

DEEP SET BUOY GEAR RANGE OF ALTERNATIVES – CDFW MOTION

I move the Council:

A) Direct the Highly Migratory Species Management team to conduct at a minimum the following analyses:

1. Using available data, including historic gillnet and CPFV data, analyze the number of vessels that could operate within the Southern California Bight and the relative level of effort by fishing block. Provide these analyses to the Council at the June 2018 Council meeting.
2. Using data from existing EFP effort and historic PacFIN landings and swordfish imports data from the NMFS Office of Science and Technology estimate the impacts on price and profitability of DSBG fishing that may occur with larger numbers of DSBG permits. Provide these analyses to the Council at the June 2018 Council meeting.
3. Using data provided by EFPs, including EFPs issued in 2018, analyze the amount and type of bycatch and relative level of fishing effort by fishing block and report on any known gear conflicts. Provide these analyses to the Council at the March, 2019 Council Meeting,

B) Move forward with the necessary analyses to complete DSBG authorization in a timely manner so that EFP effort does not become a de-facto authorized fishery:

1. During the June 2018 Council meeting, updates on analyses will be provided by the HMSMT.
2. During the September 2018 Council meeting the Council will receive input and advice from the advisory bodies on potential qualifying criteria and any additional updates on impact analyses as available.
3. During the March 2019 Council meeting adopt a final preferred alternative for NEPA analyses and qualifying criteria, if needed, for a limited entry fishery.

C) To facilitate these analyses, adopt the following range of alternatives for authorization of a Deep Set Buoy Gear fishery as proposed in the September 2017 motion and modified as noted below:

1) Define DSBG, for the purpose of analysis as follows:

a. *Possession* –

- i. Permits will be issued to ~~an individual entity~~ any “Person” as defined at 50 CFR §660.702.
- ii. ~~Individual entities~~ A person may hold multiple permits, but permits may not be stacked on a single vessel
- iii. The permit holder will assign the permit to a specific vessel that may be changed by written request to NMFS not more than one time per calendar year unless a force majeure event renders the assigned vessel incapable of operation.
- iv. The permit holder will not be required to be onboard

b. *Renewal* – Permits will be valid for one fishing year and expire if not renewed. Such permits would revert to the issuing Agency and, if a limited entry program is in place, would be made available for issuance.

c. *Transfer*

- i. Transfer of permits will be prohibited ~~until such as time as the Council feels the fishery has reached a stable state and that~~ unless the Council determines transfer would benefit management.

d. Gear Description

- i. Standard Buoy Gear (SBG) - An actively tended vertical gear configuration that is designed to target west coast highly migratory species. An individual piece of SBG consists of a vertical monofilament mainline suspended from a non-compressible float (>45 lb. flotation) and strike indicator float system that uses a minimum 3.6kg weight to expedite sink rate and facilitate strike detection. A collective gear set includes ten individual pieces of gear that can fish up to three hooks each (30 total hooks maximum; minimum size 16/0 circle hooks with not more than 10° offset) that must be positioned below 90m deep when fishing. Each piece of gear must also include a locator flag, a radar reflector and vessel/fisher identification.
    - ii. Linked Buoy Gear (LBG): An actively tended gear type in which two or more pieces of standard buoy gear (SBG) may be linked together by means of a horizontal monofilament mainline; no more than three gangions/hooks are connected to this horizontal line per individual piece, not the vertical lines. Serviceable links between each LBG section are suspended at a minimum depth of 11m meters (36 feet) below a non-compressible float system (>45 lb. flotation) that allows for strike detection (based on SBG design standards). No more than 30 hooks (minimum size 16/0 circle hooks with not more than 10° offset) can be deployed simultaneously and all hooks must be fished below >90m. No more than 10 sections of LBG may be used at one time and the overall horizontal footprint of the gear must be less than 5nm. Terminal buoys must include a locator flag, a radar reflector, and vessel/fisher identification.
  - e. Gear Tending
    - i. Require that all gear be within a 5 nm diameter area and that the vessel be no more than 3 nm from the nearest piece of gear
  - f. Gear Deployment/Retrieval
    - i. Gear may not be deployed prior to local sunrise
    - ii. All gear must be onboard the vessel no later than 3 hours after local sunset
  - g. Multiple Gears
    - i. Multiple gears may be used on a trip. All landings must be tagged or marked to identify gear used.
  - h. Geographic Area
    - i. All Federal waters offshore California and Oregon
  - i. Fishery Timing
    - i. No restrictions within the existing fishing season/statistical year
  - j. Species
    - i. All ~~legal HMS are allowed~~ species may be retained and landed unless prohibited by other law or regulation.
  - k. Fishery Monitoring
    - i. Logbooks will be required
    - ii. All monitoring requirements in the HMS FMP will be followed
- 2) The Range of Alternatives for consideration under NEPA will include
  - a. Permitting
    - i. Open Access

- ii. Open Access north and west of Point Conception and Limited Access South and East of Point Conception (U.S. Waters South of 34° 27' N. latitude and east of 120° 28' 18" W. longitude)
  - 1. Limited Access South and East of Point Conception Alternatives
    - a. Capacity
      - i. Not more than 10 permits
      - ii. Not more than 50 permits
      - iii. Not more than 150 permits
      - iv. Not more than 250 permits
    - b. Qualifications to obtain permits
      - ~~i. No qualifications~~
      - ~~ii. Only current HMS permittees as of date of regulation~~
      - iii. Only persons with demonstrated swordfish fishery participation to be allocated based on criteria defined by the CouncilThe Council will determine qualifying criteria with advice from advisory bodies and the public at the time a final preferred alternative is adopted.