

March 11, 2015
Ms. Dorothy M. Lowman, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon 97220-1384

RE: Agenda Item H.4 – Drift Gillnet Management and Monitoring Plan Including Final Action on Hard Caps

Dear Chair Lowman and members of the Council,

My name is Jonathan Gonzalez and I am from Santa Barbara, CA. I have worked full-time as a professional graphic designer the last 16 years and I blog over at EatUSseafood.com. I am here to represent the public-at-large as a volunteer advocate for responsible fisheries.

(Slide 2) So what is our purpose for being here today? As for the public, we are here without pay to advocate for or oppose Council actions because we are concerned, even though Council actions do not affect our livelihoods. ENGOs are here today because it is their job to be here, and they are paid to be here. On the other hand, fishermen are taking time off of work to be here today in hopes of saving their job. The PFMC is here today because of the Magnuson-Stevens Act. The fate of a fishery and the families and communities that depend on them is in the hands of the PFMC, and depends on whether or not the Council fulfills its purpose of adhering to the MSA National Standards. This Agenda Item is a huge deal.

(Slide 3) The first of the three Council actions under this Agenda Item is to approve the purpose and need statement, including goals and objectives for a draft gillnet management and monitoring plan. I am opposed to the draft “purpose” because reducing bycatch below the levels currently permitted by law is not practicable and will stifle efforts to maintain or enhance a viable west coast HMS fishery. I am opposed to the draft “need” because in regards to National Standard 9, the proposed action is not needed because it seeks to reduce bycatch to an extent that is not practicable.

(Slide 4) The draft management and monitoring plan has three main goals, and each goal has its own set of objectives. I am opposed to Goal #1 because the objectives fail to comply with National Standards 1, 2, 5, 7, 8, 9 and 10. I am opposed to Goal #2 because the objectives fail to comply with National Standards 1, 2, 5, 6, 7, 8 and 9. I support Goal #3 because the objectives will help to maintain or enhance the DGN fishery.

(Slide 5) The second Council action under this Agenda Item is to provide guidance on further development of the management and monitoring plan. Considering there is a POCTRT meeting this month, a swordfish workshop coming up in May, and the possibility of new data coming from the EFP’s, I feel the Council should wait at least one year before providing any guidance in regards to further developing the management and monitoring plan.

(Slide 6) The last of the three Council actions under this Agenda Item is to adopt a Final Preferred Alternative for hard caps. According to the HMSMT Report, the PPA will create a “substantial decline” in economic performance with only a “small improvement” in bycatch performance. Furthermore, 100% monitoring has not proven to be feasible yet, and in most cases the one-year hard caps under consideration combined with observer coverage rates

below 50% would result in a fishery closure if only one take/M&SI is observed. For these and several other reasons I support the No Action Alternative for hard caps.

(Slide 7) According to the HMSMT Report, most of the implementation issues discussed for hard caps in the previous slide as well as other issues would need to be considered with respect to performance objectives. For these and several other reasons I support the No Action Alternative for performance objectives.

(Slide 8) Both NMFS and Frank Orth and Associates have routinely inspected DGN vessels and have excluded certain vessels for safety or accommodation reasons. Removing the unobservable exemption could get someone killed on the ocean. This is a huge deal. Furthermore, future funding levels are uncertain and a move to 100% observer coverage with all (70%) of the additional costs borne by industry would reduce variable profits per set by about 50% according to the HMSMT Report. For these and several other reasons I support the No Action Alternative for fishery monitoring.

(Slide 9) If the Council decides to take action on this Agenda Item, I believe you would fail to comply with 8 out of the 10 National Standards, which undermines the Council's purpose for being here today, not to mention the loss of a responsible fishery, livelihoods, etc.

(Slide 10) Last Monday was Dr. Seuss' birthday so I thought I'd share a quote of his that I believe applies directly to this Agenda Item. "*Sometimes the questions are complicated and the answers are simple.*" The simple answer to this complicated Agenda Item is for the Council to slow down and wait for more scientific data before taking any action at all.

(Slide 11) On a positive note, the Blue Serengeti, as I like to refer to it, is thriving with healthy marine mammal populations! Scientists and whale watchers are seeing more whales today than they have seen in their entire lives. This is something that should be recognized and celebrated a lot more in my opinion. It's important to note that the restoration of all of these stocks coexisted with the status quo DGN management measures.

