

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON DEEP-SET BUOY GEAR EXEMPTED FISHING PERMIT CRITERIA TO ADVANCE GEAR AUTHORIZATION

The Highly Migratory Species Advisory Subpanel (HMSAS) offers the following comments and advice on Exempted Fishing Permits (EFPs) for the data-poor Deep-Set Buoy Gear (DSBG) method of harvesting HMS.

We wish to thank the Council and appreciate its desire to proceed in a slow, orderly, and thoughtful manner. While initial trials have shown some promise, there is a lack of information of how to best inform appropriate and responsible management measures as this gear type moves forward to the authorization stage. One mechanism for filling the known (and unknown) data gaps is through the issuance of additional EFPs to use DSBG.

Data Gaps:

1. *Spatial Coverage.* Current EFPs for DSBG are prosecuted, with limited exceptions, within the Southern California Bight – typically within 50 miles of the coastline. Would this gear type be effective North of Point Conception and/or waters well offshore?
2. *“Actively tended.”* Does technology exist which could add clarity and/or help inform a more definitive meaning of this phrase? Enforcement and fishermen need an official definition of “actively tended.”
3. *Optimal pieces of gear.* Current EFPs limit participants to ten (10) pieces of gear, is that the optimal number?
4. *Concurrent activities.* What other fishing activities, if any, would be feasible and/or appropriate given active tending requirements and other considerations?
5. *Economic viability.* Fishermen with many years of experience harvesting swordfish have had some successes under the current EFPs; will fishermen with limited or no swordfish history be as successful, or is the learning curve too steep?
6. *Night-time fishing.* Are marketable species, including swordfish, harvestable during night-time hours?
7. *Fishing above the thermocline.* Would fishing at depths above the thermocline - but below that more heavily populated with protected species – lead to increased landings of non-swordfish marketable species?

Criteria/Terms and Conditions:

1. Priority should be given to fishermen with documented swordfish landings.

2. The PIER EFP has shown that DSBG minimizes bycatch and bycatch mortality. This would support observer coverage less than 100 percent.

Incentives:

1. Successful participation in an EFP program should be a qualifying factor when DSBG becomes an authorized gear type, if the fishery is limited entry.
2. Access to the Pacific Leatherback Conservation Area when North of Point Conception.

Additional Considerations:

1. Current EFPs are not allowed to be prosecuted inside the three (3) nautical mile line off the California coast. Confusion has arisen regarding whether that applies to the islands off California. Because there are significant drop-offs on some of these islands, current EFP participants would like access to waters closer to these islands.
2. Rapid expansion of an EFP program within the Southern California Bight could be problematic.
3. Is there a way to streamline the application process and/or make it less complicated?

PFMC
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