

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON  
PRELIMINARY REVIEW OF NEW NON-DEEP SET BUOY GEAR EXEMPTED FISHING  
PERMIT APPLICATIONS AND RESUBMISSION OF PREVIOUS DEEP SET BUOY GEAR  
APPLICATIONS

At its March 2018 meeting, the Council decided to return to the normal procedure, outlined in Council Operating Procedure (COP) 20, for accepting new Exempted Fishing Permits (EFP) applications for highly migratory species (HMS), with the exception that no new EFPs for Deep-Set Buoy Gear (DSBG) will be accepted until June 2019. Resubmitted EFPs for DSBG will only be accepted for consideration in June 2018. Under COP 20, the HMS Team (HMSMT) will review EFP applications and make recommendations for Council preliminary action in June, with final action occurring at the September Council meeting.

One resubmitted DSBG application was submitted by Mr. David Hatto and one new non-DSBG EFP application was submitted by Dr. John Hall.

Mr. Hatto's DSBG application was reviewed for completeness after additional information was provided with the resubmission.

**Summary of HMSMT Recommendations for Revised EFP Proposals**

*I.) Agenda Item G.6, Attachment 1;* DSBG EFP Application from Mr. David Hatto

**A) HMSMT Recommendation:**

- Council approval
- Level 1 observer coverage

**B) Merits:**

- Aligns with Council goals
- Complete in regard to COP 20
- Applicant has over 50 years of fishing experience, some with harpoon, green stick gear and various other line gears
- Applicant intends to fish 100-120 days in the Southern California Bight.

**C) Suggestions and Comments:**

- The HMSMT recommends that the applicant be permitted to fish standard buoy gear and linked buoy gear configurations concurrently, as the Pflieger Institute of Environmental Research has indicated that this would allow for the most adaptive approach to DSBG fishing.
- Applicant addressed all recommendations regarding his original application.

**D) Requested Revisions:**

- None

**Summary of HMSMT Recommendations for new HMS EFP Proposals:**

Dr. Hall submitted an EFP application to test deep-set pelagic longline (DSL) gear inside the West Coast Exclusive Economic Zone (EEZ). The HMSMT evaluated the application for merit and reviewed it for completeness, according to COP 20.

After initial discussion, the HMSMT felt that the report needed additional information to properly consider the merits of the proposed EFP. Dr. Hall made himself available to the HMSMT and was able to clarify and provide some information to further inform HMSMT discussion.

The HMSMT concludes that there is considerable merit in this EFP application. The proposed EFP has the potential to provide the Council with valuable information to inform future EFPs as well as potential future consideration of longline authorization.

If the DSLL EFP proves that the gear can be successfully fished with low prohibited and protected species interactions, the ability to use this gear inside the EEZ in the future could potentially reduce fuel costs for fishery participants due to the close proximity of the fishery to delivery ports. Reduced transit time between fishing grounds and quicker delivery to ports could also result in improved product quality and a reduced carbon footprint. The correct use of effective pelagic longline bycatch mitigation measures, as specified in the EFP application, is anticipated to minimize interactions with sea turtles, seabirds and marine mammals.

Although not explicitly stated, the EFP satisfies the priorities of the Council outlined in COP 20 because it “realizes the expansion of domestic HMS fisheries.” It also has potential to “increase the harvest efficiency of the HMS fisheries consistent with the MSA and the management goals of the FMP.” Data collected under this EFP could support an assessment of whether this fishing activity is an appropriate component in a future swordfish fishery with the management goals outlined in the HMS FMP, Swordfish Management and Monitoring Plan, and MSA.

In its discussions with Dr. Hall, the HMSMT obtained clarification on several concerns. First, Dr. Hall indicated he would prefer to have the opportunity to fish off Washington in addition to California and Oregon if the Council and state allowed it, clarifying his inclusion of only California and Oregon in the action area description.

The EFP application states the expected duration of fishing effort (year-round for 2 years), but provides no indication of number of hooks, sets, trips, etc. After discussion, the applicant anticipates fishing year around for approximately 200-250 days per year. Effort is anticipated to occur as a sequence of short, near-shore trips, typically 7-8 days total duration. While unable to precisely anticipate total fishing effort, Dr. Hall explained that approximately 250 hooks (for a 5 nm line length) will be used per set, although that number is anticipated to vary, and there is the possibility of multiple sets per day depending on fish availability and conditions. However, due to the limited data for similar gear fishing within the EEZ, it is difficult for the applicant or HMSMT to estimate specific catch and bycatch associated with this fishing activity.

Other than specifying all HMS are target species with no retention of marlin or spearfish, the applicant was unable to provide information on the species and the respective amounts of each that are estimated to be harvested, released, or discarded. As mentioned above, the applicant felt he was unable to estimate species harvests given the absence of deep-set longline fishing activity in the proposed EFP area. NMFS would produce such estimates in its National Environmental Policy Act analysis process, and while this component of EFP applications is typically required by COP 20, the HMSMT does not feel it a necessity for the applicant to provide guesstimates at this time. Should the Council wish to estimate such numbers, the HMSMT discussed and identified a possible approach to estimate potential catch based on deep-set longline catch rates for effort on

the high seas, near the West Coast EEZ, coupled with effort measured by anticipated number of hooks or hook-hours as a proxy.

Dr. Hall indicated that while protected species interactions are generally unlikely, interactions with olive-ridley sea turtles may occur. Additionally, the application proposes that all approved/effective bycatch mitigation measures for marine mammals, sea turtles, seabirds and sharks will be used in the proposed EFP fishing.

The applicant intends to complete high-seas longline logbooks, which are submitted to NMFS' Pacific Islands Regional Office. Copies of these can be made, retained and analyzed by Dr. Hall for reporting purposes to the Council.

The applicant also indicated his willingness to carry and fund an observer for whatever coverage level NMFS requires.

Due to the lack of specific scientific questions to be addressed by the EFP, the HMSMT does not believe that SSC review is necessary.

PFMC  
06/11/18