

## **Technical Consultation with Canada on the U.S.-Albacore Treaty**

November 20, 2000

The United States and Canada held a technical consultation on the U.S.-Canada Albacore Treaty on November 20, 2000, in Seattle, Washington. Rebecca Lent, National Marine Fisheries Service (NMFS) Southwest Region Administrator, led the U.S. delegation, which included representatives from NMFS, PSMFC, the U.S. Coast Guard, and the Department of State. The Canadian delegation, comprised of representatives of the Department of Fisheries and Oceans (DFO) and the Department of Foreign Affairs and International Trade, was headed by Sandy Argue, Advisor, International/Intergovernmental Affairs Operations Branch (Vancouver), DFO.

Agenda items for the consultation included requirements under Annex A of the Treaty, an exchange of data on the fisheries for the past 10 years (to the extent available), Treaty enforcement issues, and information about the status of albacore fisheries management in each nation.

The review of available fisheries data confirmed a significant increase in Canadian vessels' fishing effort in the U.S. EEZ over the past five years. In response to this data, the U.S. side voiced concerns about crowding and potential gear conflicts, and suggested that it might be reasonable to find some way to limit Canadian effort in U.S. waters beginning in 2001. The data review also revealed gaps in information about catch and effort in each other's waters under the Treaty.

A U.S. Coast Guard report on the 2000 season revealed no observed violations of the Treaty provisions by Canadian vessels in U.S. waters. U.S. Coast Guard and Canadian DFO enforcement officials agreed to report any observed violations of the Treaty to the other party for enforcement action. There was some discussion of replacing the Treaty requirement to display the vessel's radio call sign with another more appropriate designation, but no agreement was reached. The United States announced that it will seek to implement in 2001 a "check-in/check-out" reporting requirement for Canadian vessels in U.S. waters.

Both parties have announced "control dates" that may be used in establishing limited entry for the albacore fisheries in their respective waters, and are both developing fishery management plans for albacore fishing (in the United States, the Pacific Council is preparing a fishery management plan for highly migratory species fisheries, including albacore). In this context, both parties also recognized that the emergence of international highly migratory fisheries management organizations might affect how the

troll albacore fisheries are limited in the future, and that it would be important for all the north Pacific fishing nations to work together to prevent overfishing of the stock.

The United States and Canada agreed that more resources need to be directed to data collection and exchange under the Treaty and to management of the fisheries to make sure that albacore resources are sustained for the benefit of the fisheries. The parties agreed to the following further steps:

- To hold further technical discussions to refine data collection and exchange under the Treaty;
- To compile and exchange all national regulations relevant to the troll albacore fisheries and to make them available to the industry;
- To keep each other informed about progress in developing fishery management plans for the albacore fisheries; and
- To hold a meeting in the near future to discuss fishery management concerns.

In addition, the U.S. side will provide Canada with information about a cost-earnings study of the albacore fleet that will be initiated this year.

Svein Fougner, NMFS Southwest Region, will maintain communications with industry representatives and keep them advised as actions are taken or new issues arise.

## INTERNATIONAL HIGHLY MIGRATORY SPECIES DISCUSSIONS AND ACTIONS

Situation: The Council is developing a fishery management plan (FMP) for highly migratory species (HMS) fisheries in waters under the jurisdiction of the Council. The FMP will need to recognize the international context of HMS management and the extent to which international management may affect the domestic fisheries included in the FMP. NMFS will briefly report on recent international developments relevant to HMS fisheries and the issues the Council should be cognizant of as development of the FMP continues.

### **Council Action: Discussion.**

#### Reference Materials:

1. Exhibit E.1.a, NMFS Report.

PFMC  
02/19/01



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Southwest Region  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4213

Mr. Jim Lone, Chairman  
Pacific Fishery Management Council  
2130 SW Fifth Avenue, Suite 224  
Portland, Oregon 97201

RECEIVED

MAR 2 2001

DEPT

Dear Jim,

At the March meeting, the Pacific Fishery Management Council (Council) will have its first opportunity to review the draft fishery management plan for highly migratory species fisheries (HMSFMP) and the initial analysis of the management issues in those fisheries. I believe it is important that the National Marine Fisheries Service (NMFS) provide updated information on recent domestic HMS fisheries management that will set the stage for the team presentation on the draft FMP and subsequent Council consideration of options for the FMP, including how to proceed with the FMP.

When the decision was made to develop the FMP, there was no clear and pressing need for consideration of management measures that would immediately go into effect. It was envisioned that the FMP could include some reporting requirements and perhaps some changes in permit requirements, and it would almost certainly establish framework procedures for implementing regulations in the future if new information or conditions warranted it. The FMP also could conceivably incorporate under Magnuson-Stevens Act authority a variety of HMS fishery management regulations currently in effect under other Federal law or State laws and regulations. However, the legal and programmatic environment for the FMP has changed substantially as a result of two (and maybe three) factors:

1. Drift Gillnet Fishery Management - This fishery is managed under a mix of State laws (time/area closures, limited entry, mesh size, logbooks) and Federal regulations (net depth, pingers, observers) under the Marine Mammal Protection Act. As a result of a new Section 7 consultation under the Endangered Species Act (ESA), NMFS is requiring that new restrictions be imposed on the fishery by August 2001. NMFS will promulgate these regulations by that time under the authority of the ESA. However, I would urge the Council to be sure that the draft FMP, when cleared for public review and comment, include an alternative under which the drift gillnet fishery would be managed through the FMP rather than under the anticipated mix of State laws and regulations and Federal regulations under the MMPA and ESA. Consolidating the management program under a single authority should greatly simplify the ability of fishers and managers to adjust to changing conditions in the future.



In addition, the changes being required under the ESA will likely make it very difficult for some fishers to maintain profitable operations. This adds to the feeling on the fleet's part that there should be some form of relief, and a proposal has been made to allow the vessels to fish with longline gear subject to a variety of restrictions, possibly including an experimental fishery process. This is a very contentious proposal, but the drift net fleet owners definitely want the Council to address it in the FMP process. I would strongly encourage that the plan include a full evaluation of the pros and cons of allowing longline fishing in the EEZ so that the final decision can be based on that evaluation.

2. Hawaii Longline Fishery Restrictions - As a result of court actions, a number of restrictive regulations have been promulgated for the Hawaii-based longline fishery. In addition, NMFS prepared and distributed for public comment and hearings a Draft Environmental Impact Statement (DEIS) that reviewed the history and performance of that fishery and analyzed several alternatives for management of the fishery. I believe the Council has received a copy of that DEIS. While final action has not yet been taken, the preferred alternative would further constrain the fishery, including prohibiting a fishing strategy that targets swordfish and setting time/area closures for the fishery. NMFS also is completing a Section 7 consultation to determine if the fishery jeopardizes the continued existence of any species of sea turtle and if conditions should be set for the fishery to ensure that there will be no jeopardy and to mitigate or reduce the potential for interactions. NMFS recognizes that longline fishing in the EEZ, or on the high seas seaward of the EEZ, off the West Coast might not have the exact same impacts on fish and protected species as longlining out of Hawaii. However, NMFS also believes it would be inappropriate to allow fishing by vessels out of the West Coast in times and areas that would be closed to vessels out of Hawaii or using strategies that would not be available to Hawaii-based vessels until further information is available to indicate that the impacts would be different. At the least, the draft FMP should include an alternative that would establish the same measures for West Coast-based longliners as for Hawaii-based longliners. This also would include provisions to minimize interactions with seabirds and to authorize the Regional Administrator to require that observer accommodations be made and to require the use of automated vessel monitoring system units at vessel expense.

3. U.S.-Canada Albacore Treaty - During the scoping process for the FMP, there was sufficient force of recommendations from the public that the Council established a control date for possible use in setting up a limited entry program in the future. Most of the interest came from the troll albacore fishery which is concerned that further restrictions in other fisheries (especially groundfish) might result in vessels shifting into the albacore fishery, possibly adversely affecting present participants and exacerbating marketing problems that have sometimes occurred when catches are too high and markets are flooded with landings. Also of concern was that additional effort could result in lower catch rates for historic participants. A more recent concern, however, is that there has been a dramatic increase in the participation of Canadian vessels in U.S. waters under the Treaty, so much so that the Western Fishboat Owners Association has promoted suspension of the Treaty unless the Canadians agree to some limit on their vessels' fishing in U.S. waters. We have now scheduled a negotiating session with Canadian authorities April 10-11, 2001, in Seattle, to discuss changes in Annex A to the Treaty under which there would be a process for annually determining fleet or fishing limits and to discuss potential limits in 2001.

In discussing the matter with NOAA General Counsel and industry, we have identified a broader issue. That is, there is no statute to implement the Albacore Treaty; thus, there is no statute authorizing NMFS (or anyone else) to issue regulations to carry out the Treaty. Before we can propose legislation, however, we need to consider and agree on how the FMP and Treaty interrelate. We need to consider what kinds of measures would best be handled by different agencies and through different procedures. We will be discussing with industry and General Counsel the manner in which different possible future fishery management measures might be carried out under the FMP or under the Albacore Treaty, or even under laws implementing other future international management agreements (e.g., IATTC). For example, if there were a total allowable catch of north Pacific albacore with an allocation to the U.S., the internal allocation between sectors could be done through the Council as with Pacific halibut; or it could be done by the Secretary of Commerce in consultation with the Council and the member States. Please be assured that the Council will be involved in the discussions. With respect to the FMP, we have no immediate recommendations, but we will be working with the plan team and your staff to provide some alternatives for discussion in the draft.

One consequence of the changes in circumstances is that the Council will likely have to address with immediate HMS fishery management regulation issues in final action on the FMP later this year. It will probably not be sufficient to simply leave in place existing State or Federal regulations (under other authorities) or simply defer to State regulations. NMFS is aware that this means more time will be needed to compile information and analyze the options for management. Indeed, it is recognized that there is a lack of information to support some analyses, especially with respect to consideration of the impacts of allowing the West Coast based longline fishery to be active in the EEZ while at the same time restricting its activities on the high seas.

The Southwest Region also is aware that the increasing pressure to immediately establish management measures increases the need for Council resources to be directed to HMS fishery management and related issues. The need for complete NEPA analysis is clearly a critical issue. We will do everything we can to support the Council in this process, and we are looking to the possibility of a supplemental cooperative agreement under which the Council would administer the plan development process (e.g., team and advisors' travel, printing, and other logistics). This could be in addition to NMFS funds that might be provided to the Council to assist in meeting NEPA analytical requirements generally. I am optimistic this can be achieved fairly soon.

Finally, I want to acknowledge that the Council has participated in past discussions with NMFS and other Pacific area fishery management councils about the need for coordination of management. The issues noted with respect to the longline fishery testify to the need for that coordination. In that respect, I have had informal discussions with Western Pacific Fishery Management Council members and staff and I am optimistic that we can arrange to resume discussions in the near future. I believe the draft FMP will provide a catalyst to launch discussions. I will work with you and your Executive Director to see when discussions might resume.

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In summary, I appreciate the Council's dedication to developing a solid and comprehensive HMS FMP and pledge the Agency's support in that process. The Southwest Region views this as one of the Council's most complex fisheries with serious management issues and we are committed to helping establish a sound management framework to conserve the species to the extent practicable and to maintain or enhance the fisheries on these species.

Sincerely,



Rebecca Lent, Ph.D.  
Regional Administrator

cc:

F/SWC - Tillman  
GCSW - Feder  
F/NWR - Robinson  
GCNW - Cooney  
WPFMC-Simonds  
NPFMC-Oliver

## HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL COMMENTS ON FIRST DRAFT OF THE HMS FISHERY MANAGEMENT PLAN

The Highly Migratory Species Advisory Subpanel (HMSAS) and the Highly Migratory Species Plan Development Team (HMSPDT) met jointly on March 6-7 to discuss the partial draft of the highly migratory species (HMS) fishery management plan (FMP). While the HMSAS generally agreed that the HMSPDT had done an admirable job preparing this early draft, there were areas that needed substantial revisions. The HMSAS made suggestions to the HMSPDT for revisions and omissions to the FMP, but did not make any recommendations for preferred alternatives due to the very preliminary nature of the text. For the most part, these changes were agreed to by mutual consent, and the HMSPDT agreed to work with the HMSAS members on the revisions.

Recommendations for the Council's consideration proposed and discussed during the meeting included:

- An option to recognize the importance of providing recreational fishing opportunities as one of the management objectives was discussed, but no agreement was reached. There was concern expressed that adding this management objective would disturb the balance between recreational and commercial interests in the objectives.
- A definition was needed for both "user conflict" and "gear conflict".
- The options "status/quo" and "federalize existing regulations" be added to every set of management alternatives.
- Include a matrix summarizing each set of management alternatives and a brief analysis of their relationship to the evaluation factors. This would not replace detailed text describing the full analysis of each alternative, but would serve to organize Chapter 8 and make it easier to read.
- Remove the option to permit the sale of recreationally caught fish.
- The HMSAS voted 7 to 2 against including an option to set quotas/harvest levels for each of the management unit species with the adoption of the FMP.

Other issues discussed:

The HMSAS recommends that the Council notify panel members who have missed two or more meetings per calendar year (without providing an alternate) and determine their intent to serve.

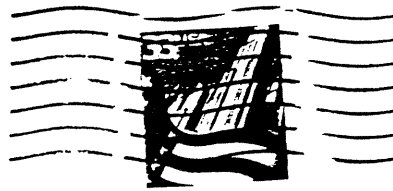
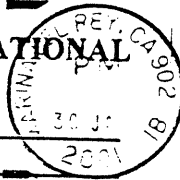
The HMSAS is concerned that there be adequate funding for the development and administration of the plan and asks the Council to encourage NMFS to continue funding.

Finally, because of the broad nature and scope of the suggested changes to the FMP, the HMSAS recommends that the next draft be presented to the Council at the June meeting.

PPMC  
03/08/01



CONCERNED RECREATIONAL  
FISHERMAN



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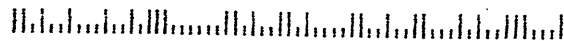
James H. Lone, Chairman  
Pacific Fishery Management Council  
2130 S.W. Fifth Ave., Suite 224  
Portland, OR 97201

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FEB 02 2001

PERM

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Dear Director Treanor,

I'm a member of the salt-water recreational fishing community and I'm extremely concerned that the Pacific Fishery Management Council is considering a proposal to allow drift longlines in the Pacific.

The science surrounding this gear is clear – marine mammal interaction is inevitable, as is by-catch of juvenile and unmarketable species, including endangered sea turtles, pilot whales, marlin, and sea birds. To introduce this fishing practice to the waters of the West Coast would be reckless.

The U.S. Senate and the House of Representatives have both recognized longlines for the "dirty" gear they are – and are addressing the reduction of this gear through the legislative process. Drift longlines and drift gill nets have no place in sustainable and historical fisheries.

I urge you to remove driftnets from the water – but do not replace them with an unsustainable longline industry.

(Please Print)

Sincerely,



RANDALL S DUNCAN  
10425 PINYON AVE  
TUCUMCACA CA 96042

Signature

**I FISH I VOTE**



NoCaliforniaLongliners.com



Chairman James H. Lone  
Pacific Fishery Management Council  
2130 SW Fifth Ave Ste 224  
Portland, OR 97201

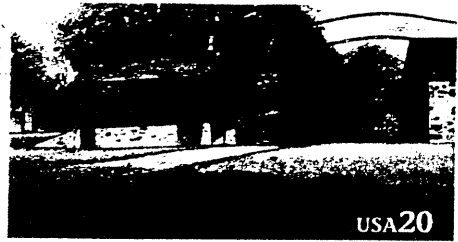
NOV 16 2000



Mr. Lone

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DON PRAZART  
Print  
Signature Date 1/14/01



James P. Rone  
Sauter Fishery Mgmt  
2130 S.W. 5th Ave #224  
Bristol OR 97201

Sir

Please do not allow  
Longline fishing . . .

RECEIVED

NOV 7 2000

Leonard P. Jones M.D.  
410 E. Clearcut  
Newport Beach CA  
92661

Bob DeJean  
408 Brook Glen Place  
Richardson, TX 75080

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FEB 05 2001  
PFMC

January 27, 2001

Dr. Don McIsaac, Executive Director  
Pacific Fishery Management Council  
2130 SW Fifth Ave. # 224  
Portland, OR 97201

REF: LONG LINES & GILL NETS

Dear Dr. McIssac:

Please do all you can do to protect the viability of, as well as increase the populations of, all marine life, especially billfish and turtles. We in America must be a leader in the world communities in preservation and management of all marine resources.

It would be a mistake to continue gill netting and to increase long lines, as both are indiscriminate in their bycatch, ( bykill or bywaste). Please resist the pressure from one industry's immediate and short-sighted self-interest and help protect and manage our resources, not only for our generation, but also for our children, their children and so on.

Thank you in advance for your consideration and action to greatly decrease both gill netting and long lines.

Sincerely,

  
Bob DeJean



5948 Warner Avenue  
Huntington Beach, CA 92649  
714 840-0227 TEL  
714 840-3146 FAX

FEB 13 2001

February 5, 2001

Mr. James H. Lone, Chairman  
Pacific Fishery Management Council  
2130 SW Fifth Avenue, Suite 224  
Portland, Oregon 97201

Dear Mr. Lone:

United Anglers of Southern California is the largest association dedicated to restoring California's fisheries and marine habitat. We are concerned about the Council's lack of effort in achieving the required balance between commercial and recreational interests in the proposed Highly Migratory Species (HMS) Fishery Management Plan(FMP).

Recently, members of the HMS Plan Development Team (PDT) characterized the lack of recreational data as a "gaping hole" in the HMS FMP. We agree. We have three areas that are of prime concern. First, the Plan lacks historical background information on recreational angling for HMS species in spite of the fact that a wealth of information already exists. Southern California holds a singular honor as the birthplace for HMS Sport fishing in the world. The Avalon Tuna Club has records that date back to the 19<sup>th</sup> century for HMS fish caught throughout the Southern California Bight. Many other California club records stretch back nearly as long. This information should be included within the plan.

Our second area of concern is the lack of economic analysis for the recreational angling data. Utilizing existing sources of information such as the University of California study: "Commercial and Recreational Fishing in California - Their impact on the state economy" ( Bruce McWilliams, 1994) would show a clear and necessary picture of recreational angling. To date, the Council has allocated over \$200,000 for commercial studies and \$0 for recreational analysis. It is also interesting to note that according to the aforementioned study of fishing's \$5.7 Billion dollar impact to California, the recreational sector contributed \$ 5 Billion and the commercial sector some \$700 million. We see a tremendous disparity in effort and allocation, obviously not based on the value of the fishery. This lack

of effort is clearly not the intent of the Magnuson-Stevens Fishery Conservation and Management Act.

Our third area of concern is the lack of current recreational data related to the Tuna, Shark and Billfish communities. These are separate and distinct communities and yet beyond billfish, there has been little effort to collect the data necessary to assess and manage these fisheries. This data is currently available through clubs and publications.

We agree that while this information exists, extracting it and putting it in a workable format presents a substantial challenge. UASC has agreed to help the PDT compiling information from within the angling clubs and communities. Our concern however is that the recreational angler is again treated like the poor stepchild and our fisheries will suffer accordingly. This is clearly not the law.

