

Ben Stephens
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April 24, 2017

Mr. Tracy,
Executive Director PFMC
7700 NE Ambassador Pl. Suite 101
Portland, OR 97220
503-820-2299
pfmc.comments@noaa.gov
kit.dahl@noaa.gov

Dear Mr. Tracy,

We are applying to the PFMC for an Exempted Fishing Permit (EFP) for an initial approximate two-year term to commence in summer 2017 and terminate by December 31, 2019. We are currently commercial fisherman fishing Southern California waters primarily based out of San Diego. Current species in which we target are Spiny Lobsters, Sea Urchins, Sea Cucumbers (dive), White Seabass, Swordfish (harpoon), and other marketable migratory species such as shark, tuna, yellowtail, dorado etc. We have two small fishing vessels (24ft. and 33ft.) in which we operate from when we are not crewing on other vessels as well. We are seeking to continue exploring the efficiency of deep-set buoy gear (DSBG) on our own vessels. We both have gained knowledge and experience using the DSBG by crewing aboard two of the PIER DSBG vessels, *F/V Gold Coast* and *F/V Spirit*. During the past two seasons, we have spent a combined approximately 65+ days using the DSBG resulting in over 65 swordfish fish landed (with multiple losses and some encounters with a variety of other marketable species). Our participation in a DSBG EFP will provide the PFMC with valuable insights on the ability of fisherman to effectively use a new gear type and potentially demonstrate the economic efficiency of smaller vessels versus the size class of vessels currently fishing in similar DSBG EFPs.

Though the harpoon fishery is the most preferred method of fishing swordfish for overall low bycatch impact/high quality product, for most fisherman, the local harpoon fishery efforts have resulted in very low productivity and has not been profitable. On one of our vessels alone, during last four seasons 2013-2016 we have spent 75+ days on the water targeting finning swordfish, we have seen 16 fish and only landed 5.

We are seeking to use this new fishing gear and method which can contribute to increased catch benefiting both fisherman and consumers alike, yet be selective and thus have minimal impact on both non-target unmarketable and protected species. From my information gathering, Deep Set Buoy Gear is the preferred method.

Sincerely,

Ben Stephens



Jack Stephens



Deep-Set Buoy Gear Exempted Fishing Permit Application Form

Please reference the instructions for specifics on filling out your application.

1) Application Date: 4/18/17

2) Applicant(s)*:

a) Name: Benjamin Stephens Phone No: (760) 583-7046 -
Email: benstephens113@gmail.com
Address: 1009 Osborne St. Vista, CA 92084
Commercial Fishing Permits Held: CA - general fisherman, Ocean Enhancement, Sea Cucumber dive, Harpoon, Lobster crewmember, Sea Urchin Crewmember

Any history of current/pending state or federal violations in any commercial fishery? Yes No

b) Name: Jack Stephens Phone No: (760) 583-0349 -
Email: jackstephens317@gmail.com
Address: 1009 Osborne St. Vista, CA 92084
Commercial Fishing Permits Held: CA - general fisherman, Ocean Enhancement, Sea Urchin crewmember, Lobster crewmember

Any history of current/pending state or federal violations in any commercial fishery? Yes No

3) Number of vessels*: Two

a) Vessel Name: Tres Mujeres Registration Number: USCG #1066033
Name of Operator: Benjamin Stephens
Commercial Fishing Permits Held: same as above

Any history of current/pending state or federal violations in any commercial fishery? Yes No

b) Vessel Name: DEA Registration Number: CF 0012HY
Name of Operator: Jack Stephens
Commercial Fishing Permits Held: same as above

Any history of current/pending state or federal violations in any commercial fishery? Yes No

4) Commercial Fishing Experience of EFP Participants*:

a.1) DSBG - Years: 1 yr. Type of participation: crewmember/set gear and operate vessel and hydraulic reel

a.2) Other Swordfish gear – Type(s): Harpoon/Gillnet
Years: 3 yrs. Type of Participation: crewmember

a.3) Other gear(s) – Type(s): Lobster trap, Sea Urchin&Cucumber Dive, Hook and Line,
Years: 8 yrs. Type of Participation: crewmember, tender, fisherman

b.1) DSBG - Years: 2 yrs. Type of participation: crewmember/set gear and operate hydraulic reel

b.2) Other Swordfish gear – Type(s): Harpoon
Years: 4 yrs. Type of Participation: crewmember/driver

b.3) Other gear(s) – Type(s): Lobster trap, Sea Urchin&Cucumber Dive, Hook and Line
Years: 4 yrs. Type of Participation: crewmember, tender, fisherman

***List information for additional EFP applicants/vessels/participants on a separate page.**

5) Proposed EFP duration: We are seeking at least two years with option for renewal

Justification: We are seeking at least two years in order to determine profitability and sustainability. We are two young fisherman who have the desire to enter and help establish a new fishery. We have been following DSBG trials for the past six years. We have previously contacted PIER seeking involvement and intentionally participated in the fishery as crewmembers in order to gain experience and knowledge before beginning operating on our own.