(Slide 12) As far as priorities go, the fact that over 42,000 sea turtles were legally killed in 2012 alone is the elephant in the room that deserves more attention from ENGOs that aim to save sea turtles. It's important to note that the CA DGN fishery has had zero observed sea turtle mortalities in over 15 years.

(Slide 13) On another note, I feel it's important to point out another model of sustainability. After nine years of fishing, the Ventura II retained 95% of its catch and did not interact with a single sea bird or marine mammal and only caught one sea turtle. Of the nine U.S. regional fishery management councils, the PFMC is the only one that authorizes a longline fishery, and then prohibits longline fishing within its jurisdiction. I ask that you please enact the management standards required under federal law, and allow Pete Dupuy to fish with longline gear within West-coast waters.

Thank you for your attention and consideration.
Jonathan Gonzalez

CALIFORNIA THRESHER SHARK/SWORDFISH DRIFT GILLNET FISHERY

DRIFT GILLNET MANAGEMENT AND MONITORING PLAN INCLUDING FINAL ACTION ON HARD CAPS

Agenda Item H.4

Pacific Fishery Management Council
March 2015 - Vancouver, WA.

Jonathan Gonzalez
Artist, Volunteer Advocate for Responsible Fisheries
EatUSseafood.com

WHAT IS OUR PURPOSE FOR BEING HERE?

Demographic	Occupation	Purpose for Being Here	Paid?	Fullfilling its Purpose?
Public	Mixed	Advocate/Oppose	No	Inherently Fullfilled
Fishermen	Fishing	Defend Livelihood	No	Depends on PFMC
Stakeholders	Mixed	Advocate/Oppose	?	Depends on PFMC
eNGOs	Campaign	Campaign	Yes	Inherently Fullfilled
PFMC	Mixed	Magnuson-Stevens Act	Yes	That Depends...

- The public is here to support or oppose Council actions that do not affect their job
- Fishermen are taking time off of work to be here in hopes of saving their job
- Industry stakeholders are here because they have something to gain or lose
- eNGOs are here because it is their job to be here, and they are paid to be here
- The PFMC is here because it is their job to adhere to the Magnuson-Stevens Act
- The fate of a fishery and the families and communities that depend on them is in the hands of the PFMC and depends on whether or not the Council fullfills its purpose

PURPOSE AND NEED STATEMENT

Council Action #1:

Approve purpose and need statement, including goals and objectives for a draft gillnet management and monitoring plan.

THE PURPOSE: *OPPOSED*

Reducing bycatch below the levels currently permitted by law is not practicable and will stifle efforts to maintain or enhance a viable fishery.

THE NEED: *OPPOSED*

In regards to National Standard 9, the proposed action is not needed because it seeks to reduce bycatch to an extent that is not practicable.

PURPOSE AND NEED STATEMENT

Council Action #1:

Approve purpose and need statement, including goals and objectives for a draft gillnet management and monitoring plan.

GOAL 1 AND IT'S OBJECTIVES: *OPPOSED*

The objectives of Goal 1 subvert National Standards 1, 2, 5, 7, 8, 9 and 10.

GOAL 2 AND IT'S OBJECTIVES: *OPPOSED*

The objectives of Goal 2 subvert National Standards 1, 2, 5, 6, 7, 8 and 9.

GOAL 3 AND IT'S OBJECTIVES: *SUPPORT*

The objectives of Goal 3 will help to maintain or enhance the DGN fishery.

PROVIDE GUIDANCE

Council Action #2:

Provide guidance on further development of the management and monitoring plan

BEFORE PROVIDING ANY GUIDANCE IN REGARDS TO FURTHER DEVELOPMENT OF THE MANAGEMENT AND MONITORING PLAN:

- Wait for the results of the POCTRT meeting this month
- Wait for the results of the May 2015 swordfish workshop
- Wait for the results of the EFP's

For these reasons I believe it would not be wise for the Council to approve the purpose and need statement at this time

FINAL PREFERRED ALTERNATIVE

Council Action #3:

Adopt Final Preferred Alternative for hard caps

HARD CAPS: ***SUPPORT NO ACTION ALTERNATIVE***

Problems with the PPA according to HMSMT Report:

- The PPA will create a “substantial decline” in economic performance with only a “small improvement” in bycatch performance
- Assessing M&SI inseason “may not be feasible” according to NMFS
- The PPA proposes M&SI hard caps for sea turtles in addition to marine mammals, but the current NMFS M&SI determination policy only applies to marine mammals
- 100% monitoring has not proven to be feasible yet, and in most cases the one-year hard caps under consideration combined with observer coverage rates below 50% would result in a fishery closure if only one take/M&SI is observed

FINAL PREFERRED ALTERNATIVE

Council Action #3:

Adopt Final Preferred Alternative for hard caps

PERFORMANCE OBJECTIVES: *SUPPORT NO ACTION ALTERNATIVE*

Problems with the PPA according to the HMSMT Report:

- Most of the implementation issues discussed for hard caps in the previous slide would need to be considered with respect to performance objectives

FINAL PREFERRED ALTERNATIVE

Council Action #3:

Adopt Final Preferred Alternative for hard caps

FISHERY MONITORING: **SUPPORT NO ACTION ALTERNATIVE**

- Removing the unobservable exemption could get someone killed

Problems with the PPA according to the HMSMT Report:

- Future funding levels are uncertain
- Fishermen would have to increase their revenue to cover any additional monitoring costs
- A move to 100% observer coverage with all (70%) of additional costs borne by industry would reduce variable profits per set by about 50%
- Costs of potential future EM implementation are unknown at this time, and it is also unclear who would pay for EM in the DGN fleet