Highly migratory species comprise an important resource for anglers along the West Coast, and particularly in Southern California. We want to assure that these resources are managed for healthy stock abundance and recreational angling opportunities. We believe that it is incumbent on the Council to balance the equation between recreational and commercial participants in this fishery.

We would further ask that you address these challenges during the coming March PPMC meeting so that the HMS Plan can proceed on schedule.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom R." followed by a stylized flourish.

Tom Raftican  
President, United Anglers of Southern California

cc Dr. Rebecca Lent,  
Regional Administrator, National Marine Fisheries Service

RECEIVED

Don McIsaac, Director PFMC  
2130 SW Fifth Ave., Suite 224  
Portland, Oregon 97201

JAN 22 2001

1-15-01

Doug Fricke, HMS A/P Member  
110 Valley Road  
Hoquiam, Wa 98550

Revisions were distributed  
to PDT via E-mail  
on 1-15-01. JHF

This letter is to document the requested revisions to the Draft HMS FMP that was presented to the HMS A/P for review on Jan. 8 to Jan 10. Most of the included requested revisions were discussed with the PDT and I want to compliment the PDT for the open discussion time that occurred during the joint A/P PDT meeting. The PDT made some "Plan" organizational after we left the meeting and these revisions refer to "draft Plan" on the days of Jan 8 to Jan 10.

Paragraph 1.0 - Paragraph 3 needs better explanation of how FMP can achieve OY of HMS when this plan will only cover EEZ off of Wa, Or, and Ca. Also, how will FMP control WA, OR, and Ca vessels inside and outside of EEZ as well as how FMP will control vessels from outside PFMC home ports particularly when vessels from PFMC area are competing with non PFMC area vessels on the high seas.

Paragraph 1.5.1 - Sentence one needs a better explanation of how FMP will dictate laws that control PFMC based vessels in relation to vessels from other ports outside our PFMC area and foreign based vessels. Will PFMC based vessels be disadvantaged when harvesting outside the PFMC EEZ? Will vessels based outside PFMC area be allowed to land in PFMC ports under different rules than PFMC based vessels?

Paragraph 1.7, B,3.- The last part of the sentence should change to "...limited entry systems may be established". Remove reference to ITQ and "should" as that is only one option of limited entry.

Paragraph 1.7,B, 4 - This paragraph should be removed as it is very subjective particularly with a definition of waste.

Paragraph 2.2.1 - The second line in paragraph two should have the following words added, "... fresh fish trade which is a significant income source to the vessels involved in the fresh fish trade.

Paragraph 2.2.1 - The reference to the number of landings needs more clarification so a reader will know how many different vessels landed as well as the total landings. Also, information on the Canadian effort and landings should be identified to give the reader a better picture of the US and Canadian fleet impacts.

Tables 2.2 - Tables that identified the number of US and Canadian vessels delivering in each state and coast wide for the last ten years would be helpful.

Paragraph 2.2.1.1.1 - Add the following sentence to paragraph 5 (last paragraph). “ Most Washington ports have fishermen selling albacore tuna directly to the public which is small in volume, but critically important to the financial survival of the participating fishermen.

Paragraph 2.2.7.1,-2.2.7.2,- Words will be added that explains the different characteristics of the HMS Charter and HMS Sport fisheries off of the Coast of Washington.

Paragraph 2.6- Needs to be rewritten with the inclusion of the Canadian impacts in the PFMC EEZ demonstrated.

Paragraph 2.6.5.1- Paragraph needs to be rewritten where the inclusion of the updated Canadian impacts in the PFMC EEZ and the High Seas competition is demonstrated.

Paragraph 3.3.1, Albacore Tuna - Paragraph 7 should identify estimate US/Canadian catch percentages overall and in US PFMC EEZ.

Paragraph 5.1.2- Paragraph one needs a clarification on using crab and shrimp delivery permits to land HMS.

Paragraph 6.1- Needs another bullet on the problem with the expanding Canadian fleet participation in the PFMC EEZ.

Paragraph 6.2- Needs another bullet that insures that PFMC vessels are not discriminated against compared to vessels home ported outside the PFMC area when fishing on common grounds.

Paragraph 8.1.4- Need to add an “evaluation factor” that analyzes the potential of discrimination between vessels based in the PFMC area and vessels from ports outside the PFMC area, both foreign and domestic.

Paragraph 8.2.1- Paragraph two needs 172W changed to 172E. Paragraph 3 needs the following sentences added. “A small % of the catch is sold to the public from vessels home ported along the coast. The revenue derived is very important to the economic survival of the fishermen that pursue this activity.” Paragraph 5 needs the part about the Canadian effort updated and the wording “as a sink for excess effort” is not clear to someone not familiar to the current situation.

Paragraph 8.2.2, Option 2- This Option needs the words “other than licensing” added to the end of the sentence. Option 4 should be eliminated.

Paragraph 8.2.3- Option one needs to be totally rewritten as it is based on the false premises that the US effort will increase in the future when in fact the US effort has decreased the last three years. Option 2, 9)- is the wrong analysis.



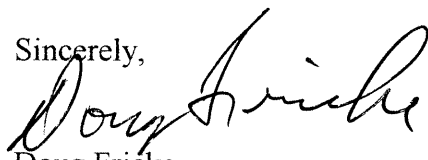
Paragraph 8.10.1, Surface Hook and Line (for albacore), Option 1- Please remove the following"(e.g. the short-tailed albatross)".

Paragraph 8.11, V BYCATCH, B. Troll Fishery 1- Suggest that sentence 3, 4, and 5 be replaced with the following: "...winter and spring. There may be a bycatch issue facing the fleet of economic discards. This occurs when some of the albacore they are catching are either too small to land or command a lower price because they are not large enough for normal price. They very occasionally catch other species of tunas which may be discarded."

Paragraph 8.11, V BYCATCH, b. Troll Fishery, 2.b.2.- To be consistent with other descriptions, please add the following sentence. "...the bycatch. Present information cannot identify consistent areas where bycatch occurs."

The last comment refers to a need to describe the distribution of the different species along the coast. Particularly the higher water temperatures in the "California Bite" and that many species such as sword fish, marlin, etc. are not found off the north coast because of the lower temperatures.. Also as we move north along the coast, the warmer water that HMS specie desire move off shore and therefore are not as accessible as southern California. I'm not sure where it goes in the FMP, and you can probably improve the wording, but hopefully you got the idea. This explanation will help readers of the plan to understand why the southern California sport, charter, and commercial fisheries are different from other areas of the coast

Sincerely,



Doug Fricke.

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JAN 12 2001

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January 2, 2001

From: Thomas W. Rayzor  
15177 MULLER RD.  
PLYMOUTH, CA 95669

To: Doctor Don McLsaac  
Executive Director  
Pacific Fishery Management Council  
2130 SW Fifth Ave #224  
Portland, OR 97201

Dear Doctor McLsaac:

I am a member of several recreational fishing groups and am writing you to express my opposition to opening up the Pacific Ocean to the use of commercial long line fishing. This is not a viable solution to reduce the by-catch caused by trawling and purse seines. If you will look at the model displayed by the Atlantic Coast long line commercial fleet I believe that the problems are obvious; not problems that we need to incur on the West Coast.

Thank you for considering my comments.

Sincerely,

*Tom Rayzor*

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JAN 08 2001

January 2, 2001

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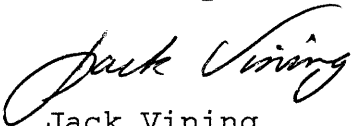
Doctor Don McLsaac  
Executive Director  
Pacific Fishery Management Council  
2130 SW Fifth Ave #224  
Portland, OR 97201

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Thank you for considering my comments.

Sincerely,



Jack Vining  
18101 Red Mule Road  
Fiddletown, CA 95629

cc: file

11/13/00

James H. Lone, Chairman, Pacific Fishery Management Council,  
2130 SW Fifth Ave Ste 224,  
Portland OR 97201

NOV 20 2000

Dear James H. Lone,

I'm a member of the salt-water recreational fishing community and I'm extremely concerned that the Pacific Fishery Management Council is considering a proposal to allow drift longlines in the Pacific.

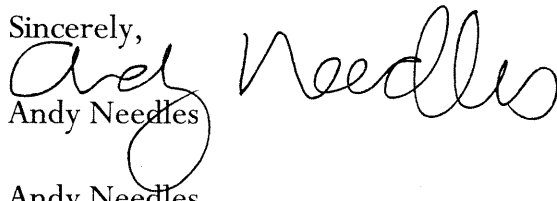
The science surrounding this gear is clear – marine mammal interaction is inevitable, as is by-catch of juvenile and unmarketable species, including endangered sea turtles, pilot whales, marlin and sea birds. To introduce this fishing practice to the waters of the West Coast would be reckless.

The U.S. Senate and the House of Representatives have both recognized longlines for the "dirty" gear they are – and are addressing the reduction of this gear through the legislative process. Drift longlines and drift gill nets have no place in sustainable and historical fisheries.

I urge you to remove driftnets from the water – but do not replace them with an unsustainable longline industry.

Sincerely,

Andy Needles



Andy Needles

9380 Dover Cyn. Rd.

Paso Robles CA 93446

# MILLER INVESTMENTS LLC

MICHAEL & EDITH MILLER

# Fax

**To:** Dr Donald O. McIsaac, Executive Director

**Of:** Pacific Fishery Management Council

**Fax:** 503-326-6831

**Pages:** 1, including this cover sheet.

**Date:** November 9, 2000

NOV 10 2000

PFMC

Dear Doctor McIsaac,

It has come to my attention that the California Coast is undergoing discussions regarding Long Lines and the approval or disapproval of the same. From a fisherman's standpoint there is no discussion. Stop the Long Lines and the fishing will improve dramatically. Just look at what has happened off the coast of Florida for an example. Once the Long Lines were stopped there the fishing came back almost immediately. Not doubt the result of stopping the Long Lines. As a former resident of California and a die hard Fisherman I urge you to stop the use of Long Lines off the Coast of California. The catch from the Long Lines can be duplicated for the commercial fleet further off the coast and the fishing will improve for the fisherman close to shore where they can reach the fish.



GRAVES, ROBERSON & BOURASSA

ATTORNEYS AT LAW

SUITE 100

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DALE D. MANN

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FAX (714) 573-8496

SAN DIEGO OFFICE

SUITE 400

4370 LA JOLLA VILLAGE DRIVE

SAN DIEGO, CALIFORNIA 92122

(858) 546-4778

FAX (858) 546-9227

October 26, 2000

Dr. Donald O. McIsaac, Executive Director  
Pacific Fishery Management Council  
2130 Southwest 5<sup>th</sup> Avenue  
Portland, Oregon 97201

RECEIVED

NOV 7 2000

FBI

Dear Dr. McIsaac:

I am writing to you to express my strong opposition to permitting any type of longlines to operate off of the coast of California or for that matter off the western coast. California Department of Fish & Game biologist Greg Walls prepared an exhaustive report on longlining which clearly showed how destructive this fishing practice can be.

Already a Federal Judge has designated a large area of the ocean off limits to longline fisherman because of the bi-catch of endangered leatherback turtles. In addition, it is well known by everyone that the size and number of swordfish caught has fallen drastically.

I am currently a member of the Marine Reserve Working Group studying the establishment of no-take zones at the Channel Islands. This group is comprised of both conservationist and commercial fishing people who are working together to address the serious depletion of our ocean resources. It makes absolutely no sense with all of these conservation efforts ongoing for the Pacific Fishery Management Council to now permit some commercial fisherman to swap their drift gillnet permits for longline permits. I sincerely hope that you will not allow longlining off the shoreline of California or for that matter the entire west coast of the United States.

Thanks for taking the time to review this correspondence.

Very truly yours,

GRAVES, ROBERSON & BOURASSA

Stephen D. Roberson

October 24, 2000

RECEIVED

NOV 7 2000

James H. Lone, Chairman  
Pacific Fishery Management Council  
2130 S.W. Fifth Avenue, Suite 224  
Portland, OR 97201

Dear Chairman Lone:

I feel compelled to write this letter voicing my concerns over our (California's) fisheries. I am extremely concerned that the Pacific Fishery Management Council is considering a proposal to allow drift longlines in the Pacific. I am not a scientist, however, as an avid sportsfisherman I have experienced first hand the effects of drift gill nets, drift longlines and even over-fishing specific species of fish (such as black and white seabass) in our California Coastal Waters.

Our coastal waters are already being depleted by lack of conservation efforts. As a proponent of "catch and release", it is quite disheartening to hear the mention of possible drift longlines in our coastal waters. The efforts of limiting catch of sportsfisherman and the adoption by those for catch and release will be totally erased by any type of commercial drift longlines or gill nets.

The evidence is clear. Photographs of old provide those of us in the younger generation of the fisheries that once thrived in our waters. There is a local restaurant in the Pasadena area that bears old historic pictures of such fisheries. Pictures dating back to the turn of the century (1900's) to as recent of the 70's, scenes of men in suits and women in dresses standing next to monster fish. These fish (giant black seabass) were fished to near extinction before conservation efforts to save the species. I would like to believe that in those one hundred years we as a society have learned the effects of over-consumption. Please protect our fisheries now, not once we have realized the damage that has been done and irreversible. Thank you for your time.

Yours truly,



Allen S. Yee

2444 Sherwood Road  
San Marino, CA 91108

**Subject: Fwd:**

**Date:** Mon, 12 Feb 2001 08:03:58 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject:**

**Date:** Sun, 11 Feb 2001 20:29:28 -0800

**From:** "The Jessup's" <jessupsc@prodigy.net>

**To:** <pfmc.comments@noaa.gov>

I just read in Western Outdoors, a fishing magazine, that California may be considering allowing longline fishing to start up again. I am a sport fisherman and know longlining is not only bad for sport fishing, but longlining can also destroy all the fish in an area. I am apposed to any legislation that would allow commercial longlining.

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

Also what would this look like to Mexico, the USA convinces Mexico not to allow as many longline permits, then the USA starts issuing longline permits!

Paul Jessup

855 Calle Pluma

San Clemente Ca 92673



**Subject: Fwd: longliners**

**Date:** Mon, 20 Nov 2000 10:55:10 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: longliners**

**Date:** Fri, 17 Nov 2000 03:27:19 EST

**From:** Bodfish@aol.com

**To:** pfmc.comments@noaa.gov

Plain & simple NO LONGLINERS!!!!!!!!!!

**Subject: Fwd: Highly Migratory Species Act**

**Date:** Tue, 14 Nov 2000 14:51:09 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Highly Migratory Species Act**

**Date:** Tue, 14 Nov 2000 10:08:56 -0800

**From:** "Chris Hull" <chrshull@gte.net>

**To:** "Pacific Fisheries Management" <pfmc.comments@noaa.gov>

**CC:** "Dean Plant" <dgplant@earthlink.net>, "Steve Crook" <scrooke@dfg.ca.gov>, "Bobby fletcher" <dart@sacemup.org>, "Robert Hight" <rhight@dfg.ca.gov>

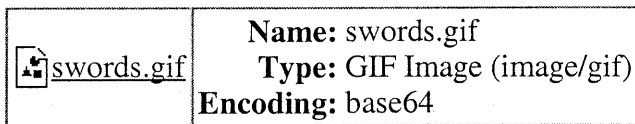
Gentlemen;

I understand that you are considering recommendations for the Highly Migratory Species Act. I understand that it is possible that large numbers of long line fishing permits may be authorized in the waters of the western United States as a result of your recommendations. I believe that these permits should **not** be authorized for the following reasons:

1. The current harpoon fishery provides a good supply of swordfish at a reasonable price to our markets.
2. Increasing the number of long line permits will adversely impact the swordfish, tuna, marlin and shark resource in the eastern Pacific as it has in the Atlantic. Please see the attached files which graphs ICCAT data documenting the depletion of these resources to extremely low levels. Please see [www.Chambers-Associates.org](http://www.Chambers-Associates.org) for the full report.
3. The recreational fishing industry supports a large and diverse economy, providing large numbers of jobs in boating, manufacturing and service industries which will likely be negatively impacted if the long line industry has its way and these fish stocks are depleted.

thank you for your consideration

Chris Hull



**Subject: Fwd: HMS FMP**

**Date:** Tue, 14 Nov 2000 14:51:31 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: HMS FMP**

**Date:** Tue, 14 Nov 2000 13:56:06 -0800

**From:** "Dean Plant" <dgplant@earthlink.net>

**To:** <pfmc.comments@noaa.gov>

Council,

It is my understanding that the Plan Development team is considering longlining as a gear type under the FMP. The suggestion has been made to switch gill net permits to longline permits. Why trade one dirty fishery for another?

Experimental or otherwise, a longline fishery off our coast is unacceptable.

I would ask that you review the Wall's report, written by Greg Walls, a California Fish and Game biologist, and the paper "Harpoon Swordfishing in the Bight of California" written by Larry Mebust. The high incidence of by catch cannot be ignored. Look to the East coast of the United States, the Hawaiian Island chain, Chile and New Zealand for examples of devastation from longline fisheries.

Thank you for your consideration.

Sincerely,

Dean Plant

[dgplant@earthlink.net](mailto:dgplant@earthlink.net)

**Subject: Fwd: Longline "Experiment" off Southern California waters**

**Date:** Tue, 14 Nov 2000 14:50:50 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Longline "Experiment" off Southern California waters**

**Date:** Mon, 13 Nov 2000 14:44:35 -0800

**From:** George Garrett <GGarrett@ufls.com>

**To:** "pfmc.comments@noaa.gov" <pfmc.comments@noaa.gov>

**CC:** "scrooke@dfg.ca.gov" <scrooke@dfg.ca.gov>,  
"dgplant@earthlink.net" <dgplant@earthlink.net>

PFMC Executive Committee -

I want to go on record to vehemently oppose the concept of a commercial "Longline Experiment" in Southern California waters.

I have recreationally fished our waters for over thirty years and plan on another thirty or so with my family and friends. I can only hope that the fish that annually visit our waters will be protected from this highly successful method of capture.

My favorite fish to catch is the striped marlin of which the majority are released from my boat. Marlin are normally found in the same general areas as swordfish, yellowfin and bigeye tuna, sharks, and to a lesser degree albacore. What troubles me most about this potential experiment is the severe harm it will do to our annual migration of striped marlin. My feeling is that those marlin that migrate into our waters will not get past the commercial longlines that will most likely be used outside of the areas that we recreational anglers fish. The inability of the marlin to reach areas inside of 50 or so miles off the coast coupled with their sharing the same general areas of the commercially valued fish mentioned above spells disaster for the sportfisherman like myself.

Please feel free to contact me via email or phone at (714) 540-8025 for any further comments.

Thanks, George Garrett.

**Subject: Fwd: Long Line Fishing off the west coast**

**Date:** Thu, 09 Nov 2000 09:24:48 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Long Line Fishing off the west coast**

**Date:** Wed, 8 Nov 2000 14:54:43 -0800

**From:** "Charles Sharp" <jr1007017@onemain.com>

**Reply-To:** <chuck@nationalapparatus.com>

**To:** <pfmc.comments@noaa.gov>

I am opposed to long line fishing. We know what it did to the east coast and don't need that kind of problem here on the west coast.