6) Intended DSBG Configuration: Standard (Attachment A) Modified (please explain)

7) Target Species: Swordfish, Opah, Tuna, Shark Swordfish only Other (please list):

8) Fishing Area and Effort (indicate all that apply):

a) Southern California Bight (Point Conception to the U.S.-Mexico Border):

i) Vessels: Tres Mujeres, DEA

ii) Estimate of fishing effort: 100 days per vessel each year

iii) Additional details: Tres Mujeres is a 33ft. standard inboard propulsion non-trailerable type vessel, while the FV DEA is a 24 ft. inboard/outdrive trailerable type vessel. By having two different types of vessels, a comparison can be made as to which might be more efficient in its efforts. What is more efficient, less efficient or no significant difference from one that is slower with a greater range per trip that can stay and work in an area longer to one that is faster and has the ability to move up and down the coast from onr port to another on a frequent basis in order to follow shorter range migratory fish and conditions. Additionally, using a small short range vessel would ensure high quality catch for local market consistency.

b) Central California (Point Reyes to Point Conception):

i) Vessels: _____

ii) Estimate of fishing effort: _____

iii) Additional details: Tres Mujeres is a 33ft. standard inboard propulsion non-trailerable type vessel, while the FV DEA is a 24 ft. inboard/outdrive trailerable type vessel. By having two different types of vessels, a comparison can be made as to which might be more efficient in its efforts. What is more efficient, less efficient or no significant difference from one that is slower with a greater range per trip that can stay and work in an area longer to one that is faster and has the ability to move up and down the coast from onr port to another on a frequent basis in order to follow shorter range migratory fish and conditions. Additionally, using a small short range vessel would ensure high quality catch for local market consistency.

c) Northern California (42° N. latitude to Point Reyes):

i) Vessels: _____

ii) Estimate of fishing effort: _____

iii) Additional details: _____

d) Oregon (Columbia River to 42° N. latitude):

i) Vessels: _____

ii) Estimate of fishing effort: _____

iii) Additional details: _____

9) **Data Gaps:** Which of the following data gaps are addressed by your Exempted Fishing Permit application, and how will they be addressed? (See Attachment B) Check all that apply:

a) Bycatch & protected species interactions

How? Any potential rare interactions with protected species or unmarketable bycatch will be released quickly with minimal injury or harm following all guidelines or conditions imposed as requirements of an EFP issued by NMFS, including but not limited to, protected species handling training and applying animal resuscitation techniques. Any marketable bycatch will be landed, dressed, and either sold or used for personal consumption. As per requirements, documentation of bycatch whether released, discarded, or retained will be recorded.

b) Active gear tending

How? Gear will be deployed as quickly as possible within the 6nm. horizontal distance limit as per Attachment A. The gear will be visually tended with the use of high powered binoculars within 2-3 miles of set gear and be retrieved upon detection of a strike. The trial of drones will be used to assist in visual tending and searching for swordfish in order to determine effectiveness, efficiency and economic feasibility.

c) Gear conflicts/number of vessels

How? Fishing within the SCB will pose the possibility of gear conflicts with other vessels/fisheries in both commercial and recreational fishing depending upon various factors such as: SST, currents, sea state conditions, depths and bathymetry and fish concentrations. All efforts will be made to avoid gear conflicts by attention to all factors and atmospheric conditions and communication between vessels.

d) DSBG time and area use

How? The DSBG will be used during daylight hours, 1 hour before sunrise to 1 hour after sunset, in the offshore waters of the SCB area and waters in proximity and adjacent to the offshore islands. In accordance with EFP requirements and restrictions set forth in 50CF 600.10.

e) Gear configuration

How?

f) Concurrent gear use

How? The DSBG will be used concurrently with traditional harpoon and troll fishing fishery practices. Additionally, other hook and line fishing techniques such as, but not limited to the use of live bait drift fishing will be actively pursued pending conditions and specie concentrations within proximity to DSBG or upon the same trip.

10) Reporting Requirements: Please answer questions identified in application instructions.

As with all fisheries, any logbook documentation will also be recorded and submitted as per requirements of associated management agencies. All reporting requirements pursuant to 50 CFR 600.725(1) will be followed and adhered to including but not limited to: Fishing Activity Reports, Landing Reports, Annual Preliminary and Final Reports. Any fish landed with any other gear other than DSBG will be marked a separated for purposes of proper recording of gear type in logbooks and on landing receipts. In addition to agency logbooks, we will also be recording pertinent fishing activity data upon electronic devices and drives in hopes to develop more efficient and effective tracking measures.

11) Observer Coverage:

I acknowledge that observer coverage may be required on up to 100% of my EFP fishing trips, and verify that I am willing and able to cover the cost of such coverage.

If you are unable to cover the entire cost of the observer coverage requirement, please explain what portion you may be able to cover and identify other sources of funding which may be available to help you cover observer costs.

I am aware that NMFS currently has limited funds to offset a portion of the daily observer costs, but that this funding is not guaranteed to continue. I am requesting observer coverage equal to that of the PIER DSBG fishing vessels due to the time and experience I have aquired while working aboard one of the PIER vessels and colloboration with the PIER group.

12) Applicant(s) Signature: _____

Date

Ben Stephens
5/10/17

Jack Stephens
5/19/17