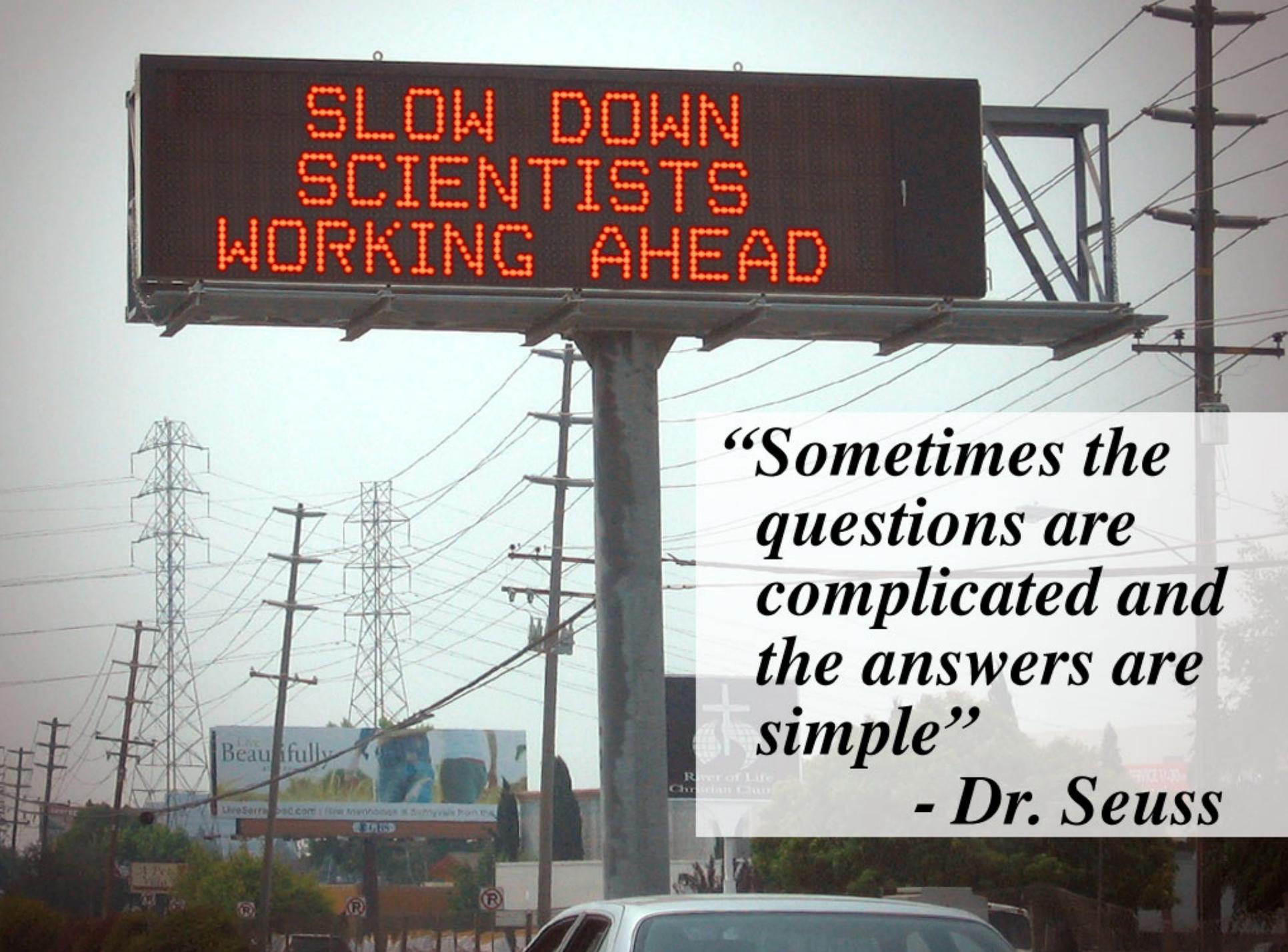
PLEASE DON'T FLUNK THE MSA

Agenda Item H.4	Take Action	Status Quo
1. Achieve optimum yeild and prevent overfishing	X	✓
2. Best available scientific information	X	✓
3. Manage stocks as a unit	✓	✓
4. Allocations fair and equitable, promote conservation, and prevent excessive shares	✓	✓
5. Consider efficiency in utilization	X	✓
6. Allow for variations and contingencies	X	✓
7. Minimize costs, avoid duplication	X	✓
8. Communities	X	✓
9. Minimize bycatch, and bycatch mortality	X	✓
10. Promote safety of human life at sea	X	✓

Grade:

F-

A+



SLOW DOWN
SCIENTISTS
WORKING AHEAD

*“Sometimes the
questions are
complicated and
the answers are
simple”*

- Dr. Seuss

“THE BLUE SERENGETI” IS THRIVING

California
Sea
Lion



PBR:
9,200

New pup counts made in 2011 totaled 61,943 animals, the highest recorded to date

Northern
Elephant
Seal



PBR:
4,882

The population is reported to have grown at 3.8% annually since 1988

Short-
Beaked
Common
Dolphin



PBR:
3,440

Average annual human-caused mortality in 2004-2008 (64 animals) is estimated to be less than the PBR (3,440)

California
Gray
Whale



PBR:
624

The population size of the ENP gray whale stock has increased over several decades resulting in ESA delisting in 1994

Humpback
Whale



PBR:
11

Population estimates have increased substantially from 1,200 in 1966 to approximately 18,000-20,000 whales in 2004 to 2006

Sperm
Whale



PBR:
2.7

Including both fishery and ship-strike mortality, the annual kill and serious injury (1.7 per year) is less than the calculated PBR for this stock (2.7)