Charles Sharp  
10937 Carmenita Rd.  
Whittier, CA 90605

**Subject: Fwd:**

**Date:** Thu, 09 Nov 2000 09:25:11 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject:**

**Date:** Wed, 8 Nov 2000 15:20:15 -0800 (PST)

**From:** Charles Sharp <fish\_90605@yahoo.com>

**To:** pfmc.comments@noaa.gov

I can't believe that you are even considering letting drift nets or long line fishing occure off our west coast.

Sport fishing is my hobby, my passion. The fishing for tuna & yellowtail has been great this year and I hope it will still be around for my grandchildren. As a sportsman I spend at least \$2,000 a year on fishing, and that's without taking a multi-day trip.

We are not just going to roll over take it in the behind and let short sighted fisheries managers allow commercial interests continue to destroy resources that belong to all of us!!

We are watching your actions and will hold you fully accountable for poor management decisions you make today.

Let the record show that we, the vast majority of tax payers demand proper management of our fisheries here in California.

Charles Sharp  
13039 E. Florence Ave.  
Santa Fe Springs, CA 90670

---

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**Subject: Fwd: Long line experimentation**

**Date:** Thu, 09 Nov 2000 09:25:34 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Long line experimentation**

**Date:** Wed, 08 Nov 2000 15:54:23 -0800

**From:** Jim Lane <jelane@pacificsupplyco.com>

**To:** pfmc.comments@noaa.gov

I am strongly opposed to any long line activity anywhere along the Calif. coastline. The fishery's are too fragile .

--

Jim Lane

Executive Vice President

jelane@pacificsupplyco.com

Phone 714-778-3313

Fax 714-776-0103

**Subject: Fwd: Please read my comments**

**Date:** Thu, 09 Nov 2000 09:26:23 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Please read my comments**

**Date:** Wed, 8 Nov 2000 19:21:29 EST

**From:** PESCAMAN@aol.com

**To:** pfmc.comments@noaa.gov

**CC:** nearshore@egroups.com

To whom it may concern,

I am a native resident of California for 40 years. I have been fishing for about 35 of those. I have tried many different types, locations, methods, species from bank fishing lakes and streams, bays and ocean beaches. I really never knew what was going on underwater. I wasn't very successful most of the time. It wasn't until I was introduced to the sport of Scuba and Free Diving that I became more successful. Now I could see the fish and if I couldn't find them it was on me. That was 1989. Fish were very abundant. I rarely ever took a limit. Then in the early 90s commercial boats started showing up in the kelp beds of Sonoma shore lines. First it was Urchin Divers. Then there used to be Urchins everywhere. Not for long though. Pretty soon the urchins were very thin. Nowadays I can hardly even see the bottom as the Palm Kelp now covers almost every square foot of rocky bottoms. Then the Longliners showed up a couple years later. They were fishing right in the state and county parks where Sport Divers and fishermen would spend their time in a clean recreational sport and could put a few fish dinners on their tables as well. We all told the authorities how hard it was becoming to find quality fish. Many of the people I dove and fished with spearheaded campaigns to bring this to the attention of DF&G and the State Government in charge of regulating the oceans.

Deaf Ears. You all should be ashamed of yourselves. You and the DF&G have done a very poor job of maintaining a balance between fishing and overfishing. Even with early evidence you and DF&G let these private commercial enterprises overexploit the resources that belong to all California and United States citizens. Again you all should be ashamed of the poor work done by your predecessors.

Well, now damn it! It's time to wake up and change your procedures so a few don't get special rights over all of the rest of us citizens. Stop all nearshore commercial rockfishing. These fishermen can find new ways to support themselves. Hell I've been in construction my whole life and always had to find new work every season.

It's not the sport fishermen whom have brought this sad state of barren wastelands underwater.

One prime example. Just take a boat ride around the Channel Islands. Count the lobster traps. You'll need a big book to log it in. You guys have turned a blind eye to this and now it's very difficult to find legal size lobsters in southern California.

How much longer will PFMC and CDF&G turn a blind eye and allow private enterprises to influence you when it comes to saving a natural resource to pass on from generation to generation.

Thank You, David Clutts: Sport Fisherman

David Clutts@Prudential California Realty:E-Mail pescaman@aol.com  
Fairfield, California  
(707)434-8045 Home/Office  
(707)315-0950 Mobile



**Subject: Fwd: THIS MAGAZINE ARTICLE WAS READ BY 150,000 SPORT FISHERMEN  
THROUGHOUT THE COUNTRY - YOU WILL BE HELD ACCOUNTABLE FOR  
THE ACTIONS YOU TAKE - WE THE PUBLIC ARE WATCHING YOUR MOVE ON  
THIS ISSUE!**

**Date:** Thu, 09 Nov 2000 09:27:43 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**CC:** donald.mcisaac@noaa.gov, john.coon@noaa.gov

**Subject: THIS MAGAZINE ARTICLE WAS READ BY 150,000 SPORT FISHERMEN  
THROUGHOUT THE COUNTRY - YOU WILL BE HELD ACCOUNTABLE FOR  
THE ACTIONS YOU TAKE - WE THE PUBLIC ARE WATCHING YOUR MOVE ON  
THIS ISSUE!**

**Date:** Wed, 8 Nov 2000 18:49:39 -0800

**From:** "David E. Brackmann" <DBrackmann@ASHWILLRE.COM>

**To:** "pfmc.comments@noaa.gov" <pfmc.comments@noaa.gov>

SPORT FISHING magazine  
editorial, nov/dec 2000

Longlines Off California? Time to Say NO!

By Doug Olander,

Editor-in-Chief

No method of commercial fishing has come under more intense fire in recent years in all oceans than longlining. And with good reason.

These "curtains of death," with literally thousands of hooks stretched over 40 or more miles, are indiscriminate killers that rapidly, demonstrably, decimate the ocean's large predators.

In the Atlantic and Gulf of Mexico, longlines have reduced marlin stocks to just 12 percent (for whites) and 15 percent (blues) of historic abundance. Swordfish, which used to be common from 100 to 200 and more pounds, now average a mere 30 to 50 pounds.

As a result, Congress is considering various legislative approaches to limiting or even ending the practice. Meanwhile, the National Marine Fisheries Service has initiated its own plan to severely curtail longlining in the Atlantic and Gulf. Still, lawsuits by some conservation groups proceed because, they insist, the government is not going far enough fast enough to limit longlines. And still more waters around the Grand Banks may be closed to longlines to protect sea turtles.

In the central Pacific, a federal judge has [suggest changing "put" to "designated"] put a huge chunk of ocean off-limits to longline fishermen because of the bycatch of endangered leatherback turtles.

One of the few places where populations of billfish, large tunas and sharks are not being wiped out by longlines is off Southern California. Why? Because longlines are forbidden in these waters.

In fact, the federal government has allowed the state of California to manage both coastal and U.S. waters (out to 200 miles). In 1992, the California Fish and Game Commission, faced with [deciding?] a decision whether or not to grant permits for longline fishing off the state's coast, heard all the evidence, pro and con, from all

sides regarding longlines. Their decision was unequivocal -- and unanimous: There would be no longlines.

Many in the recreational fishing community -- some who were there during the hearings -- say this decision was clearly based on an exhaustive report by California Department of Fish and Game biologist Greg Walls. That report offered information on longlining from 53 studies/sources.

Now, eight years later, you'd figure state and federal managers must be reveling in that shrewd decision, seeing how longlines are laying waste to pelagics elsewhere, and how much litigation, legislation and general controversies have resulted wherever longlining is permitted.

You might think that. You'd be wrong. Amazingly, astoundingly, the federal agency responsible for approving the Pacific Coast's first Highly Migratory Species management plan has agreed with an advisory panel to consider longlining as an acceptable form of harvest in the Pacific off California.

That panel -- specifically, the Highly Migratory Species Advisory Subpanel -- first entertained a suggestion by some commercial fishermen to swap their drift-gill-net permits for longline permits. Of course, the court rulings expected to curtail or end gill-netting in the near future weren't a factor. No, the rationale was: Longlines are more environmentally friendly (less harmful to marine mammals) than gill nets.

Why didn't the advisory subpanel immediately table such a clearly outrageous suggestion to permit at least 80 active gill-netters (or perhaps 138 gill-net-permit holders) to start operating longlines here? For starters, consider the makeup of 11 of 13 members: 9 from the commercial fishing industry, one from the recreational fishing industry and one a private recreational angler! I've been assured there's no bias on the panel. For some reason, I have a very hard time believing that.

At a mid-September meeting, the Pacific Fisheries Management Council (PFMC) saw enough merit in this longline proposal to ask its Plan Development Team to study it further. That's the same team that gets advice from a nine-to-two/commercial-to-recreational advisory panel.

And this is the same panel that convinced the PFMC that "further study" is needed to show longlines are harmful and that "the need for a scientific evaluation" remains. But the panel has yet to cite the Walls Report, which its proponents insist is one of the most thorough reports on longlining.

Of course, just about anyone familiar with basic marine issues who hasn't been away from the planet lately shouldn't need any study to just say no to longlines. Yet fishery managers, whose salaries are paid by taxes of all citizens and not by the commercial-fishing industry, seem to want to just say yes.

If you have an opinion and want to make it heard -- public pressure can be a powerful motivator for public officials -- do it NOW. Over coming weeks, the longline issue will be in play.

Contact: Dr. Donald O. McIsaac, executive director, Pacific Fishery Management Council, 503-326-6352, fax 326-6831, e-mail [pfmc.comments@noaa.gov](mailto:pfmc.comments@noaa.gov); Tom Raftican, United Anglers of Southern California, 714-840-0227, fax 840-3146, [www.unitedanglers-sc.com](http://www.unitedanglers-sc.com); Jim Donofrio, Recreational Fishing Alliance, 888-564-6732, [www.savefish.com](http://www.savefish.com). (Also, visit [www.envirowatch.org](http://www.envirowatch.org) to see how "friendly" longlines are to marine mammals.)

###

**Subject: Fwd: No Longlines!**

**Date:** Thu, 09 Nov 2000 09:28:32 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: No Longlines!**

**Date:** Wed, 08 Nov 2000 19:36:47 -0800

**From:** Tim Park <swazi@pacbell.net>

**To:** pfmc.comments@noaa.gov

Dear Sir,

I am writing you today to voice my concern regarding the Pacific Fisheries Management Council's plan to allow "experimental longlines" off the coast of Southern California.

As a recreational fisherman I am deeply concerned that anyone would even consider allowing longlines off the coast of Southern California. The fact is, this kind of fishing gear along with gillnets is the most destructive type of fishing there is. One of the few places where populations of billfish, large tunas and sharks are not being wiped out by longlines is off Southern California. Why? Because in 1992 a law was passed forbidding longlines off Southern California. I see no reason to change that law now.

My family has fished in these waters for 3 generations! I would like to see my children and grandchildren continue to enjoy this wholesome family activity. The selling out of our costal waters to commercial interests is completely ludicrous and unacceptable, the recreational fishing community will not allow it!

I urge you to consider what has happened in other parts of the world and oppose the Commercial Rape of our coastal waters!

<?xml:namespace prefix = o ns = "urn:schemas-microsoft-com:office:office" />

Sincerely,

Timothy A. Park

2039 President Pl.

Costa Mesa, Ca. 92626

E-mail: swazi@pacbell.net

**Subject: Fwd: Pacific Longlines Opposition**

**Date:** Mon, 13 Nov 2000 08:40:30 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Pacific Longlines Opposition**

**Date:** Fri, 10 Nov 2000 18:02:30 -0800

**From:** Jim Springer <jspring@west.net>

**To:** pfmc.comments@noaa.gov

Dear Pacific Fishery Management Council members,

I am writing to object to the approval of the use of longlines in Pacific waters. It has been proven over and over that non-selective fishing gear such as longlines and gill nets are destroying our fisheries one by one. Numerous regulations have been enacted to outlaw them in many areas and new restrictions continue to be imposed to stop these destructive fishing methods.

The evidence that longlines and gill nets are far too destructive and have no place in our fisheries is overwhelming. Please support a ban on these destructive gear types and preserve our fisheries for the future. To do less would certainly be an abuse of the public trust.

James Springer  
Ventura, California

**Subject: Fwd: Opinion on Longliners off the Coast of California**

**Date:** Thu, 09 Nov 2000 09:28:53 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Opinion on Longliners off the Coast of California**

**Date:** Thu, 9 Nov 2000 02:09:18 EST

**From:** VonBehrens@aol.com

**To:** pfmc.comments@noaa.gov

Dear H.M.S. Plan Committee:

It has been brought to my attention that an issue dealing with a possible allowance of longliners and drift nets off the Coast of California. I realize you have formed a committee to study the effects and draft a plan to be submitted to council in March.

Let me say now that I have been fishing off the Coast of California since I was very young. I caught my first Marlin at the age of 11 off the East end of Catalina. The enjoyment of sportfishing has been in my blood for quite a long time. I'm now 39 and continue to be an enthusiast.

This concept of allowing the indiscriminate commercial fishing with drift nets and longlines will destroy the fishery off our coast just like it did on the East coast. This would basically end sportfishing off our coast as we know it today. It would have huge effects on the local economy that supports the thousands of sportfishermen on our California coast.

I did a little math for this year and was amazed at how much money I have spent this year on my boat and all the items that go along with it to enjoy fishing off our coast.

The boat was used for basically 20 trips this year. Each trip was usually 2 days with a few 3 day trip thrown in. My boat is a 35 foot sportfisher and burns gas. We average about 240 gallons per trip @ \$1.75 per gallon. With the price of gas this year the \$1.75 per is at a price break. The amount I spent this year on fuel to fish this year was \$8400.00.

About half the trips we got bait from the bait barge at 20.00 for 10 trips. \$200.00

I spent about \$800.00 this year on tackle for the season.

Slip fees on the boat are \$385.00 per month @\$11.00 per foot. That comes to \$4620.00.

Each trip you need food at an average about \$80.00 per trip to equal \$1600.00 Maintenance on the boat i.e. paint, varnish, oil changes, bottom cleaning, haulouts comes to \$4000.00

As you can see there is a lot of money that goes into the local economy to be able to go fishing like I do. These expenses are basically from May to the end of October.

Here is the expense list for your reference.

|             |           |
|-------------|-----------|
| Fuel        | \$8400.00 |
| Bait        | \$200.00  |
| Tackle      | \$800.00  |
| Slip        | \$4620.00 |
| Food        | \$1600.00 |
| Maintenance | \$4000.00 |

|       |             |
|-------|-------------|
| Total | \$19,620.00 |
|-------|-------------|

Now granted I fish a lot. I plan my lifestyle around it during the best months. Lets take my situation and eliminate about 30% of the total cost which ends up to be about \$13,734.00 per year spent on the sport of fishing off our coast. Now I don't have all the details as to how many boats are out fishing weekly but with everything from Santa Barbara down to San Diego there has to be at least 300 boats out trolling the waters for Marlin, Tuna, Swordfish and all other migratory species off our coast. So you take that 300 and multiply it by the amount that I created in my example, the

number comes to \$4,120,200.00

In the big picture this may not seem to be a big number but think of all the effects that will snowball when the fishery begins to go away. Restaurant attendance will decrease in all the major marinas because lack of interest of the boat owner to use the boat and burn fuel. Why burn fuel, why entertain fishing guests etc.etc.etc. if there isn't any fish to catch. I can't imagine all of the other businesses that would be effected without a plentiful sportfishery off our coast.

Please see it in your heart and mind to understand that the allowance of drift nets and longliners will ruin one of the great pastimes that man can enjoy. Fishing. How great is it that we have such a great fishery right in our backyard. Please don't ruin it. Please decide against the use of Longliners and Drift Nets of the Coast of California.

Respectfully yours  
Steve Behrens

**Subject: Fwd: No Drift Longlines and No Drift Gillnets**

**Date:** Thu, 09 Nov 2000 09:26:43 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: No Drift Longlines and No Drift Gillnets**

**Date:** Wed, 8 Nov 2000 17:09:17 -0800

**From:** Michael Spitzer <mls@wirelesstest.com>

**To:** "pfmc.comments@noaa.gov" <pfmc.comments@noaa.gov>

**CC:** "Eric Spitzer (E-mail)" <espitzer@sungardrs.com>,

"Norbert Spitzer (E-mail)" <NorbSpitzer@gateway.net>,

"Steve Spitzer (E-mail)" <sspitzer@sd.us.am.ericsson.se>,

"Steve Burrington (E-mail)" <steve.burrington@airprime.com>

Dear Sirs

The following text is a draft of a letter that I reviewed and fully endorse. I am an avid private fisherman who spends a great deal of time fishing with family and friends in the local waters off Southern California. I am aware of the damage that longlines and gillnets can inflict on the marine eco-systems in our oceans. These senseless kill-all fishing techniques are destroying not only the targeted fishing populations but also non-targeted species (I believe the term is by catch). Please do your best to limit and/or restrict this type of commercial fishing.

Sincerely

Michael L. Spitzer

(Draft Letter)

The purpose of this letter is to make you aware of my concerns regarding the upcoming vote on allowing gear changes for commercial fishing and the use of gill nets and/or longlines. As you know, these techniques have seriously impacted the quality of the fisheries in other parts of the world. Hawaii, Mexico and our own East coast are just a few examples of how quick and certain the destruction of the fishery can be.

As a dedicated recreational fisherman I cannot accept this threat to my sport. I spend 30 to 50 days each year on the water. Each trip I take has a direct economic impact on the local economy. From the tackle store owner to the tackle manufacturer, the local gas station, the iceman, the convenience store operator, the bait shop, the launch ramp operator, the landing operator, boat owner and crew, the boat and engine manufacturers and sellers and service people all rely on people like me to stay in business and pay their taxes and mortgages. Not to mention the government fees paid for fishing licenses, vehicle, trailer and boat registration. A decline in our offshore fishery WILL impact the economy.

Furthermore fishing is a recreation I share with my family and friends. It is a passion taught me by my father, to him by his father and through me to my children. We owe it to our past and our future to protect the resource. Longlining will destroy this resource.

I will be watching this issue very closely. You must consider the impact of your actions on this plan.

NO drift longlines anywhere near our fishery!

NO drift gillnets anywhere near our fishery!

Michael Spitzer

Wireless Test Systems

11440 W. Bernardo Ct.

Suite 102

San Diego, CA 92127

TEL 858 592 7100 Ext. 240

FAX 858 592 7107

mls@WirelessTest.com

**Subject: Fwd: RED ALERT!--Commercial Fishing Concerns!!**

**Date:** Thu, 09 Nov 2000 09:27:03 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: RED ALERT!--Commercial Fishing Concerns!!**

**Date:** Wed, 8 Nov 2000 18:29:32 -0800

**From:** "Vincent Silberberg" <lynvin@earthlink.net>

**To:** pfmc.comments@noaa.gov

Dear Gentlemen:

The purpose of this letter is to make you aware of my concerns regarding the upcoming vote on allowing gear/technique changes for commercial fishing and the use of gill nets and/or long lines. As you know, these techniques have seriously impacted the quality of the fisheries in other parts of the world. Hawaii, Mexico and our own East coast are just a few examples of how quick and certain the destruction of the fishery can be.

