

SWORDFISH MANAGEMENT PROJECT PLANNING

This agenda item is an opportunity for the Council to learn about, discuss, and plan various ongoing activities related to West Coast swordfish fisheries. National Marine Fisheries Service (NMFS) will brief the Council on three topics: 1) progress on the Council recommendation for 100 percent monitoring in the drift-gillnet (DGN) fishery by 2018, 2) progress on issuing EFPs for DSBG fishing based on Council recommendations to date, and 3) observer and logbook data reporting improvements for deep-set buoy gear (DSBG) exempted fishing permits (EFPs).

In September 2015, the Council took final action on its proposal to implement protected species hard caps for the DGN fishery and, related to this, adopted Alternative 3 as its fishery monitoring final preferred alternative (see Agenda Item G2a, [Preliminary Draft Environmental Assessment \[EA\]](#)). Under this alternative, the DGN fishery would achieve 100 percent monitoring, using on-board observers and/or electronic monitoring (EM), by 2018. Vessels which are unobservable or unable to carry EM would be prohibited from fishing in the DGN fishery when 100 percent monitoring is required. In the interim, NMFS would maintain the current 30 percent target observer coverage level until 100 percent monitoring is required. However, because this preferred alternative was not intended to become effective before 2018, NMFS did not analyze the effects of the monitoring alternatives in the [Final Hard Caps EA](#) and did not include it in the rulemaking for the hard caps final preferred alternative. The Final EA was completed in June 2017 after the end of the public comment period on the proposed rule. Based on analyses in the EA, the Regulatory Flexibility Analysis, and the Regulatory Impact Review, NMFS decided not to implement the hard caps regulation. NMFS concluded that hard caps would create significant economic hardship for DGN fishery participants with minor beneficial conservation effects for protected species (see [Supplemental NMFS Report 2](#), Agenda Item H.1.a, from June 2017). Part of the Council's rationale for increasing observer coverage was to reduce uncertainty about protected species take levels, which would support the use of hard cap management. Without implementation of the hard cap rule, the Council needs to revisit its rationale for increased monitoring in the DGN fishery.

For over a year, the Council has been accepting DSBG EFP applications under an expedited review process. At its March 2017 meeting, the Council recommended NMFS issue EFPs for seven applications it reviewed, and in June recommended an additional 12 applications for EFP issuance and asked seven applicants to resubmit their applications for additional Council review at its September meeting. In order to issue EFPs, NMFS must conduct the analyses and make consequent determinations under applicable law including the National Environmental Policy Act and the Endangered Species Act. This presents considerable workload for NMFS staff and means that it can take a lot of time to issue an EFP. NMFS will report on its efforts to issue EFPs based on applications already recommended by the Council. This information is also relevant to the Council's continued acceptance of EFP applications at this meeting (under Agenda Item J.5) and future meetings.

With a relatively large number of DSBG EFPs pending approval, the Council wants to ensure that information gathered by the permittees will be useful to the Council in its development of a fishery management program for this gear type. (The Council is set to adopt a range of alternatives for

DSBG fishery authorization under Agenda Item J.6.) The Council has recommended observer coverage of at least an initial period for each permittee; beyond that the permittee would need to maintain a logbook to record operational data (e.g., fishing effort and catch by time and location), recognizing that retained catch is also monitored at the point of landing.

NMFS intends to submit a supplemental written report on these topics.

Council Action:

Discussion and Guidance on Future Swordfish Fishery Management Including: 1) Drift-Gillnet Fishery Monitoring Provisions, 2) Observer and Logbook Data Reporting Improvements for Deep-Set Buoy Gear EFPs, and 3) Update on DSBG EFP Permitting Process and Timeline.

Reference Materials:

1. Agenda Item J.2.b, Public Comment 1.

Agenda Order:

J.2 Swordfish Management Project Planning

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- a. Reports and Comments of Advisory Bodies and Management Entities
- b. Public Comment
- c. **Council Action:** Discussion and Guidance on Future Swordfish Fishery Management Including: 1) Drift-Gillnet Fishery Monitoring Provisions, 2) Observer and Logbook Data Reporting Improvements for Deep-Set Buoy Gear EFPs, and 3) Update on DSBG EFP Permitting Process and Timeline

PFMC
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