Blue
Whale



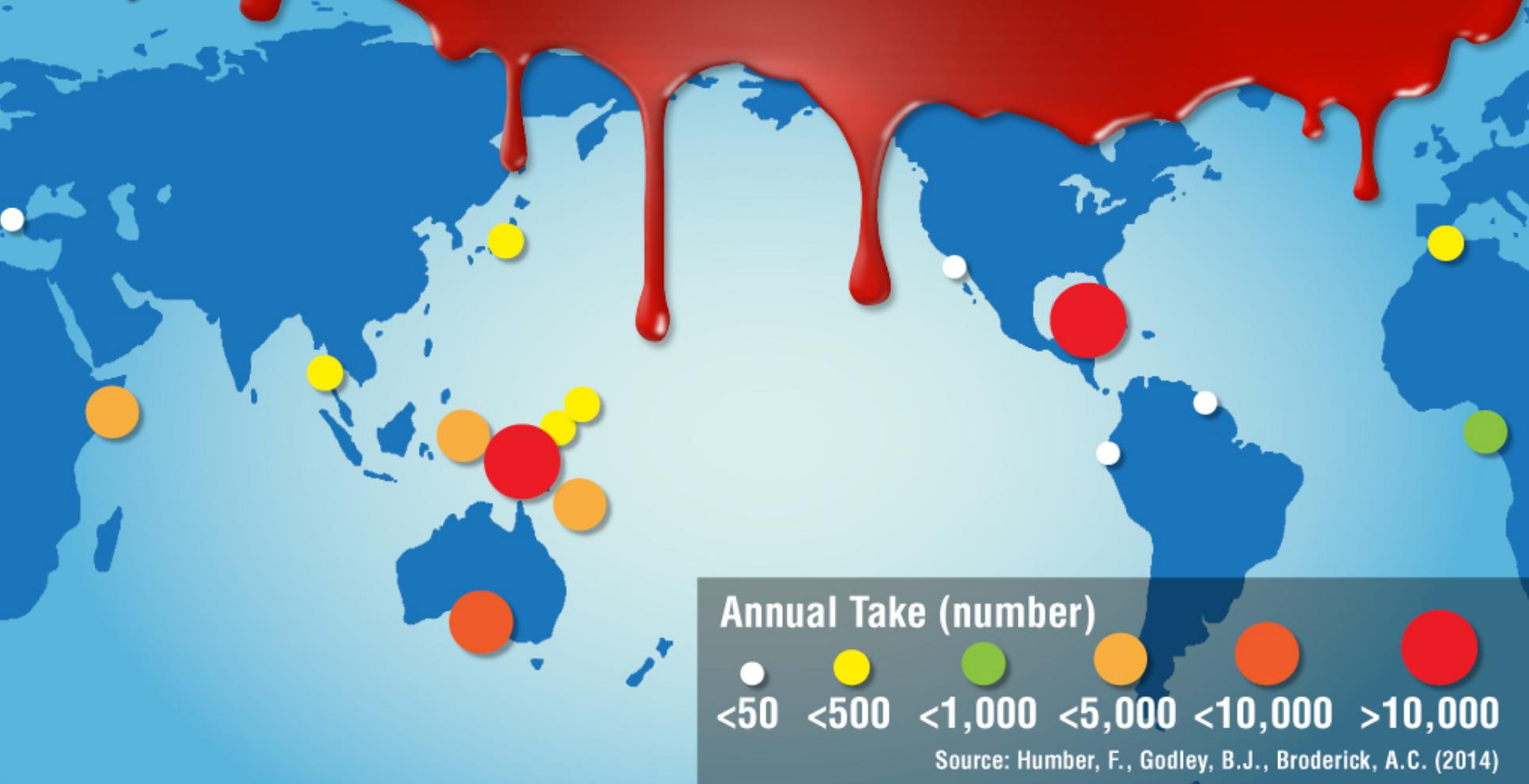
The number of California blue whales has rebounded to near historical levels, according to new research by the University of Washington

Source: nmfs.noaa.gov/pr/sars/

Note: The restoration of all of these stocks coexisted with status quo CA DGN fishery management

THE ELEPHANT IN THE ROOM

42,000 SEA TURTLES LEGALLY KILLED IN 2012



Source: Humber, F., Godley, B.J., Broderick, A.C. (2014)

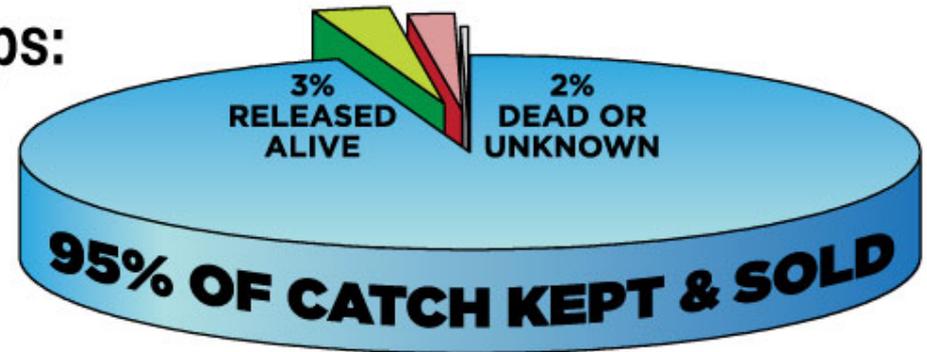
Note: The CA DGN fishery has zero observed sea turtle mortalities in over 15 years

ON ANOTHER NOTE...

THE VENTURA II IS A MODEL OF SUSTAINABILITY

After nine years and 37 fishing trips:

- Set a total of 1,117,246 hooks
- Caught 31,353 fish - 29,898 were retained and sold (95%)
- No sea birds or marine mammals and only 1 olive-riley sea turtle were incidentally captured during this 9-year period



Of the nine U.S. regional fishery management councils, the PFMC is the only one that authorizes a longline fishery, and then prohibits longline fishing within its jurisdiction.

Please enact the management standards required under federal law, and allow Pete Dupuy to fish with longline gear within West-coast waters.



**THANK
YOU**

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