As a dedicated recreational fisherman I cannot accept this threat to my sport. I spend 30 to 50 days each year on the water. Each trip I take has a direct economic impact on the local economy. From the tackle store owner to the tackle manufacturer, the local gas station, the iceman, the convenience store operator, the bait shop, the launch ramp operator, the landing operator, boat owner and crew, the boat and engine manufacturers and sellers and service people all rely on people like me to stay in business and pay their taxes and mortgages. Not to mention the government fees paid for fishing licenses, vehicle, trailer and boat registration. A decline in our offshore fishery WILL impact the economy.

Furthermore fishing is a recreation I share with my family and friends. It is a passion taught to me by my father, to him by his father and through me to my children. We owe it to our past and our future to protect the resource. Long lining will destroy this resource.

I will be watching this issue very closely. You must consider the impact of your actions on this upcoming vote.

NO drift long lines anywhere near our fishery!!!!  
NO drift gillnets anywhere near our fishery!!!!

Thanks in advance,

Vincent P. Silberberg  
14941 Camarillo Street  
Sherman Oaks, CA 91403  
818-9955-6156

--- Vincent Silberberg  
--- lynvin@earthlink.net  
--- EarthLink: It's your Internet.



**Subject: Fwd:**

**Date:** Thu, 09 Nov 2000 09:25:59 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject:**

**Date:** Wed, 8 Nov 2000 15:57:41 -0800 (PST)

**From:** Richard Gallegos <rich88@rocketmail.com>

**To:** pfmc.comments@noaa.gov

Dear Sirs

The purpose of this letter is to make you aware of my concerns regarding the upcoming vote on allowing gear changes for commercial fishing and the use of gill nets and/or longlines. As you know, these techniques have seriously impacted the quality of the fisheries in other parts of the world. Hawaii, Mexico and our own East coast are just a few examples of how quick and certain the destruction of the fishery can be. As a dedicated recreational fisherman I cannot accept this threat to my sport. I spend 30 to 50 days each year on the water. Each trip I take has a direct economic impact on the local economy. From the tackle store owner to the tackle manufacturer, the local gas station, the iceman, the convenience store operator, the bait shop, the launch ramp operator, the landing operator, boat owner and crew, the boat and engine manufacturers and sellers and service people all rely on people like me to stay in business and pay their taxes and mortgages. Not to mention the government fees paid for fishing licenses, vehicle, trailer and boat registration. A decline in our offshore fishery WILL impact the economy.

Furthermore fishing is a recreation I share with my family and friends. It is a passion taught me by my father, to him by his father and through me to my children. We owe it to our past and our future to protect the resource. Longlining will destroy this resource.

I will be watching this issue very closely. You must consider the impact of your actions on this plan.

NO drift longlines anywhere near our fishery!  
NO drift gillnets anywhere near our fishery!

Richard Gallegos  
Registered Voter  
Allcoast Member - Los Angeles

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**Subject: Fwd: Longlines off Pacific Coast**

**Date:** Thu, 09 Nov 2000 09:29:13 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Longlines off Pacific Coast**

**Date:** Thu, 9 Nov 2000 11:02:39 EST

**From:** Cyberayngel@aol.com

**To:** pfmc.comments@noaa.gov, scrooke@dfg.ca.gov, dart@sacemup.org, rhight@dfg.ca.gov, graydavis@governor.ca.gov, senator@feinstein.senate.gov, senator@boxer.senate.gov, campbell@mail.house.gov, samfarr@mail.house.gov, Fred.Keeley@assembly.ca.gov, dbunn@dfg.ca.gov, rtreanor@dfg.ca.gov

**CC:** JDKorogy@aol.com, Cyberayngel@aol.com

Dear Sirs or Madams:

The purpose of this letter is to make you aware of my concerns regarding the upcoming vote on allowing gear changes for commercial fishing and the use of gill nets and/or longlines. As you know, these techniques have seriously impacted the quality of the fisheries in other parts of the world. Hawaii, Mexico and our own East Coast are just a few examples of how quick and certain the destruction of the fishery can be.

As a dedicated recreational fisherman I cannot accept this threat to my sport. I spend 40 to 60 days minimum each year on the water. Each trip I take has a direct economic impact on the local economy. From the tackle store owner to the tackle manufacturer, the local gas station, the iceman, the convenience store operator, the bait shop, the launch ramp operator, the landing operator, boat owner and crew, the boat and engine manufacturers and sellers and service people all rely on people like me to stay in business and pay their taxes and mortgages. Don't forget to mention the government fees paid for fishing licenses, taxes on purchases, vehicle, trailer and boat registration. A decline in our offshore fishery WILL impact the economy, especially in my city of residence, San Diego.

Furthermore fishing is a recreation I share with my family and friends. It is a passion taught me by my father, to him by his father and through me to my children. We owe it to our past and our future to protect the resource. Longlining will destroy this resource.

I will be watching this issue very closely. You must consider the impact of your actions on this plan.

NO drift longlines anywhere near our fishery!  
NO drift gillnets anywhere near our fishery!

Rebecca Scott

I FISH I VOTE!!

**Subject: Fwd: Pacific Longlining**

**Date:** Mon, 06 Nov 2000 15:08:08 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Pacific Longlining**

**Date:** Thu, 2 Nov 2000 08:40:58 EST

**From:** CaptJason@aol.com

**To:** pfmc.comments@noaa.gov

TO: Dr. Donald O. McIssac, Executive Director,  
Pacific Fishery Management Council

Dear Dr. McIssac,

I am appalled that you would even consider allowing longlining any closer to the California coast than is now practiced. I am a former resident of California and very familiar with the fragile eco-system that exists of that beautiful coast. Being on the East coast now, I've watched the longline industry decimate the Swordfish, other billfish and sharks. With that knowledge, I don't see how any reasonable scientist can contemplate allowing further or expanded longlining, especially along the Pacific.

Please consider the Walls Study and the common sense evidence in NOT allowing ANY expansion of longlining fishing. The indiscriminate taking of billfish and sharks must stop!

Sincerely,

- Jason Martin

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St. Augustine Beach, FL, USA

904-471-9680, or cel. 904-806-0690

**Subject: Fwd: don't allow it!**

**Date:** Mon, 04 Dec 2000 08:30:13 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: don't allow it!**

**Date:** Fri, 1 Dec 2000 09:27:46 -0800

**From:** "Peter Gray" <hookup690@home.com>

**To:** <pfmc.comments@noaa.gov>

Please don't allow our coast to go as other parts of the ocean have been raped! Do not allow the long lines into the 200 mile eez.

I have a talk show about fishing, and our thousands of listeners want you to stop this possible tragedy before it happens.

Pete Gray  
Let's Talk Hook-up

**Subject: Fwd: Pelagic Longlines - NOT IN OUR WATERS.... Drift Nets - GET THEM OUT!!**

**Date:** Mon, 06 Nov 2000 16:29:11 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Pelagic Longlines - NOT IN OUR WATERS.... Drift Nets - GET THEM OUT!!**

**Date:** Mon, 6 Nov 2000 16:20:27 -0800

**From:** "David E. Brackmann" <DBrackmann@ASHWILLRE.COM>

**To:** "'pfmc.comments@noaa.gov'" <pfmc.comments@noaa.gov>

Gentlemen:

I strongly urge you and beg that you DO NOT allow longlines inside California State waters nor allow longlines to replace pelagic drift nets. Longlines are a non-selective gear type that produces a tremendous amount of bycatch. It indiscriminately kills economically important sport fish such as marlin, sharks and bonita. It also threatens endangered species such as loggerhead and other species of turtles - so much so that a large of the Pacific was recently shut down to long liners to try and save and protect several species of turtles. The data is over whelming - long lines and drift nets do not belong in our fishery or any others! Please be aware of the data from the Atlantic and other areas in the world that has proven that these indiscriminate gear types have a devastating effect on fish stocks were ever and whenever they fish.

I have worked and fished as a sport fisherman for the last 22 years. I have personally witnessed a decline of billfish stocks in the Atlantic and am now observing the same to billfish and shark stocks here in California and in Mexico due to long line and drift net gear being fished. Most notably I have witnessed a dramatic reduction in blue shark populations as a result of drift nets and longlines being fished in Mexican waters and out side the EEZ off the California coast. I am not a scientist, however I have thousands of hours on the waters fishing off the California Coast out as far as 150 miles offshore and I can tell you frankly that our fish stocks are not as healthy as they were years ago - especially blue shark populations. It is a sad state of affairs on the ocean for sportfishermen today. Our sportfishing community contributes an almost equal dollar amount to the state economy has commercial fishermen do, yet we take only approximately 10% of the catch and yet the commercial interests take 90%! If you guys were running the fisheries like a business would you consider eliminating or jeopardizing 50% of your sales (sportfishing) to help the other 50% (commercial) of your sales know that by doing so that this same customer could eventually eliminate the product (fish) that you handle?

Play it safe and be on the conservative side with OUR fishery - don't experiment or allow a destructive indiscriminate gear type like long lines in our waters and close the fishery on the other proven indiscriminate gear (pelagic drift nets) from OUR waters. The future is in your hands gentlemen and you will have to live with and will be responsible and accountable for the decisions you make concerning long lines and other types of indiscriminate and destructive commercial gear types. We the sportfishing community can only ask that you realize how important pelagic fish stocks are to our sportfishing community and act responsible in managing them for the future. Please remember that the fish stocks belong to all the public and one group should not be permitted to have free reign to destroy it based on you making short sighted decisions!

Sportfishing is a way of life to me and to millions of others here in the State of California. We as a sportfishing community contribute millions of dollars to the economy in our pursuit of pelagic gamefish. Please be aware of the economic importance of the fish that will be threatened by the introduction of long lines in OUR state waters. I personally have invested over \$ 600,000 in gear and sport fishing boats plus spend on the average \$ 40,000 annually in pursuit if pelagic fish (marlin, tuna, sharks, bonita). In the event

that you allow long lines inside California waters you run the risk of eliminating a major economic benefit to the state (sportfishing) and threaten a way of life for a large community within the State of California. When fish stocks are reduced as a result of long lines introduced to OUR waters - it will make me and others in my community stop fishing and stop contributing to the economy of the state.

Isn't the best approach at this time to play it safe with the pelagic fish stocks and lean towards the conservative side, by not allowing long lines into waters that currently don't have them. We fought hard in the 1980's to keep them out and the DFG agreed based on their own analysis of a report we proved (Wall's report) that longlines are not right for OUR state waters. Please do not experiment with a fishery that is so important to me and others. Allow long lines in OUR waters, even in a limited amount and you will threaten a viable important economic benefit to the state (sportfishing). Is the benefit worth the risk?? Look to the future and ways to improve the fish stocks...please do not even consider a new take method (long lines) that could jeopardize it...I BEG YOU FOR ME, MY CHILDREN AND FRIENDS AND FUTURE GENERATIONS!

David Brackmann  
(626) 854-3700

**Subject: Fwd: Longlining**

**Date:** Mon, 04 Dec 2000 08:30:35 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Longlining**

**Date:** Sun, 3 Dec 2000 08:51:50 -0800 (PST)

**From:** Kenneth Schuh <kennyschuh@yahoo.com>

**To:** pfmc.comments@noaa.gov

I understand that the P.F.M.C. is considering allowing inshore longliners along the westcoast, I believe this would be devastating to the westcoast fishery. The shark and billfish populations would not withstand this type of pressure. Many other species would also suffer as this is an indiscriminate slaughter of fish.

THANK YOU  
KENNY SCHUH

---

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**Subject: Fwd: Re: Long Linning**

**Date:** Mon, 04 Dec 2000 08:30:57 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Re: Long Linning**

**Date:** Sun, 3 Dec 2000 12:17:53 EST

**From:** HeyNanny@aol.com

**To:** pfmc.comments@noaa.gov

To Whom it may Concern: As a woman angler I am concerned over the possibility of you allowing long liners off the coast of Caifornia. Please consider the consequences of such action and do not allow it to occur. Thank you. Judy Soderlund



**Subject: Fwd: No Long Liners**

**Date:** Mon, 04 Dec 2000 08:31:15 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: No Long Liners**

**Date:** Sun, 3 Dec 2000 12:19:49 EST

**From:** AGPPrint@aol.com

**To:** pfmc.comments@noaa.gov

Do not allow long lining along our California coast-it would destroy the sportfishing we enjoy. Thank you. AGP

**Subject: Fwd: California Costal Long Lining**

**Date:** Mon, 04 Dec 2000 08:31:35 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: California Costal Long Lining**

**Date:** Sun, 3 Dec 2000 12:21:46 EST

**From:** ESoderl901@aol.com

**To:** pfmc.comments@noaa.gov

Please do not allow commercial long ling along our Ca. coast. It would destroy our fisheries. EJS

**Subject: Fwd: L Lining**

**Date:** Mon, 04 Dec 2000 08:31:53 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: L Lining**

**Date:** Sun, 3 Dec 2000 12:23:00 EST

**From:** AGSys1@aol.com

**To:** pfmc.comments@noaa.gov

No long lining should be allowed along our California Coast. AGP

**Subject: Fwd: Calif. Long Lining**

**Date:** Mon, 04 Dec 2000 08:32:12 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Calif. Long Lining**

**Date:** Sun, 3 Dec 2000 13:14:27 EST

**From:** SeaSudds@aol.com

**To:** pfmc.comments@noaa.gov

Please do not allow long liners along our Ca. Coast. As an angler I realize the consequences of such an action-it will deplete our fisheries here in So. Calif. Thank you. Dale P. Soderlund

**Subject: Fwd: LONG LINERS**

**Date:** Wed, 06 Dec 2000 16:59:24 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: LONG LINERS**

**Date:** Wed, 6 Dec 2000 10:16:56 -0800

**From:** "Mike McQuitty" <Mike.McQuitty@jackinthebox.com>

**To:** pfmc.comments@noaa.gov

Dear Council Members:

I was shocked to hear that there is a proposal being considered to allow long-line commercial fishing within the 200 mile EZ. This could have a devastating effect on sportfishing off the coast of California (where I live). We are seeing much improved fishing off the coast of Southern California with the banning of gill nets; please do not be swayed by the arguments (and money) of the commercials! JUST SAY NO TO LONG LINERS

Thanks for your consideration.

Mike McQuitty

465 Goulburn Ct.

El Cajon, CA 92020

**Subject: Fwd: Longlines**

**Date:** Mon, 11 Dec 2000 16:25:43 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Longlines**

**Date:** Thu, 7 Dec 2000 18:59:57 EST

**From:** JCox12RCox@aol.com

**To:** pfmc.comments@noaa.gov

To Whom It May Concern:

I understand that you are considering the "harvesting" of fish via longlines and gillnets within the 200 mile range of the U S coast. I am VERY much against such a measure.

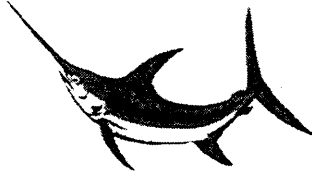
I am 56 years old and have fished the coastal waters for 43 years and have seen that sport caught fish has deteriorated dramatically over the years. The banning of gillnets for the past few years has shown improvement in catch rates, however "blue water" catches have drastically gone down.

PLEASE DO NOT IMPLIMENT PLANS FOR THE COMMERCIAL INDUSTRY TO USE LONGLINES OR GILLNETS WITHING THE 200 MILE RANGE OF OUR COAST.

Thank you.

Ralph Cox

p.s. I have no connection with the commercial fishing industry and have held a valid Calif. fishing license for many years and hopefully can continue to enjoy our coastal and blue water fishing for years to come.



**California Association of Harpoon Swordfishermen**

3632 Walnut Avenue, Long Beach, CA 90807 Phone/Fax (562) 426-8400 E-Mail CAHS1@earthlink.net

Mr. Jim Lone – Chairman  
Dr. Donald McIsaac – Executive Director  
Pacific Fisheries Management Council  
2130 SW Fifth Avenue, Suite 224  
Portland, Oregon 97201

February 6, 2001

**Subject: Issues of concern – HMS Fisheries Management Plan**

Members of The Council,

The membership of the California Association of Harpoon Swordfishermen would like to thank all of the participants in the HMS PDT and its advisory panels; we recognize the tremendous amount of time and effort that has been required during the creation of this FMP.

**CAHS urges a Precautionary Approach during preparation of the FMP.**

**Pelagic Longlines Within The EEZ should not be authorized by the FMP.** However, if the Council feels it needs to collect more information to make a final decision about the impacts of longlining in the EEZ, it should only consider a limited experimental fishery. This fishery should not operate outside the bounds described in the Dupuy/Janisse proposal and should have the following components:

- The Goal of this limited experimental fishery should be to determine if Pelagic Longline gear could be size, species and bycatch selective enough to become a viable alternative to Drift Gillnet gear. This is a low risk, limited venture that could lead to the total abolition of Driftnets within the EEZ.
- The Minimum Conditions Imposed upon this experimental fishery should be:
  - Every gear-set and haul-back should be 100% monitored and documented in a statistically valid manner by trained observers thus assuring accurate data collection, the identification and mapping of EFH areas, and the identification and mapping of high bycatch zones.
  - Specific *time period* or *per-set* quotas for juveniles of each target species and for each species of predictable bycatch should be pre-established and used as triggers that if reached, cause the experiment to be immediately abandoned.

**Vessel Management Systems (VMS)** should be required on all vessels subject to fishing restrictions under this FMP.

**EFH Areas and High Bycatch Zones**, once identified and mapped through the use of VMS and observer collected data, should be immediately subject to appropriate *time and area closures* to fishing by all vessels subject to fishing restrictions under the plan. We believe it paramount to prohibit fishing in spawning and pupping grounds to insure any hope for the future of our fishery. Most species are particularly vulnerable during the spawning period due to aggressive feeding behaviors and the loss of inhibition to hooks and line.

**Trigger Points Causing Management Action** should be included for size, weight, bycatch and evidence of operation in EFH.

**Bycatch** – Vessels subject to management under the FMP should account for all bycatch. Juveniles of target species should be landed, included in the total catch weight and their headcount applied towards any total catch quotas imposed.

**The Proposal by FISH to Remove Restrictions on soak times for Drift Gillnets** (DGN gear to be out of the water except between 2 hours after sunset and 2 hours before sunrise) should not be implemented. We believe this exemption would dramatically increase bycatch, in addition to creating unnecessary gear conflicts with both commercial and recreational fishermen.

**Inferior Quality Foreign Imports** is a primary problem that should be addressed within the FMP. The importation of poor quality fish from foreign fisheries, especially from those nations that subsidize fishing operations, damages our West Coast fisheries in several important ways:

- It causes ex-boat prices for West Coast fishermen to be set at artificially low levels requiring an increase in local fishing effort to maintain profitability.
- It causes consumers to turn-off to our products further driving prices down. This again requires us to increase local fishing effort to be profitable.
- It penalizes U.S. fishermen who are working to conserve fisheries by allowing fish from unregulated or poorly managed foreign fisheries to dominate the market.

