled aboard vessel the line becomes vertical. Buoy holds line and weight above floor.

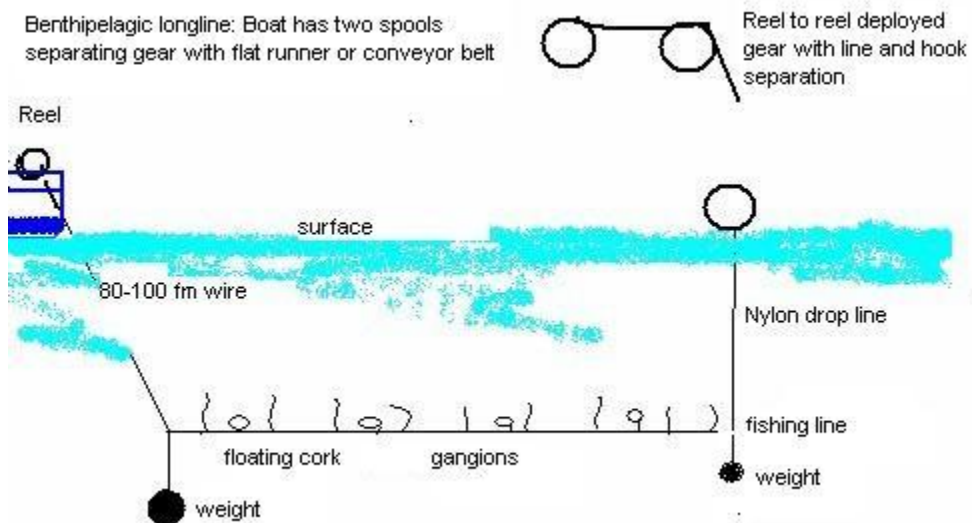
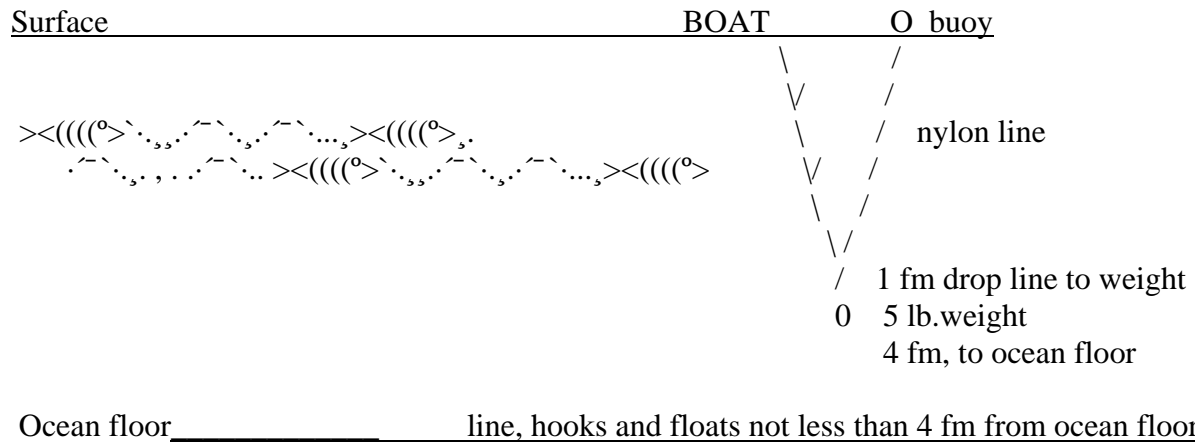


Diagram 3. Deploy: Midwater Longline Fly Fishery.

Reel to reel deployed over belt. Forward reel has coiled line gear over a conveyor belt and is deployed over stern by a powered stern reel. Conveyor belt is coiled from the forward reel over a stern reel and line spools off into water. Pull line back with powered forward reel by rolling line and conveyor belt onto forward reel. Line revolves over stern reel with belt onto forward reel, the conveyor belt is moving with it. Line is never coiled onto stern reel, only over the conveyor belt. The line always goes from water over the stern reel, and coiled back onto the forward reel. Belt acts as a protection from entanglement for gear separation. Stern reel acts as a roller to hold coiled belt.