CAHS fully supports and defends managed commercial fishing for any marketable HMS by any gear type or fishing method that can be proven to be size, species and bycatch selective. To this end, monitored small-scale experimentation with new or modified HMS gear types must be encouraged and permitted under the new FMP. Such experimentation will eventually lead to the development of truly efficient commercial gear types. Our agreement to the allowance of a limited experimental longline fishery is rooted in this belief and we feel it is consistent with the objectives of virtually every interest group with whom we have discussed the matter.

Members of The Council: we believe that current fishing technology is capable of decimating any fish stock. The use of satellite imagery on board vessels has made it easier to track the movements of HMS. In 1991, the Chilean longline fleet numbered over 1,000 boats. By 1997, the fleet totaled about 14 because the fishery was destroyed. In the 1980's an international treaty was established banning the use of high seas drift nets because of the catastrophic effects of this gear type. In the state of California we currently face total groundfish closures for the first time in history! WE URGE PRECAUTION in your important and much needed work.



We ask that this statement be forwarded to all members of the PDT and its advisory panels for their consideration during the final draft phase of the process.

Sincerely,

The Board Of Directors  
California Association of Harpoon Swordfishermen

Steve Lassley, President  
(619) 405-5044

Jeffery Luboff, V. P.  
(805) 647-7521

Larry Mebust, Sec./Treas.  
(562) 426-8400

**Subject: Fwd: Long Liners**

**Date:** Tue, 19 Dec 2000 14:35:57 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**CC:** donald.mcisaac@noaa.gov

**Subject: Long Liners**

**Date:** Mon, 18 Dec 2000 11:29:52 EST

**From:** <AKyman6249@aol.com>

**To:** Pfmc.comments@noaa.gov

Dr. McIsaac - I was shocked to learn that consideration was being given to permit longlining off of Southern California. That would be an outrageous step backwards in the fight to save the resources of the ocean. Longlining should be outlawed everywhere. Alex Kyman, Carlsbad, California

# **WESTERN FISHBOAT OWNERS ASSOCIATION®**



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January 31, 2001

Dale Squires, Co-Chairman  
PFMC HMS FMP Development Team  
National Marine Fisheries Service  
Southwest Fisheries Science Center  
Post Office Box 271  
La Jolla, CA 92038-0271

## **Re: Preliminary Draft HMS Fishery Management Plan**

Steve Crooke, Co-Chairman  
PFMC HMS FMP Development Team  
California Department of Fish and Game  
330 Golden Shore, Suite 50  
Long Beach, CA 90802-4247

Dear Dale and Steve:

The Western Fishboat Owners Association (WFOA) would like to thank you and the entire PFMC HMS FMP Team for the invitation to provide input regarding the preliminary draft Fishery Management Plan before a draft is officially released to the Pacific Fishery Management Council (PFMC) in February. As you already know, over the past year WFOA has been intensely interested in the Team's drafting efforts, and it has been a pleasure to work with you for all these months. In particular, we have sincerely appreciated your efforts to ensure ample opportunities for public input at each of the Team meetings throughout the process, and in fact we have found the process to be very open and transparent.

As you already know, WFOA strongly believes that the Pacific albacore fishery would benefit enormously through the implementation of a practical, cost effective, and enforceable conservation and management program that will help the fleet to prevent problems before they can occur. The Pacific albacore resources have remained healthy and robust throughout this century with very few minor exceptions, and it is WFOA's intent to take action to protect both the fish and the fishermen from the unwanted challenges faced by so many other fleets.

The situation is very clear to us: the Pacific albacore fleets can either take on some basic preventative actions today, or stand by in a gamble that might eventually involve a painful mess that could have been prevented some years up the road. We have opted for the former rather than the latter and believe the PFMC Highly Migratory Species (HMS) FMP could be a critical component for carrying out the domestic side of comprehensive international programs for ensuring the continued health of the Pacific albacore resources.

With this larger picture in mind, we will restrict our comments on this occasion to the two most important FMP issues at hand rather than performing a line-by-line review of the entire preliminary draft.

## WFOA Preliminary Draft FMP Comments

January 31, 2001

### Jurisdiction over west coast vessels operating beyond the EEZ

WFOA has long advocated the simple concept that *all fishermen fishing on the same stocks should be subject to the same, or very similar, rules*. Regulatory inconsistencies would imply either preferences for or discrimination against different groups within the same fleets. Over the last three years WFOA has therefore invested a substantial amount of time and resources into the Multilateral High Level Conference (MHLC) process to work towards an international conservation and management system that would apply to all albacore fishing vessels -- from all nations -- throughout the Pacific.

WFOA then entered into the Council-based fishery management planning process with the understanding that an FMP would be needed as a vehicle for administering future MHLC and other international conservation programs domestically. From the very beginning we have advocated the development of a joint FMP under the Western Pacific Fishery Management Council (WPFMC) and the Pacific Fishery Management Council (PFMC) to help ensure regulatory consistency throughout the US Pacific albacore fleet. When WPFMC declined to work with PFMC in developing a joint FMP, WFOA was intensely disappointed -- yet we still decided to remain actively involved in the PFMC-based FMP development process under the premise that WPFMC will eventually want to adopt a similar plan of their own.

Yet earlier this month the PFMC FMP development Team began questioning PFMC's authority to even regulate the West Coast fleet beyond the EEZ. This was the first time such a doubt was raised -- even though regular FMP development sessions have been going on for more than a year, and even though WFOA's involvement has always been based on the understanding that the FMP would apply to all West Coast albacore vessels. Now the preliminary draft PFMC FMP has been released with such options as creating a limited entry permit system for albacore vessels inside the EEZ, while leaving high seas access open. It thus appears that perhaps the PFMC FMP might apply to only some of the California, Oregon, and Washington albacore vessels, but not others -- even though everyone is fishing on the very same North Pacific albacore stocks.

### **THIS IS NOT ACCEPTABLE.**

It would be absolutely unfair and illogical to place requirements on the nearshore fleet while offshore vessels remained unregulated. The nearshore and offshore vessels of the west coast come from the very same harbors and they harvest the very same fish; conservation and management goals obviously cannot be achieved without the full participation of all vessels harvesting the same stocks of fish. Moreover, the natural reaction of the nearshore fleet to any such a proposal would undoubtedly involve wild accusations about offshore vessels conspiring against them and using regulatory processes to place smaller vessels at a disadvantage. Unless the FMP applies to all west coast vessels, it may well become the spark that ignites an unnecessary wildfire that could potentially rip apart the entire west coast albacore fleet, without any opportunity for establishing a meaningful conservation and management framework.

In short, WFOA will support and advocate an FMP that covers the entire west coast fleet, yet we would actively oppose any attempt to single out and restrict management to the nearshore fleet alone.

## WFOA Preliminary Draft FMP Comments

January 31, 2001

### US and PFMC share of conservation responsibility

The preliminary draft FMP does not address the two most fundamental issues involved in Pacific albacore management within the PFMC area, namely: to what degree can Council management over California, Oregon, and Washington vessels effect conservation of albacore that are primarily accessed by fleets from other nations? Subsequently, what level of responsibility should the PFMC and west coast fleet be expected to undertake for Pacific albacore?

The preliminary draft FMP avoids these essential issues while at the same time indicating Council responsibility for establishing west coast fleet harvest levels that would somehow ensure overall optimum yield for HMS. Examples include:

- The stated intent of the preliminary draft FMP is currently described on Chapter 1 Page 1 as “to ensure conservation and promote the achievement of optimum yield of HMS throughout their ranges, both within and beyond the US Exclusive Economic Zone (EEZ)”;
- Chapter 1 Page 8 states that “a comprehensive plan involving the three councils and all of the US HMS fisheries in the Pacific likely is the optimal management approach”;
- The third Management Goals and Objectives bullet item on Chapter 1 Page 31 calls for implementing “harvest strategies which achieve optimum yield for long-term sustainable harvest levels”;
- The second Framework Process bullet item on Chapter 7 Page 2 calls for PFMC action “to achieve optimum yield and prevent overfishing”;

These statements suggest that PFMC would be expected to undertake full conservation responsibility of albacore stocks inside and outside the US EEZ. At the same time, assertions made elsewhere in the same preliminary draft emphasize that conservation can only be achieved through an internationally administered management program.

### *Discussion*

While Pacific albacore resources are currently healthy, the purpose of the FMP is to describe what actions should be taken in the event that harvests must be adjusted. The FMP should therefore directly address the question of regional responsibility and effect on overall conservation. Just as a conceptual example, if a 10% reduction for the entire North Pacific albacore stock were deemed necessary at some point, it would be reasonable for the Council to take action to reduce the west coast fleet's harvests by 10%.

However, it would **not** be reasonable to expect either the US or west coast fleet to assume primary responsibility for the entire harvests reduction burden. To elaborate, since the US fleet accounts for roughly 20% of all Pacific albacore harvests, the (fictitious) 10% Pacific reduction could theoretically be achieved by slashing US harvests in half while fleets from other countries remained intact. Yet under such a scenario, some fleets from other countries may well respond by increasing their harvests at the direct expense of the US fleet -- with no net conservation values achieved despite extreme US sacrifice. Moreover, if the Council took independent action in the absence of international agreement for across-the-board reductions, some other countries may authorize

## WFOA Preliminary Draft FMP Comments

January 31, 2001

increases in their own fleet's size. Independent Council action targeting west coast albacore vessels could thus inadvertently encourage increased fishing capacity by other nations rather than achieving harvest reductions.

Meanwhile, Chapter 1 Page 7 of the preliminary draft states:

"...At a minimum, there will be a need to implement management measures in the US EEZ that may be adopted by these international bodies. With an FMP, the Pacific Council can make sure that it is involved in how these measures are applied to domestic fisheries. The councils are well equipped to work with the fishery constituents in their areas to develop domestic policy. In addition, an FMP provides a mechanism for the Pacific Council to obtain public comment and provide advice to NMFS and the Department of State for effective representation of west coast interests in international negotiations and decision-making affecting those interests."

This statement acknowledges that the US already has mechanisms in place for influencing and participating in international conservation programs. The US Department of State and National Marine Fisheries Service are thus in a better position than the Council to determine appropriate Pacific albacore harvest levels for the US (including the west coast) fleets within the context of comprehensive international programs. One must therefore conclude that those PFMC responsibilities relating to setting any albacore catch limitations should be restricted to (1) the activities described in the paragraph quoted above, and (2) carrying out the west coast portion of US obligations.

### *Recommendations*

1. Replace "The FMP is intended to ensure conservation..." statement in Chapter 1, Page 1, Paragraph 3 with:

*"The FMP is intended to serve as the vehicle for carrying out the west coast portion of US obligations under international conservation agreements for the achievement of optimum yield of target HMS throughout their ranges."*

2. Replace "A comprehensive plan involving the three councils and all of the US HMS fisheries in the Pacific likely is the optimal management approach" statement in Chapter 1, Page 8, last paragraph with:

*"A comprehensive plan involving the three councils acting to carry out US obligations under international conservation programs for all the US Pacific HMS fisheries likely is the optimal management approach."*

3. Replace the first Management Goals and Objectives bullet item on Chapter 1, Page 31 with:

*"Promote and actively contribute to international efforts for the long-term conservation and sustainable use of those highly migratory species fisheries that are utilized by West Coast -based fishermen, while recognizing these fishery resources contribute to the food supply, economy, and health of the nation."*

4. Replace the third Management Goals and Objectives bullet item on Chapter 1, Page 31 with:

## WFOA Preliminary Draft FMP Comments

January 31, 2001

*"Implement harvest strategies consistent with US obligations under international conservation programs to maintain or achieve optimum yield for the long-term sustainable harvests of HMS fisheries throughout their range."*

5. Address the two questions "To what degree can regional management effect conservation of Pacific albacore that are primarily accessed by fleets from other nations?" and "What level of responsibility should the PFMC and west coast fleet be expected to undertake for Pacific albacore?" in Chapter 1, Section 1.2 Complexity of HMS Management.
6. Add a new section to Chapter 7, Description of Alternative Actions, to present the options of setting albacore harvest levels (1) according to US rights and obligations established via international fora; (2) as a percentage any internationally agreed upon increases or reductions as indicated by US and west coast harvest averages; and (3) independently, without regard to the actions or obligations of other Pacific HMS fleets outside the PFMC's jurisdiction.
7. Add a new section to Chapter 8, Impacts of Alternative Actions, to present analyses for each of the options for setting albacore harvest levels as described above.

This concludes our comments to the preliminary draft FMP, and we look forward to seeing the revised draft when it is released to the Council while planning to continue providing input until a final FMP can be adopted. We would also like to thank you again for all your efforts and the significant amount of work the entire Team has put into this challenging process. The Pacific HMS fisheries are important to millions of fishermen, processors, and especially ordinary Americans throughout the country who ultimately enjoy our harvests, so it will be essential to continue our joint efforts to achieve our mutual long-term sustainable harvest objectives.

Sincerely,

Wayne Heikkila  
General Manager

cc: PFMC Team Members  
WFOA Board of Directors  
Peter Flournoy, International Law Offices  
Tana McHale, Fisheries Consultant

**Subject: Fwd: Long Linline**

**Date:** Thu, 15 Feb 2001 11:32:44 -0800

**From:** "PFMC Comments" <pfmc.comments@noaa.gov>

**To:** daniel.waldeck@noaa.gov

**Subject: Long Linline**

**Date:** Thu, 15 Feb 2001 13:53:56 EST

**From:** <Rsbinvest1@cs.com>

**To:** pfmc.comments@noaa.gov, GEFinley2@msn.com, aafsi@home.com, c-man@ix.netcom.com

Long liners can devastate the stocks of bill fish.

This has been proven by E-Coast, Hawaii, Mexico.

Sportsfishers will spend over \$10 that would net in less than \$1 from the commercials.

Sportsman will also release unharmed a bill fish. Commercials wont BUT will also devastate other sea life.

NO ON LONG LINING!

R.S.Brandt

21112 San Miguel

Mission viejo. Ca. 92692



# ***Stop Longline Fishing Now***

*Failing or waiting to act would be a grave mistake. The quality and quantity of our fishing depends on keeping longliners out of our waters.*

For your convenience, \_\_\_\_\_ is a letter of opposition you can use to let the decision makers know your views regarding longline fishing. Just sign your name and either scan or copy it and then fax, e-mail or regular mail it to the following list. If you prefer to phone, I have included their phone numbers as well.

All letters should be sent to the council office:

Chair Jim Lone  
Pacific Fishery Management Council  
2130 SW Fifth Avenue  
Portland, OR 97201

Steve Crooke: Co-Chairman of the Highly Migratory Species Plan Development Team for the Pacific Fishery Management Council

Phone: 562-590-5102,  
e-mail: [scrooke@dfg.ca.gov](mailto:scrooke@dfg.ca.gov)

Bobby Fletcher: President of the Sportfishing Association of California, member of the above management council

Phone: 619-226-6455,  
e-mail: [dart@sacemup.org](mailto:dart@sacemup.org)

Robert Hight: Director of the California Department of Fish and Game

Phone: 916-653-7664,  
e-mail: [rhight@dfg.ca.gov](mailto:rhight@dfg.ca.gov)

Dear Sir:

I am a life long sport fisherman. I am deeply concerned about any proposal to allow longline fishing in our waters on any basis whatsoever.

I can not see any benefits to anyone, except longliners, from such a proposal.

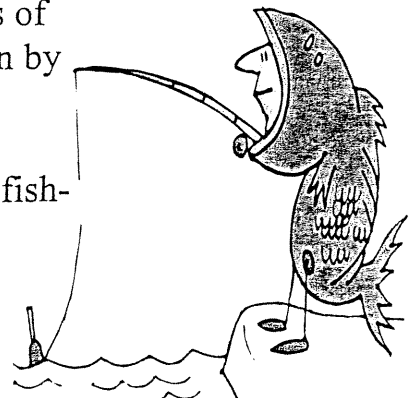
However, it is very easy to picture a negative impact on sport fishing from longlining.

I urge you to support and protect sport fishing and the interests of millions of sport fishermen and future generations of fishermen by keeping all longlining out of all of our waters.

The quality and possibly the very continued existence of sport fishing is in your hands.

Sincerely,

*Harold Quint Johnson*  
3189<sup>e</sup> Via Buena Vista  
Laguna Woods Ca. 92653



RECEIVED  
FEB 13 2001

February 9, 2001  
Mr. Jerry Cicconi  
California Association of Harpoon Swordfishermen  
P.O. Box 1579  
Avalon, CA 90704  
(310)510-1319

Pacific Fisheries Management Council and  
HMS Plan Development Team  
2130 SW Fifth Avenue, Suite 224  
Portland, Oregon 97201

Dear Sirs:

I have been a commercial fisherman all my life. What I want to tell you is the truth in regards to what has happened in the last 20 years. In this period of time we have destroyed what has been there forever. The drift gill nets have wiped out the California Bight to the point of warning. The vast populations of shark and swordfish have been seriously impacted in that past 20 years. I think no one will argue that fact. Now, with the threat of long lines entering the EEZ I think that we really need a very careful hand in managing this fishery. This is our chance to really conserve some of the wildlife for future generations.

After all the data that is available to us about the fiasco of the longliners in the Atlantic, it would be utterly irresponsible to let the same thing happen here. The longliners and nets have a long history of roaming from ocean to ocean leaving a slash of destruction in their wake. There are ways to harvest swordfish and sharks in a much more eco-friendly manner. Harpooners used to catch a lot of fish and make a good living. We never killed anything that we did not intend to kill—small or large. However, if these types of fishing gears are allowed, we can be assured that California will be SEVERELY IMPACTED in a very short period of time.

On this note, we urge you to stop the useless killing. The writing is on the wall, do not ignore it! The long lines and drift nets are the cancer of the ocean and the clock is ticking.

Sincerely yours,



Jerry Cicconi  
Member CAHS

EXHIBIT L.L.E.  
Supplemental Public Comment (3)  
March 2001

Elizabeth Mitchell  
P.O. Box 933  
Eugene, Oregon 97440  
Tel: 541/ 607-8838  
E-mail: emitch@efn.org

2 March 2001

Mr. Jim Lone, Chair  
Pacific Fishery Management Council  
2130 SW Fifth Avenue, Suite 224  
Portland, Oregon 97201

**Re: Seabird interactions and the Draft Highly Migratory Species FMP**

Dear Mr. Lone and Council Members:

I am pleased to see a move toward managing the increasing pelagic longline fleet off the US west coast and future cooperation between Fishery Management Councils. However, since the Draft HMS Fishery Management Plan (FMP) also incorporates an Environmental Impact Statement (EIS), there needs to be a more in-depth review of longline fishing impacts on seabirds and other sensitive species than what is presented in the draft plan. Regarding my interest in the matter, I worked as a fisheries observer aboard pelagic longliners with the Hawaii Longline Observer Program in 1994. I manage the Seabird Bycatch Project and a listserv on seabird "bycatch" issues for the Institute for Fisheries Resources and am a participant on the North Pacific Albatross Working Group, the purpose of which includes addressing threats to North Pacific albatross populations.

The plan needs more specific language recognizing the importance of observer data for HMS fisheries. The analysis in section 8.5.5.1.3.3 doesn't recognize differences between the three monitoring/reporting systems (observers, logbooks and VMS) or acknowledge the potential for inaccurate information originating from logbooks. Since the VMS system only monitors vessel position, I don't understand how this system can "improve data quality on bycatch". In section 6.2.3.3, (migratory bird interactions with pelagic longline fishing), logbook data is summarized for the Hawaii longline fleet (Table 6.2.3.3-1), which underestimates the true impact of longline fishing on seabirds in that region. Under-reporting is acknowledged in the annual reports used for this table so it is better to use accurate data when available. Comparing raw numbers from the Hawaii Longline Observer Program from that same year with the logbook data summarized in this plan, the under-reporting of interactions by vessels is fairly blatant (NMFS 1999a).

|  |                                       |
|--|---------------------------------------|
| Logbook Data: 1180 trips                             | 232 albatross interactions (174 dead) |
| Observer Data: 48 trips (4.1% of total trips fished) | 104 albatross interactions (69 dead)  |

While interactions with albatrosses are possibly higher off of Hawaii because of the fishery's (former) proximity to albatross breeding colonies, albatrosses regularly forage off the west coast and are likely to interact with longline fisheries there. I would like to add that the endangered short-

tailed albatross' historic range was once along the west coast of the US south to Baja, Mexico. They are considered to be a near shore species (McDermond, et al) but their range is oceanic. Sightings appear to be increasing off the US west coast (summarized below), increasing the likelihood for encounters with longline vessels there, perhaps more so than in the Hawaii longline fishery. Since there is an acknowledged increase of pelagic longline fishing off of California in this specie's range, than it is possible that the short-tailed albatross is already interacting with this fishery. For this reason, interactions with seabirds should be added to Section 8.3.3 under Conservation Concerns. Also, sperm whale (listed as endangered) and short-finned pilot whale should be added to section 1.6.6, "Protected Marine Resources and Longline Fishery Interactions" (NMFS 1997, 1999b). Knowing pelagic longline impacts on sensitive species in other regions (which are now restricted because of these impacts), it would be imprudent to allow this fishery to continue landing catch in US west coast ports, and especially to allow them to fish within the EEZ, without a statistically reliable observer program to assess impacts in this region.

Thanks very much for this opportunity to comment.

Elizabeth Mitchell

### **Short-tailed Albatross Sightings off the US West Coast**

#### **California Sightings**

|                          |  |
|--------------------------|--|
| 17 Feb 1946 (Sherburne)  | 70 miles off San Francisco (37 08N 124 29W)    |
| 28 Aug 1977 (Sherburne)  | 100 km west of San Diego                       |
| 20 Apr 1978 (Sherburne)  | Monterey Bay (36 14.9N 123 01.8W)              |
| 02 Dec 1983 (Roberson)   | Pt. Piedras Blancas (35 30N 122 11W)           |
| 3-5 Nov 1985 (Sherburne) | Cordell Bank, Marin Co.                        |
| 18 Apr 1987 (Roberson)   | Approximately 20 nmi. W of Cypress Pt.         |
| 7 Dec 1988 (Stallcup)    | 270 mi SW of Pt. Sur, Monterey Co.             |
| 26 Oct 1998 (CBRC)       | 38 02.9N 123 21.2W                             |
| 28 Aug 1998 (CBRC)       | Off of Bodega Canyon                           |
| 21 Dec 1998 (CBRC)       | 4 miles off Pt. Pinos                          |
| 01-10 May 1999 (CBRC)    | Pebble Beach/Point Pinos                       |
| 7 Aug 1999 (CBRC)        | W Cypress Point on Monterey Bay                |
| 8 Jan 2000 (Roberson)    | At Cordell Bank                                |
| 15 Jan 2000 (CBRC)       | 26 nmi. WSW of Pt. Buchon (35 04.6N 121 20.1W) |

#### **Oregon Sightings**

|  |  |
|--|--|
| 11Dec 1961 (Sherburne, OBRC)                 | 32 miles off Oregon (44.21.6N 124.50.0W)     |
| 19 June 1978 (Gilligan, et al, OBRC)         | 20 miles southwest of the Columbia River bar |
| 19 Sep 1989 (Gilligan, et al)                | 20 miles off Depoe Bay                       |
| 9 Nov 1996 (OBRC)                            | 44 nmiles west of Cape Falcon                |
| 13 Dec 1999 (OBRC)                           | 21nm W. Sisters Rocks, Curry Co.             |
| 21 October 2000 (North American Birds, OBRC) | 32 miles off Yachats                         |

**Washington Sightings**

03 May 1970 (Sherburne)  
16 Jan 1993 (WBRC)  
27 Jan 2001 (under review)

38 miles off southern Washington  
Over Grays Canyon, west of Westport  
46 53N 124 52W

**Mexico Sightings**

Nov 1986 (Sherburne)  
29 Apr 1990 (Sherburne)

230 miles off Manzanillo, Colima  
North of San Benedicto Island (19 26N 110 44W)

**Sources**

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McDermond, D.K. and K.H. Morgan. 1993. Status and conservation of North Pacific albatrosses. In: Vermeer, K., K.T. Briggs, K.H. Morgan and D. Siegel-Causey. The status, ecology, and conservation of marine birds of the North Pacific. Canadian Wildlife Service Special Publication, Ottawa.

National Marine Fisheries Service. 1997. Hawaii Longline Observer Program (HLOP) Quarterly Status Report, January 1, 1997 - March 31, 1997. Fisheries Observer Branch, Southwest Region.

\_\_\_\_\_. 1999a. Hawaii Longline Observer Program Annual Status Report, January 1, 1998 - December 31, 1998. Observer Management, Southwest Region, NMFS.

\_\_\_\_\_. 1999b. Hawaii Longline Observer Program Quarterly Status Report, April 1, 1999 - June 30, 1999. Pacific islands Area Office, Southwest Region, NMFS.

Roberson, Dan. 2000. California short-tailed albatross: a summary at the turn of the 21<sup>st</sup> century. Sightings by Robert Pitman (02 Dec 1983), David Ainley (18 Apr 1987), and Dan Nelson (8 Jan 2000). URL: <[http://montereybay.com/creagrus/CA\\_STAL.html](http://montereybay.com/creagrus/CA_STAL.html)>

Sherburne, J. 1993. Status report on the short-tailed albatross, *Diomedea albatrus*. Prepared for endangered Species Program, Ecological Services, U.S. Fish and Wildlife Service, Nov. 1993.

Stallcup, R. 1990. Ocean Birds of the Nearshore Pacific. Pt. Reyes Bird Obs., Stinson Beach, CA.



*Exhibit E.2.e  
Supplemental Public  
Comment  
March 2001*

## **A CASE AGAINST LONGLINING INSIDE THE EEZ OFF CALIFORNIA**

Prepared for the  
Pacific Fishery Management Council

By

Mike McGettigan  
Sea Watch – Founder  
WWW.SEAWATCH.ORG  
Phone 503-285-3673

March 2001

March 3, 2001

Pacific Fishery Management Council  
2130 SW Fifth Ave.  
Portland, OR 97201

Dear Council Members:

I have been following the declines in fisheries in Mexico and Southern CA for the last 23 years as a sportsman and founder of Sea Watch, Inc. More recently our interests have expanded to drift gillnet issues and the proliferation of longliners along the Baja Pacific Coast. We have spent many of those years interviewing Mexican and American fishermen, concerning destructive fishing practices in the Sea of Cortez and it's surrounding Pacific Waters and then televising the interviews. I've enclosed a brief bio and you can see some of our work on our website [www.seawatch.org](http://www.seawatch.org).

It was of special interest to Sea Watch when you decided, while developing your HMSFMP to look at allowing longliners inside the EEZ off the coasts of California, especially in light of the rapidly declining stocks of billfish along Mexico's Baja and in Southern California. There are some major areas that need to be specifically addressed and questions answered before allowing any more indiscriminate fishing gear types or other sources of fish mortality in the water.

- One of your primary concerns as stated in your scooping document is to protect the billfish fishery through the new HMSFMP. To that end, you need to know the following.
- Eastern Pacific billfish stock assessment data is virtually non-existent. Your voluntary postcard method of determining CPUE on the last great biomass of Striped Marlin in the Pacific does not in any way reflect the health of the stock. CPUE shows no decrease, while Striped Marlin in the core aggregation area around Cabo San Lucas, along the Pacific Coast of Mexico's Baja and in Southern CA. have been in major decline since the early 1980s with anecdotal data showing declines of 40-50% in the last 15 years.<sup>1</sup> The average weight of a Striped marlin caught 15 year ago versus today has dropped from 160 lb. to 120 lb a 25% drop.<sup>2</sup> Can the Council quantify what this drop in numbers and average caught weight says about the health of the Striped Marlin stock? If not, the precautionary approach mandates that no new gear types or other sources of fish mortality be allowed until Marlin populations can be understood, stabilized and sustained.

---

<sup>1</sup> Anecdotal data gathered for television special reports on Televisa over the last 7 years by Sea Watch. Preliminary results can be found at [http://www.seawatch.org/int\\_sum.htm](http://www.seawatch.org/int_sum.htm) and as an attachment to this document. We are now conducting further surveys with the help of Dave Holts, NMFS. Those surveys have started coming in and results will be available soon.

<sup>2</sup> Data taken from weigh in pictures taken over the last 20 years by famous Cabo photographer Mario Banaga Sr.



- In 1999 and 2000 Mexico's longline fleet started and was growing rapidly under the direction of PESCA's Camacho Gaos. There were over 50 vessels fishing marlin and swordfish along the Baja coast with what turned out to be illegal permits. Mexico has taken the lead in the last several months through Congress, by temporarily stopping all permits. The fishermen are fighting back, saying in the Ensenada newspapers that, "California is amassing an inshore longline fleet and that Mexican fishermen are going to lose out again to the American fishing fleets". If there are any permits issued inside the California EEZ, the Mexican fishermen will have all the ammunition they need to go back to the Mexican Congress and get the rulings reversed. You will then have opened the floodgates for inshore (inside the EEZ) longlining in both countries. Conservation of many of these HMS stocks will require joint U.S./Mexican action – the Council should take the broadest possible view of the implications of current decisions as they affect present and future international actions.
- Prior to 1980 there were only harpooners and sports fishermen targeting swordfish and marlin in Southern California waters.
- Around 1977 drift gillnets were introduced in Southern California waters and by the early 1980s with about 300 permits issued, the gillnetters had their banners years, killing approx 46,000 swordfish in 1984-85. From then on it has been straight downhill. As a direct result of those gillnets, today there are virtually no Blue Sharks, very few Threshers or Makos and not enough Swordfish in the California bight (Channel islands to Mexican border) to support a harpoon fishery or a drift gillnet fishery. Only about 70 drift gillnet permits are still active and many of those only partially so and primarily fishing Northern California waters. As longliner Pete Dupuy said to me himself, "You could probably buy all the CA. gillnet permits out there for \$200,000. Why don't the sports fishermen just do it!" If there were still plenty of fish in the California bight would that statement be made?
- It's relatively hard to fathom the fishing power of a small 50-foot longline boat, fishing with 800 to 2000 baits spread out over 25-40 miles of ocean. To get an idea of the killing power, think of one small 50 foot longline boat being equivalent to 200 to 500 sportsfishing yachts drift fishing those same waters 18 hours a day and killing virtually everything they catch. A longliner fishing tuna, sets up to 2000 baits from the surface to fishing depth about 3 hours at dawn and pulls the baits and catch back to the surface for 7 hours starting at dusk. A swordfish boat, setting 800 to 1000 hooks does just the opposite, setting 3 hours at dusk and pulling 7 hours at dawn. Both are prime times to catch marlin, as these baits move up and down through the water column 10 hours a day.
- Hawaii started bringing in longliners in the mid 1980s and has now 160 permits issued, about 115 now being used. In 1999 they caught about 23,000 swordfish down from a 1993 high of about 85,000 swordfish. Over 60% of the boats are now fishing tuna and that number is rising. The reasons for this shift, according to a longliner from Hawaii, with whom I have recently discussed the issue are:
  1. Swordfish boats have to travel further to find swordfish.
  2. North of 30 degrees, where the swords were, there were too many interactions with albacore.
  3. General politics of the turtle lawsuit.

- There are now about 25-35 of the Hawaiian boats fishing off California outside the EEZ,<sup>3</sup> although they have been seen on temperature breaks, 135 mile offshore by harpoon spotter pilots. They are taking about 200 - 250 swordfish per day<sup>4</sup> from the open ocean areas that are thought by many to be the areas that replenish the California bight (<http://www.swordfishmanagement.com/id3.htm>). The number of boats fishing off California may soon increase, according to a Hawaiian longliner, when the new two-month closures in Hawaii start in March. This would put further pressure on the waters off California and Northern Mexico.
- In a recent conversations with a longliner that has been working Hawaiian waters for over 30 years, I was told that 15 years ago he would average about 2-3 Blue Marlin and 10-15 Striped Marlin on a typical 10 day tuna trip. Now he catches one Blue every 2-3 trips and for the last two years almost no Striped Marlin.
- Mexico tried an experimental Bluefin tuna longline fishery with two Japanese boats from September 1997 – May 1998. An effort of 471,952 hooks caught....<sup>5</sup>
  - 11,743 Striped Marlin (77.5%)
  - 758 Sailfish and swordfish (5%) How many swordfish?
  - 2,652 Other fish (17.5%) 12.5% shark

This test was experimental for Bluefin tuna and they were fishing Northern Mexican waters, which is basically the same geographical area and target species that the US longliners want. About 95% of the test was by-catch directly affecting the already declining billfish and shark populations. At the very least this dispels the premise of those who say, "That you can't tell that longlining is bad here just because of its effect on the billfish populations in Chile and the Atlantic. The Pacific is different and catch components are different and you very probably won't hurt non-targeted billfish populations. We need to try longlining to see." Well, it's recently been tried and the results were disastrous.

- The number of registered commercial sports fishing boats, fishing Marlin in the core aggregation area around Cabo and the East Cape has increased from less than 75 in 1985 to over 800 in 2000.<sup>6</sup> Estimates are that there are 300 to 500 sports boats and yachts fishing each day in the core aggregation areas around Cabo and the East Cape, up about 1000% from mid 1980s. Unless otherwise demonstrated the precautionary approach mandates that the Council assume that present recreational effort alone on this stock is a significant source of mortality. No new gear or sources of fishing mortality should be allowed.

---

<sup>3</sup> Bob Enderson, Hawaii

<sup>4</sup> 9 boats took 241,000 lbs of swordfish on 10-15 day trips in August of 2000

<sup>5</sup> January 1999 National Report of Mexico by National Institute of Pesca

<sup>6</sup> Port Captain, Cabo San Lucas

- With the advent of GPS and Ocean Imaging, CPUE data that does not take into account increases in fishing efficiency, does not reflect the health of a fishery until stocks are already in trouble. For example, NMFS, CPUE data has not shown a drop off on the Blue Shark in Southern CA, nor on billfish in Mexico and Southern CA, even when anecdotal data shows 80-90% decreases in Blue Sharks and 40-50% decreases in Striped Marlin. Longliners, gill netters and others are now able to read ocean temperature breaks to .001 of a degree, watch breaks form, predict their path to structure and be there waiting a day or two before the fish arrive. The Cabo sports fleet working together using only GPS and VHF radio communication have managed to keep their CPUE at 1.0 to 1.3 marlin/fishing day for many years, even though the marlin populations in that area are only about 50% of what they were 15 years ago.

### **Summary:**

- As a result of increased pressure from the sports fleets and proliferation of small longline and drift gillnet pangas (528 permits issued in La Paz, Mexico alone) marlin and swordfish stocks along the Baja and Southern California coast will probably continue to decline even if longliners are kept outside the EEZ. Add to that the pressure from the Hawaiian fleet, which with declining swordfish stocks in their waters, will continue to increase fishing pressure off the California and Northern Mexican coastline.
- Major work needs to be done to accurately assess the status of stocks of pelagic fish. There are many 1000s of hours going into a HMSFMP (Highly Migratory Species Fish Management Plan) that will dictate fishing for many years to come and no time going into accurately assessing fish stocks. You cannot start out with bad to nonexistent baseline stock data and somehow come up with a good fish management plan.
- If American longline boats are allowed inside the EEZ. You can be assured that the Mexican Congress will allow their longline fishermen inside also. The NMFS and the Council needs to be working with Mexico's Dept. of PESCA (not just listening to them as in the past) to really protect the last and largest concentration of Striped Marlin in the Pacific. If Mexico and the US can keep their emerging longline fleets and existing drift gillnetters outside the EEZ the Stripped Marlin may have a chance. If not, at the present rate of decline they will be severely depleted within 10 years.

Interview Summary Pages  
and  
Samples of new Interviews

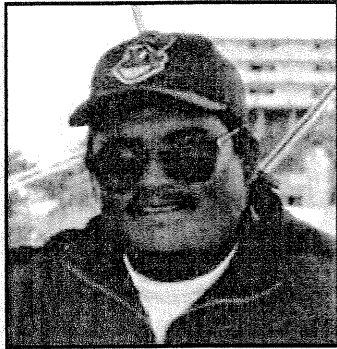
## Where Have All The Billfish Gone?



### Dedicated to a Healthy Sea of Cortez

Selected By The Rolex Awards For Enterprise as  
One of the Top 100 ecological projects worldwide

**Ricardo Agundez -**



Ricardo Agundez

**Q:** What is your fishing background? What makes you a knowledgeable source of information?

**A:** I started 10 years ago with Pisces Fleet. During that time I was a deck hand for one year, before stepping up to being a captain, which I've been doing for 9 years. I have had good and bad experiences, which I feel will help those that will follow behind me.

**Q:** Where do you do most of your fishing?

**A:** The southern tip of B.C.S. or the southern tip of the Baja.

**Q:** How long have you been fishing in the waters you are talking about?

**A:** Approximately 10 to 11 years. I fish 240 to 250 days a year.

**Q:** Do you own your boat or fish on someone else's?

**A:** I work on a boat called "Adriana I," which belongs to Pisces Fleet.

**Q:** What percentage change have you seen in the numbers of the following pelagic fish (striped marlin, blue marlin, sailfish, blue sharks, mako sharks, thresher sharks, dorado, yellowtail) in the areas you fished in the last 15 years?

**A:** For striped marlin, a drop of 30%; blue marlin a drop of 40%; sailfish a 70% drop; sharks of all types a 90% drop.

**Q:** Has the average size of the striped marlin caught dropped in the last 15 years?

**A:** About 15 years ago weights were varied, a good sized fish would have been 160 to 180 pounds. Today a good-sized fish is between 100 and 140 pounds.

**Q:** What about the average size of the sailfish caught?

**A:** In the past 80 to 100 pounds, now the few that remain are from 40 to 70 pounds.

**Q:** Give as many examples as you can of how fishing used to be 15-20 years ago versus what it is today? Try to quantify these examples as much as possible. We are most interested in the pelagics mentioned above.

**A:** Before fishing was very successful and plentiful. Before there were no limits as to how many marlin could be killed and some captains killed 2 to 3 marlin per day. Before there was no commercial exploitation. Today, we should not only preserve certain species, but we should do something about the sportsfishing boats that catch fish indiscriminately and then sell their catch. Many of these boats doing this belong to well-known and important companies. It is not right that some of us try to preserve marlin and other species, while others don't help us in the slightest, killing one or as many fish as they can, a day. It is really important that fishermen and boat owners help each other to preserve our natural resources and our jobs for the future. We should not make the same mistakes that have been made in other fishing ports.

**Q:** Do you have to travel further today to get fish than you did 15 years ago?

**A:** Before we only had to go out 2 or 3 miles. Today, we sometimes have to go as far as 35 miles out and sometimes we don't have any luck.

**Q:** How many marlin have you caught in your fishing career, or in a year with an old hook in it?

**A:** About 10 a year.

## A Biography Of The Founder of SeaWatch



### Dedicated to a Healthy Sea of Cortez

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### A Brief Biography of the Founder of SeaWatch

■ Mike McGettigan has always had an interest in the Sea. He worked summers commercial fishing for salmon in the Columbia River while going to college. After graduating from Portland State University in 1965, Mike worked as a production Engineer for Tektronix and Omark Industries. He went into business for himself in 1967. In 1973 he bought his first boat in Mexico, spending that year cruising through the Sea of Cortez. In 1977 he came back to the Sea of Cortez on the Ambar I, the first of three boats he has had in the Sea. Since then, he has spent 25 years fishing and diving the waters between Costa Rica and San Diego on a full time basis. He has traveled over 350,000 miles in these waters and has made over 130 trips to the Revillagigedo Islands, which are located 250 miles south of Cabo San Lucas. He is an ardent free diver and spearfisherman and co-produced the classic video, "Blue Water Hunter". The famous documentary on the Sea of Cortez by Howard Hall "Shadows in a Desert Sea" and Stan Waterman's biography, "The Man Who Loves Sharks" were also made on his boat.



After watching first hand the rapid destruction of many fisheries in the Sea of Cortez during the late 1970s and 1980, McGettigan founded Sea Watch, an organization dedicated to exposing the destructive and often illegal fishing practices in Mexico's Sea of Cortez. Their initial work lead to many articles, TV reports and eventually led to a major expose by the Sacramento Bee. Sea Watch work at the Revillagigedo Islands led to protection for the Giant Pacific Manta and Whale Shark and helped focus the attention of Mexico on this beautiful Eastern Pacific Archipelago. Mexico has since made these Islands a protected biosphere and his work was recognized in the Rolex Awards for Enterprise in 1996. His organization initiated the first artificial Reef program in the Sea of Cortez and has kept up constant surveillance at the Islands reporting and publicizing illegal fishing. Last year they were the first to report large numbers of longliners working off Mexico's Pacific coast. Mr. McGettigan has a great working knowledge of what is happening in these Eastern Pacific waters and is most concerned about the dramatic decreases in both reef and pelagic fisheries that has taken place in the last 25 years.

## FIRST DRAFT OF THE HIGHLY MIGRATORY SPECIES FISHERY MANAGEMENT PLAN

Situation: At this meeting, the Highly Migratory Species (HMS) Plan Development Team (HMSPDT) will present the first draft of the HMS fishery management plan (FMP), and the HMS Advisory Subpanel (HMSAS) will provide their comments on the draft FMP. The Council is scheduled to provide guidance to the HMSPDT for finalizing the draft FMP in preparation for preliminary adoption for the formal public review process. The current schedule calls for preliminary adoption of the draft at the April 2001 meeting, and after public review, final adoption in September 2001.

Mr. Svein Fougner (National Marine Fisheries Service, Southwest Regional Office) will speak to recent developments in the domestic legal context germane to West Coast HMS fisheries. Based on these recent developments, the Council should anticipate a recommendation for revising the FMP development schedule (e.g., delay adoption of the public review draft of the FMP until the June 2001 meeting).

The draft FMP was developed during the last 14 months over the course of 10 HMSPDT meetings, 4 HMSAS meetings, and 4 Council meetings. During development of the draft FMP, public input has been highly encouraged. Generally, public involvement in the process (both in attendance at meetings and written correspondence) has been substantial.

The Council continues to receive numerous public comment letters (Exhibit E.2.d). As in the past, form-letters made up the bulk of this correspondence. When multiple copies of the same letter were received, a single copy of the letter is included with a notation describing the total number received. The majority of the comments are in opposition to the use of pelagic longline gear inside the West Coast EEZ. As of February 19, 2001, the Council received approximately 1,120 letters in opposition to the use of pelagic longline gear; this is in addition to the 1,083 and approximately 3,000 opposition letters (the bulk of which were also form-letters) received prior to the November and September 2000 Council meetings, respectively.

### **Council Action:**

#### **1. Council Guidance in Finalizing Public Review Draft.**

1. Council Guidance on FMP Development Schedule.

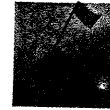
### **Reference Materials:**

1. Exhibit E.2.b, Supplemental NMFS Report.
2. Exhibit E.2.c, Supplemental HMSPDT Report.
3. Exhibit E.2.d, Supplemental HMSAS Report.
4. Exhibit E.2.e, Public Comment.

RECEIVED

FEB 27/2001

FEB 28 2001



K. C. Young  
62 Parpala Rd  
Naselle, WA 98638

TO AFAC

SUBJECT ALBACORE TUNA

MANAGEMENT - LIMITED ENTRY

IN THE PAST 35 YRS THAT I'VE BEEN INVOLVED IN THE COASTAL ALBACORE FISHERY (INSIDE OF 200 MILES) I SEE NO BENEFIT WHATSOEVER TO MANAGE OR LIMIT EXCESS TO THIS FISHERY.

IT'S BEEN MY EXPERIENCE THAT THIS FISHERY WILL EITHER DEVELOP OR WONT, IN THE PAST 35 YRS I'VE SEEN YRS THAT THEY NEVER SHOWED OR IF THEY DID THEY WOULDN'T TAKE THE JIGS, OR THE WATER WAS TOO COLD OR TOO HOT OR THERE WERE NO COLD WATER EDGES FOR THE FEED TO STACK UP, OR THE FEED WAS DOWN OR THERE WAS TOO MUCH FEED OR A HUNDRED OTHER THINGS THAT RESULTED IN EMPTY FUEL TANKS & NO FISH IN THE HOLD. YOU CAN'T OVERFISH THEM RUNNING AROUND AT 5 KNOTS WITH (10) TEN JIGS ON THE SURFACE OF THE WATER.

WE NOW HAVE A HUGE FLEET OF OVERCAPITALIZED SIXTY TO HUNDRED FOOT OFFSHORE BOATS OWNED MOSTLY BY GREENHORNS WHO ARE GOING BELL UP — BROKE, WHO THINK THEY CAN SAVE OR MIGHT



help themselves if limited entry was  
inacted

The way I see the ALBACORE  
Fishery with the huge Oriental  
Fleets both Longline & Gillnet  
The Canadian Fleet, for the  
U.S. ~~to~~ to consider  
limited entry on these fish  
is a shame, there for I'm  
totally against limited entry  
on ALBACORE - EVERY ONE  
DESERVES A CHANCE TO GO  
BROKE OR GET RICH IN THIS  
Fishery

Kerby C. Young

P.S.

F/V QUEST

I'M SURE YOU ARE AWARE  
THAT THERE ARE MORE  
CANADIANS FISHING IN THE  
NEAR SHORE OF FLEET THEN  
US SO BEFORE YOU SHUT  
THE DOORS BY LIMITING  
THE U.S. FISHERMAN THINK  
ABOUT THE CANADIANS

# Draft Fishery Management Plan and Environmental Impact Statement for U.S. West Coast- Based Fisheries for Highly Migratory Species

# Open and Excellent Input from Stakeholders

- Broad and diverse stakeholders
  - Consumers, environmental, different recreational and commercial fisheries
- Contributed to delay of first draft, but increased comprehensiveness and representativeness of views of the diverse stakeholders

# Overarching Issues

- 1. Multiple jurisdictions of HMS trans-boundary resource stocks
  - 3 states: Washington, Oregon, and California
  - EEZs of Pacific coast, Canada, Mexico and other Latin American nations, and Western and Central Pacific Island nations, and the high seas
  - 3 Fishery Management Councils: Pacific, North Pacific (no plan), and Western Pacific (plan)

# 1. Multiple Jurisdictions, cont'd

- Lack of overarching U.S. plan for Pacific
- Treaty Indian Rights
- International Treaties:
  - U.S.-Canada Albacore Treaty
  - Inter-American Tropical Tuna Commission
  - South Pacific Tuna Treaty
  - Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (MHLIC)

## 2. Jurisdiction on the High Seas

- To be effective, some fisheries require jurisdiction on the high seas

# 3. Different Approaches to U.S. Conservation

- Where does conservation and management of trans-boundary, renewable, highly migratory species begin?
  - Domestically then internationally?
  - Internationally then domestically?
  - What happens when there are no international treaties or conventions for conservation and management?
  - Should the U.S. act unilaterally?

### 3. Different Approaches, cont'd

- HMS PDT found wide range of opinion among stakeholders and did not address it in the FMP



## 4. Complexity of HMS Fisheries

- Many Types of Recreational and Commercial Fisheries
  - Charter/party boat recreational
  - Private boat recreational (several types of communities, e.g. large & small vessels, tuna, shark, & billfish)
  - Surface hook-and-line commercial
  - Drift gill net commercial

## 4. Complexity of HMS Cont'd

- Types of Fisheries, Cont'd
  - Pelagic longline
  - Harpoon
  - Large tuna purse seiners in the Eastern and Western and Central Pacific Ocean
  - Small coastal purse seiners

# 4. Complexity of HMS, Cont'd.

- Many Issues
  - Bycatch
  - Interactions with protected species
  - Sharks
  - Multiple users on the same resource
  - Limited entry
  - International and jurisdictional (repeated)
  - Inconsistent state and federal regulations
  - Data collection insufficient and inconsistent

# 4. Complexity of HMS, Cont'd.

- Data Collection
  - PacFIN coding
  - International landings and trans-shipment
  - Economic data on recreational and commercial
  - RecFIN – doesn't adequately sample private vessels
    - MRFSS inadequate sampling of HMS fisheries
  - Commercial and charter log books insufficiently analyzed
  - Other recreational data sources insufficiently analyzed

# Complexity of HMS, Cont'd.

- FMP Interactions with Federal Regulations
  - Marine Mammal Protection Act (MMPA)
  - Endangered Species Act (ESA)
  - Migratory Bird Treaty Act
  - High Seas Fishing Act
  - Tuna Conventions Act

# Complexity of HMS, Cont'd.

- FMP Interactions with International Plans of Action:
  - Seabirds
  - Fishing Capacity
  - Sharks

# Background: Status of Stocks

- PDT concluded no need for management action to prevent overfishing
- U.S. can do little unilaterally to conserve stocks, since international fisheries and regional catches only small fraction of stock-wide exploitation
- Legally by definitions in HMS FMP (from Magnuson-Stevens):
  - No overfished stocks
  - Bigeye and yellowfin tuna overfishing in EPO

# Status of Stocks, Cont'd.

- Could be local depletion
- Common thresher shark is still of concern
- Summary Table on Chapter 3, Page 10



# Types of FMP Options

- Management Unit Species (3.1.1.)
- Framework (8.4.2.)
- Treaty Indian Fishing (8.4.3.)
- Conservation and Management (8.5.5.)
  - General Measures (8.5.5.1.1.3.)
    - Gear
    - Licensing/Permits
    - Reporting

# Types of FMP Options, Cont'd.

## Conservation and Management, Cont'd.:

- Fishery-by-Fishery Measures (8.5.5.2.-8.5.5.8.)
- Shark Conservation (8.5.5.9.)
- Protection of Essential Fish Habitat (8.5.6.)
- Bycatch (8.5.7.)
- Protected Species (8.5.8.)
- Prohibited Species (8.5.9.)

# Management Unit Species Options (3.1.1.)

- Existing Preferred Option
  - Albacore, Yellowfin, Bigeye, Skipjack, Northern Bluefin Tunas
  - Common Thresher, Pelagic Thresher, Bigeye Thresher, Shortfin Mako, Blue Sharks
  - Striped Marlin and Swordfish (Billfish)
  - Dorado

# Framework Options (8.4.2.)

- **Option 1.** New measures or changes to measures may be implemented for one or more fisheries for HMS in the Pacific Council area through rulemaking.
- **Option 2.** Option 2 includes the procedures specified above in Option 1 with the addition of a “point of concern” process.

## Treaty Indian Fishing Options (8.4.3.)

- **Option 1.** Adopt and include in the FMP a framework process similar to that used for treaty Indian fisheries under the Pacific Coast Groundfish FMP.
- **Option 2.** Authorize adoption of the framework to accommodate treaty fishing rights in the implementing regulations. The initial proposed regulations would be as set out in the framework in Option 1.

## General Measures Options (8.5.5.1.1.3.)

- Commercial Gear Options
- **Option 1.** Legal gears for the commercial harvest of HMS within the EEZ or on the high seas include hand gear (harpoon, rod and reel, and spear), hook and line gear (troll gear), gillnet (drift, set, or trammel nets), longline gear (pelagic or set), net gear (lampara, purse seine, seine, and trawl) and pot gear.
  - This option reflects the status quo and includes all gears legal in one or more of the three states.

# Commercial Gear Options, Cont'd.

- **Option 2** Legal gears for the commercial harvest of HMS within the EEZ or on the high seas include hand gear (harpoon, rod and reel, and spear), hook and line gear (troll gear), gillnet (drift, set, or trammel nets), longline gear (pelagic), and net gear (lampara, purse seine, seine).
  - This option removes gears which are technically legal in one or more states because of the classification of HMS, but are not used to target HMS (set longlines, trawl, and pot gear).

# Commercial Gear Options, Cont'd.

- **Option 3** Legal gears for the commercial harvest of HMS within the EEZ or on the high seas include hand gear (harpoon, rod and reel, and spear), hook and line gear (troll gear), gillnet (drift, set, or trammel nets), and net gear (lampara, purse seine, seine).
  - This option removes longline gear as legal gear for HMS.



## Recreational Gear Option (8.5.5.1.1.3.)

- Legal gears for the recreational harvest of HMS within the EEZ or on the high seas. include hand gear (harpoon, rod and reel, and spear), and hook and line gear (troll gear).
  - This option is the status quo proposal. Rod and reel, and hook and line gear are legal in all three states. Spears are legal in California and Oregon. Harpoons are not legal in California.

## Commercial Fisheries Licensing/Permit Options (8.5.5.1.2.2.)

- **Option 1** Require a federal vessel permit for all commercial HMS fisheries within the EEZ.
- a) One permit would cover all HMS fisheries.
- b) Require endorsements for individual fisheries

## Recreational Fisheries Licensing/Permit Options (8.5.5.1.2.2.)

- **Option 1.** Federal recreational permit for anglers. An angler 16 years or older must have a federal permit in order to fish for and retain or possess HMS in the EEZ.
  - This permit provides a foundation for data collection.

## Recreational Fisheries Licensing/Permit Options (8.5.5.1.2.2.), Cont'd.

- **Option 2.** Federal permit for all recreational vessels. This option establishes a single federal permit to fish for HMS inside the EEZ or on the high seas for all recreational vessels.
  - This permit provides information on the recreational vessels, both private and charter/party, participating in the HMS fishery.

## Recreational Fisheries Licensing/Permit Options (8.5.5.1.2.2.), Cont'd.

- **Option 3.** Federal or state permits for all recreational vessels. Unless there is an existing state program licensing HMS recreational vessels, either a state or federal program can permit all recreational vessels to fish for HMS inside the EEZ or on the high seas.

## Reporting/Monitoring Options (8.5.5.1.3.)

- Commercial Fisheries
- **Option 1** Require federal logbooks for all commercial HMS fisheries within the EEZ.
  - Some federal logbooks already in use (i.e. high seas logs) could be utilized for fisheries within the EEZ. Logbooks for other fisheries may need to be established. Logbook must be turned in within a prescribed time period. Electronic logbooks would be accepted and encouraged.

# Commercial Reporting Options, Cont'd. (8.5.5.1.3.2.)

- **Option 2** Require observers on all commercial vessels in HMS fisheries within the EEZ and on the high seas.
- **Option 3** Require VMS on all commercial vessels in HMS fisheries within the EEZ and on the high seas.

## Reporting/Monitoring Options (8.5.5.1.3.), Cont'd.

- Recreational Fisheries
- **Option 4.** Mandatory federal logbooks for charter/party vessels administered by the states.



# Fishery-by-Fishery Measures

## Surface Hook-and-Line (8.5.5.2.)

- **Option 1.** Allow an unrestricted, open-access, HMS troll fishery. This is the status quo.
- **Option 2.** Start the PFMC HMS FMP amendment process to initiate a limited entry program for the albacore troll fishery.

# Fishery-by-Fishery Measures, Cont'd.

## Drift Gillnet (8.5.5.3.)

- **Option 1.** Defer authority for management of the Pacific coast DGN fishery to California, Oregon and Washington.

# Fishery-by-Fishery Measures, Cont'd.

## Drift Gillnet (8.5.5.3.), Cont'd.

- **Options 2 - 6** Establish a federally authorized and administered limited entry DGN fishery in the Pacific coast EEZ, and adopt the federal TRP restrictions and the pending closures imposed by the BO.
  - **Options 2 - 6** differ by the extent to which they federalize existing California, Oregon and Washington gear/time/area DGN regulations. Under options 2 - 6, the FMP would establish federal jurisdiction over DGN vessels operating within the Pacific coast EEZ and on the high seas. Options 2-6 would also provide authority to the Council to directly implement federal regulations that may be promulgated pursuant to the MMPA (e.g. take reduction team) and the ESA (e.g. biological opinion).

# Fishery-by-Fishery Measures, Cont'd.

## Drift Gillnet (8.5.5.3.), Cont'd.

- **Option 2.** Institutes an area closure off Washington, federalizes current DGN regulations for California and Oregon, and adopts the federal TRP and implements the pending closures imposed by the BO.
  - This option would federalize the existing California and Oregon gear/time/area DGN regulations, and the intent of DGN not being a legal gear for Washington residents. Concern over salmon bycatch is a major reason why a DGN fishery has not developed off Washington.

# Fishery-by-Fishery Measures, Cont'd.

## Drift Gillnet (8.5.5.3.), Cont'd.

- **Option 3.** Creates a coastwide limited entry DGN fishery in the Pacific coast EEZ that federalizes gear/time/area restrictions as per current state practices, and adopts the federal TRP restrictions and implements the pending closures imposed by the BO.
  - This option would allow U.S. citizens possessing a limited entry permit to fish DGN gear throughout the Pacific coast EEZ (including the portion off Washington).

# Fishery-by-Fishery Measures, Cont'd.

## Drift Gillnet (8.5.5.3.), Cont'd.

- **Option 4.** Would not federalize current state gear/time/area management practices, but would institute an area closure off Washington. It would adopt the federal TRP restrictions and implement the pending closures imposed by the BO.

# Fishery-by-Fishery Measures, Cont'd.

## Drift Gillnet (8.5.5.3.), Cont'd.

- **Option 5.** Would not federalize current state gear/time/area management practices, but would create a coastwide limited entry DGN fishery in the Pacific coast EEZ (no closure off Washington). It would adopt the federal TRP restrictions and implement the pending closures imposed by the BO.

# Fishery-by-Fishery Measures, Cont'd.

## Drift Gillnet (8.5.5.3.), Cont'd.

- **Option 6.** Only federalizes selected gear/time/area restrictions as per current California practices. It would harmonize existing Oregon DGN regulations. It would adopt the federal TRP restrictions and implement the pending closures imposed by the BO. This option embodies an industry proposal for a federalized DGN fishery.



# Fishery-by-Fishery Measures, Cont'd.

## Harpoon Fishery (8.5.5.4.)

- **Option 1** would allow the harpoon fishery to continue within the U.S. west coast EEZ, but with area restrictions and reporting and monitoring requirements as per current Pacific States' practices (closure off Washington). (status quo)
- **Option 2** would allow harpoon fishery throughout the U.S. west coast EEZ with no area restrictions, but with reporting and monitoring requirements as per current Pacific States' practices.

# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.)

- **Inside the EEZ - Conventional Longline Gear**
- **Option 1:** Longlining permitted only off Oregon and beyond 25 miles, to continue the existing developmental fisheries there for swordfish and for blue shark. This would essentially be the status quo.
- **Option 2:** Longlining not permitted in the entire west coast EEZ. This would eliminate the developmental longline fisheries off Oregon.

# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.), Cont'd.

- **Inside the EEZ - Conventional Longline Gear, Cont'd.**
- **Option 3:** Longlining permitted in west coast EEZ waters, but with specific restrictions. These restrictions could be by entry limitations, by time and area closures, by gear type or deployment restrictions, by monitoring requirements, or by combinations of restrictions.

# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.), Cont'd.

- Option 3, Cont'd.
- The industry proposal has effort and area restrictions - specifically:
  - longline effort derived from DGN effort (through gear switching)
  - fishing prohibited, north of Pt. Conception, within 25 miles of shore and, south of Pt. Conception, east of a line drawn from Pt Conception to San Miguel Is. to San Nicolas Is. to San Clemente Is. to the intersection of longitude 117° 49' 30" W with the southern boundary of the U.S. EEZ.

# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.), Cont'd.

- **Option 4:** Longlining permitted within the West coast EEZ as a research program. Investigate tunas and swordfish available in the EEZ to longline gear, focusing on adult bluefin tuna and how it could be caught with least impact on associated, non-target species. (Research version of #3)
  - The biology, fishery potential, and effects of fishing, including effects on any protected or vulnerable species incidentally caught, are to be studied. Research on procedures for reducing the bycatch and mortalities to those other species would be important

# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.), Cont'd.

- Option 4 has 3 suboptions:
- **4a:** Investigate the biology and fishing effects on adult bluefin and other incidentally caught species, via an exploratory fishing mode, using longline vessels with exempted fishery permits (that must be renewed annually). Results of the study are to be analyzed as post-fishing data.

# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.), Cont'd.

- **4b-1:** Investigate the biology and fishing effects on adult bluefin and other incidentally caught species, via the research study mode, using a research ship and/or chartered longline vessels - *fishing time, area, and gear strata, along transects or other sampling configurations to test scientific hypotheses* on bluefin and procedures for reducing takes of and mortalities to any protected, vulnerable, or prohibited species also caught.

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# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.), Cont'd.

- **4b-2:** Investigate the biology and fishing effects on adult bluefin and other incidentally caught species via the research study mode, using chartered or exempted-permit longline vessels - *but allowing those vessels to find and catch bluefin tuna as they can, the scientific sampling and gear experiments to be adapted to the fishing as it develops, as it can be modified, and as is practical.* A research vessel could work with the fishing vessels. This would be a hybrid of research program Options 4a and 4b-1 above



# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.), Cont'd.

- **Inside the EEZ - Cable Longline Gear**
- **Option 1.** Allow a limited number of cable longliners to target juvenile and subadult shortfin mako sharks in EEZ waters.
- **Option 2.** Not allow a longline fishery targeting shortfin mako sharks.

# Fishery-by-Fishery Measures, Cont'd.

## Longline Fisheries (8.5.5.5.), Cont'd.

- **Outside EEZ - Conventional Longline Gear**
- **Option 1:.** Adopt selected portions of the regulations for Hawaii-based longliners to prevent longliners departing from west coast ports from circumventing conservation measures protecting turtles and albatrosses in the Hawaiian fishery.
- **Option 2:.** Not adopt selected portions of the Hawaii regulations for west coast longliners.

# Fishery-by-Fishery Measures, Cont'd.

## Coastal Purse Seine Fishery (8.5.5.6.)

- **Option 1** Allow a of HMS purse seine fishery within the Pacific coast EEZ, subject to an area closure off Washington.
  - This reflects the intent of current state practices, i.e. the status quo. The closure off Washington would alleviate concerns over salmon and shark bycatch or incidental catch by purse seiners, and adverse impacts on other fisheries.
- **Option 2** Allow a coastwide HMS purse seine fishery within the EEZ.

## Fishery-by-Fishery Measures, Cont'd.

### Large Tuna Purse Seine Fishery (8.5.5.7.)

- This fishery does not occur within the U.S. EEZ of the Pacific coast. NMFS currently regulates this fishery under authority of the Tuna Conventions Act. There are no specific regulatory options proposed at this time. Regulatory measures in the future may be undertaken by the framework procedure.

# Fishery-by-Fishery Measures, Cont'd.

## Private & Charter/Party Boat Recreational Fishery (8.5.5.8.)

- **Option 1** Recreational Bag Limits for Anglers. This option would establish a framework process for each to state to establish their own limits. There are varying bag limits on HMS by state. This could be accomplished by deferring to states or by federal bag limits which can vary by state.
- **Option 2.** Sale of Recreational Caught Fish. This option allows for the sale of HMS fish caught by recreational anglers.

# Shark Conservation (8.5.5.9.)

- **Option 1** would adopt shark finning prohibitions currently in effect in the Pacific Coast states (status quo).
  - These regulations generally prohibit the landing of most sharks with fins detached, requiring them to be landed whole.

## Shark Conservation (8.5.5.9.), Cont'd.

- **Option 2** would establish consistency with non-finning rules at the federal level ( PL 106-557, amended Section 307 (1) of the MSFCMA and U.S. NPOA guidelines. It would allow landing of fins detached from the carcasses, but under certain conditions, i.e.prohibit:
  - 1) removal of fins & discarding of the carcass at sea
  - 2) the custody, control or possession of any such fins aboard a vessel without the corresponding carcass, in the amount of 4 fins per carcass and a total weight of shark fins not to exceed 5 percent of the total weight of shark carcasses landed or found on board.

## Shark Conservation (8.5.5.9.), Cont'd.

- **Option 3** would continue time/area closures in the drift gill net fishery protecting sharks off California, Oregon and Washington.
  - These restrictions effectively protect inshore nursery areas and reproductive thresher shark adults that pass through the area during the breeding season in spring and early summer.
  - (See also Drift Gill Net options in section 8.5.5.3, some of which also propose continuing existing closures)



## Shark Conservation (8.5.5.9.), Cont'd.

- **Option 4** would require the mandatory release of MUS pelagic sharks taken incidentally in the purse seine fishery, where practicable.
- **Option 5** would establish a coast-wide prohibition against development of commercial fisheries that specifically target any shark MUS.
  - Most HMS sharks, because of their unique life histories, cannot support sustainable directed fisheries.

## Shark Conservation (8.5.5.9.), Cont'd.

- **Option 6** would maintain present observer coverage in the driftnet fishery and establish adequate observer coverage for any developing fishery that may catch significant numbers of HMS sharks.
  - See also Bycatch options section 8.5.7.1 which also addresses maintenance of existing observer coverage.

## Shark Conservation (8.5.5.9.), Cont'd.

- **Option 7** would impose size, season and area limits on recreational and commercial fisheries to protect pups and adult female sharks as follows:
  - Retention prohibited of all 0-1 yr shortfin mako and thresher sharks less than 40" FL south of Pt. Conception, CA year-round (commercial and recreational).
  - Retention prohibited of large female common thresher sharks 6 ft and over (FL) south of Pt. Conception from February through May; and from the California-Oregon border northward from Aug-Jan. (commercial and recreational; with de-hooking devices required).

## Shark Conservation (8.5.5.9.), Cont'd.

- **Option 8** would impose retention limits as stated in Option 6 for the commercial fishery only, and for the recreational fishery adopt a Pacific coast-wide version of the current California pelagic shark sublimit now in effect in California (a daily bag limit of 2 blue shark, 2 thresher shark and 2 mako shark).

## Shark Conservation (8.5.5.9.), Cont'd.

- **Option 9** would impose no size limits on the commercial or recreational fishery as mentioned above, but would establish a Pacific coast-wide version of California's pelagic shark sublimit now in effect for the recreational fishery ( a daily bag limit of 2 blue shark, 2 thresher shark and 2 mako shark).
  - This expands the bag limit to the states of Washington and Oregon, where relatively few pelagic sharks are taken recreationally.

## Shark Conservation (8.5.5.9.), Cont'd.

- **Option 10** expands protection throughout the U.S. West coast EEZ for basking shark, white shark and megamouth sharks. Prohibits take except under permit issued for scientific or educational purposes or for scientific or live display, although may be taken as bycatch by commercial fishing operations, including drift gillnet and purse seine, but must have its pelvic fin intact. If taken alive it may be sold for scientific or display purposes.

# Protection of Essential Fish Habitat (8.5.6.)

- There are no options.
- **Recommendation:** The Team believes that current management measures to protect fishery habitat are adequate, but should future research demonstrate a need, and these critical habitats become identified in the future, it is recommended that the Council make every effort to protect them, especially if they are found to be concentrated in localized definable areas.

# Bycatch: Standardized Reporting and Measures to Minimize (8.5.7.)

- The MSFCMA requires:
  - (A) minimize bycatch; and
  - (B) minimize the mortality of bycatch which cannot be avoided”



# Bycatch: Standardized Reporting and Measures to Minimize (8.5.7.), Cont'd.

- Performance Standards:
  - provide an objective measurable option to achieve target bycatch reduction and minimization goals.
    - Gives transparency in management.
  - promote innovation to achieve a target or goal.
    - For this FMP, the *goal* of the performance standards would be to reduce and minimize incidental catches of non-target, vulnerable and protected species.
  - The term 'performance standards' refers to the "bundle" of objectives, criteria, indicators and verifiers developed in the FMP to minimize and reduce bycatch.

# Bycatch by Fishery (8.5.7.)

## Drift Gillnet (8.5.7.1.)

- Reporting:
- 1. Logbook - Continue to use logbooks to document the bycatch of HMS and other fishes. Status Quo.
- 2. Observers - Continue under this FMP if discontinued NMFS under the MMPA. Status Quo.
- 3. None - Based on past logbook data and at-sea observer data, it may no longer be necessary to collect bycatch data for this fishery.

# Bycatch by Fishery (8.5.7.)

## Drift Gillnet (8.5.7.1.)

- Efforts to Minimize Bycatch:
  - 1. Performance standards.
  - 2. Develop methods/Investigate gear modifications to reduce bycatch.
  - 3. Time/Area closures to protect juvenile sharks & reduce bycatch of blue sharks & common mola.
  - 4. Mandatory landings
  - 5. Effort reduction - Reduce the number of permits issued to drift gillnet vessels.

# Bycatch by Fishery (8.5.7.)

## Drift Gillnet (8.5.7.1.)

- Efforts to Minimize Bycatch, Cont'd:
  - 6. Alternative Fisheries
    - Might have lower bycatch rates and fishers could enter while surrendering their drift gillnet permits.
  - 7. Education –
    - Skipper workshops on the consequences of high bycatch rates and known ways to reduce bycatch.

# Bycatch by Fishery (8.5.7.)

## Drift Gillnet (8.5.7.1.)

- Efforts to Minimize Mortality
  - 1. Reduced Soak Time
  - 2. Education
    - Educate skippers at workshops on the consequences of high bycatch rates and known ways to minimize bycatch mortality.

# Bycatch by Fishery (8.5.7.)

## Surface Hook-and-Line (8.5.7.2.)

- Reporting
- 1. Logbook - Continue the use of mandatory high seas logbook outside the EEZ and use of voluntary logbooks within the EEZ to document the bycatch of HMS and other fishes. Status quo.
- 2. Logbook - Extend existing mandatory use of high seas logbook to include fishing in EEZ.
- 3. Observers - Place observers on larger vessels to document the bycatch of HMS and other fishes.

# Bycatch by Fishery (8.5.7.)

## Surface Hook-and-Line (8.5.7.2.), Cont'd.

- Efforts to Minimize Bycatch
  1. Time/Area closures - Protect juvenile albacore which are currently thrown back.
  2. Mandatory landings

# Bycatch by Fishery (8.5.7.)

## Surface Hook-and-Line (8.5.7.2.), Cont'd.

- Efforts to Minimize Mortality
- 1. Modify gear to reduce bycatch
  - Modify of the gear is limited to hook design since the fishery uses very simple, light weight jigs trolled at or near the surface.
- 2. Initiate informal program to educate fishermen of the consequences of high bycatch rates and known ways (leave the area) to reduce bycatch mortality.



# Bycatch by Fishery (8.5.7.)

## Pelagic Longline Fishery (8.5.7.3.)

- Reporting
  1. Logbook - Continue to use federal high-seas logbooks to document the bycatch of HMS and other fishes outside the EEZ. Status Quo.
  2. Logbook - Mandatory logbooks to document catch and bycatch of HMS and other fishes within the EEZ and continue their use outside as well.
  3. Observers - Institute mandatory observer program to document the bycatch of HMS and other fishes.

# Bycatch by Fishery (8.5.7.)

## Pelagic Longline Fishery (8.5.7.3.), Cont'd.

- Efforts to Minimize Bycatch
  1. Performance standards
  2. Modify gear to reduce bycatch
    - Artificial baits, hook styles or longer suspenders.
  3. Time/Area closure
  4. Mandatory landings
  5. Reduce soak time
    - Retrieve gear sooner to avoid predation and wastage of fish due to warm water conditions.

# Bycatch by Fishery (8.5.7.)

## Pelagic Longline Fishery (8.5.7.3.), Cont'd.

- Efforts to Minimize Mortality
  1. Reduced Soak Time
  2. Education - Skipper workshops
  3. Gear - Require circle hooks or other hook modifications to reduce hooking mortality.

# Bycatch by Fishery (8.5.7.)

## Harpoon (8.5.7.4.)

- Reporting
  1. Mandatory Logbooks
    - Determine the magnitude of bycatch. Status Quo.
  2. Observers –
  3. None
    - Not requiring fishermen to keep logbooks or take observers on board vessels would negate any chance for the Council to monitor the fishery to determine the magnitude of the bycatch.

# Bycatch by Fishery (8.5.7.)

## Harpoon (8.5.7.4.), Cont'd.

- Efforts to Minimize Bycatch
  - Because of the assumed low level of bycatch, no additional measures are warranted to reduce bycatch.
- Efforts to Minimize Mortality
  - Because of the assumed low level of bycatch, no additional measures are warranted to reduce bycatch mortality.

# Bycatch by Fishery (8.5.7.)

## Large Vessel Tuna Purse Seine (8.5.7.5.)

- Reporting
  1. Logbooks
    - The IATTC requires logs from vessels fishing Commission regulated area. Status Quo.
  2. Observers
    - IATTC requires observers on vessels fishing on porpoise in Commission regulated area. Status Quo.
  3. None
    - IATTC has reporting requirements & MHLC will also, so non-reporting of catch is not a viable option.

# Bycatch by Fishery (8.5.7.)

Large Vessel Tuna Purse Seine (8.5.7.5.), Cont'd.

- Efforts to Minimize Bycatch
  - All efforts to minimize bycatch should defer to IATTC mandates or MHLC mandates when adopted.
- Efforts to Minimize Mortality
  - All efforts to minimize mortality should defer to IATTC mandates or MHLC mandates when adopted.

# Bycatch by Fishery (8.5.7.)

## Coastal Purse Seine (8.5.7.6.)

- Reporting
  1. Logbook
    - Accounting for all fish caught allows determining the magnitude of the bycatch.
  2. Observers
    - Allow the collection of data on bycatch assoc.with traveling schools, floating objects and feeding fish.
  3. None
    - Status Quo.



# Bycatch by Fishery (8.5.7.)

## Coastal Purse Seine (8.5.7.6.), Cont'd.

- Efforts to Minimize Bycatch
  1. Performance standards
  2. Prohibit setting on floating objects
    - Given the lack of data and assumed low bycatch levels, there is no apparent need to prohibit setting on floating objects. If logbook or observer data indicated the need, then a prohibition could be enacted.
  3. Mandatory landings

# Bycatch by Fishery (8.5.7.)

## Coastal Purse Seine (8.5.7.6.), Cont'd.

- Efforts to Minimize Mortality
  - The amount of bycatch mortality is unknown but assumed to be small since most sets are on free-swimming bluefin tuna.

# Bycatch by Fishery (8.5.7.)

## Charter/Party Recreational (8.5.7.7.)

- Reporting
  1. Logbook
    - Partyboats in California have mandatory logbook requirements while Washington vessels have a volunteer logbook for HMS. Oregon does not require logbooks. Status Quo.
  2. Mandatory Logbooks
  3. Observers
    - Run in conjunction with MRFSS. Otherwise, observations could be obtained from at-sea samplers working for the MRFSS.

# Bycatch by Fishery (8.5.7.)

Charter/Party Recreational (8.5.7.7.), Cont'd.

- Efforts to Minimize Bycatch
  1. Develop a formal catch-and-release program similar to the one proposed for striped marlin in Section 8.5.7.9.
  2. Require anglers to land all HMS, taking into account current limits.

# Bycatch by Fishery (8.5.7.)

Charter/Party Recreational (8.5.7.7.), Cont'd.

- Efforts to Minimize Mortality
  1. Require the use of approved de-hooking devices.
  2. Require the use of circle hooks when fishing for HMS.
  3. Educational efforts
    - Work with the industry to inform sport anglers of the correct methods available to release fish in a healthy condition when taken as bycatch.

# Bycatch by Fishery (8.5.7.)

## Private Boat Recreational (8.5.7.8.)

- Reporting
  1. Logbook
    - Recreational anglers maintain voluntary daily records of effort and catch of HMS.
  2. Observers
    - Impractical.
  3. Federal HMS license
    - Solely for data collection.
  4. None
    - Status Quo.

# Bycatch by Fishery (8.5.7.)

Private Boat Recreational (8.5.7.8.), Cont'd.

- Efforts to Minimize Bycatch
  1. Develop a formal catch-and-release program similar to the one proposed for striped marlin in Section 8.5.7.9.
  2. Require anglers to land all HMS, taking into account current limits.

# Bycatch by Fishery (8.5.7.)

## Private Boat Recreational (8.5.7.8.), Cont'd.

- Efforts to Minimize Mortality
  1. Require the use of approved de-hooking devices.
  2. Require the use of circle hooks when fishing for HMS.
  3. Educational efforts
    - Work with the industry to inform sport anglers of the correct methods available to release fish in a healthy condition when taken as bycatch.



# Areas of Council Guidance

- 1. PDT needs full range of options in FMP before going out for public review and to satisfy NEPA requirement.
  - Does the Council have any additional options for the PDT to include and analyze?
- 2. Does the Council have an preferred options?