

GROUND FISH MANAGEMENT TEAM REPORT ON ENDANGERED SPECIES ACT  
SEABIRD MITIGATION MEASURES- FINAL ACTION

The Groundfish Management Team (GMT) reviewed the documents under this agenda item, received an overview from Ms. Keeley Kent from the National Marine Fisheries Service (NMFS) on our June 12th webinar, and offers the following recommendations.

**Option A: Exemption South of 36° N latitude**

**The GMT recommends the Pacific Fishery Management Council (Council) consider allowing an exemption for vessels fishing south of 36° N. latitude for all vessels, including those 55 feet and greater length overall (LOA), with the possibility to reconsider, if new data indicates there is a need.** Limited telemetry and observer data show few occurrences of tagged birds south of 36° N. latitude, suggesting that abundance is higher north of 36° N. latitude. Further, West Coast Groundfish Observer Program (WCGOP) data showed that only 19 percent of observed groundfish longline fishing effort across all vessel size classes occurred south of 36° N. latitude. The GMT understands that NMFS is comfortable with the Council moving forward with this option based on the available data, with the potential to revisit the issue in the future as new data becomes available. The GMT notes that reconsidering this exemption in the future could be important, because as abundance of short tailed albatross (STAL) increases, there may be associated higher likelihood of encounters.

**Option B: State Waters Exemption**

The streamer line requirement is currently proposed to apply only when fishing in federal waters as a means to exempt the state managed nearshore fisheries. During the GMT webinar, NMFS indicated that they would be willing to consider modifying the state waters exemption to the 50 or 75 fathom regulatory lines that occur in federal waters, but not as far out at 100 or 250 fathoms as earlier proposed as those deeper depths could increase STAL bycatch. NMFS was unsure why there would be a benefit to a 50 or 75 fathom exemption because the added grounds are closed to fishing from the non-trawl rockfish conservation area (RCA). While that is true for now, the GMT notes that there has been interest in reopening the non-trawl RCA to these depths due to higher bycatch allowances of yelloweye rockfish.

The GMT does support the concept of extending the state water exemption to include depths shallower than 75 fathoms because that would still provide protection for STAL and would allow for the redevelopment of shelf fisheries if the Council were to reopen portions of the non-trawl RCA. However, we did not have enough time to determine if a 75 fathom exemption would close portions of state waters and thus we recommend revisiting this issue when considering modifications to the non-trawl RCA. Therefore, **the GMT recommends the Council consider allowing an exemption of the streamer line requirement for vessels of all lengths when fishing in state waters, with the possibility of extending to deeper depths (e.g. 75 fathoms) when modifications to the non-trawl RCA are revisited.**

## **Option C: Night Setting for Floated Mainline Gear**

The GMT recommends that the Council consider the night setting requirement for floated mainline gear, but only for boats 55 feet and greater LOA. This would be different from the current proposal specified in [Agenda Item I.5., Attachment 1](#), which would require night setting when using floated longlines for all boats 26 feet and greater LOA. The night setting proposal was intended to address the concern that floated longlines can remain near the surface beyond streamer lines and result in increased bycatch rates of seabirds during the day. In April, the Council heard public comment from small boat operators that the night setting requirement would be dangerous, and therefore the Council proposed allowing day setting but only if using streamer lines at least 300 feet in length. However, NMFS and researchers indicated that longer streamer lines would only drag in the water and would not be effective for reducing bycatch.

During the GMT June 12th webinar, NMFS indicated they may be willing to allow all longliners the ability to set floated longline gear during the day. The GMT recommends that the exemption only apply to boats less than 55 feet LOA, because the safety concerns have come from small boat owners.

The GMT recommends that industry, especially smaller boats, continue to work with researchers, such as those at SeaGrant, to design enforceable floated mainline configurations that can sink within the streamer line zone. This will reduce the likelihood of seabird bycatch and inform potential future re-consultations that may require stricter regulations. SeaGrant informed the GMT that some vessels were able to ensure that floated longline gear sank within the streamer zone by setting at slow speeds, but the GMT believes that it would be difficult to regulate setting speed. We therefore encourage industry to develop gear modifications that could be adopted and enforced, such as weights of X pounds between hooks.

## **Option D: Weather Safety Exemption**

The GMT recommends the Council establish a weather safety exemption, as shown in [Agenda Item I.5., Attachment 3](#), of Small Craft Advisory for vessels 26-55 feet LOA with superstructure and Gale Warning for vessels greater than 55 feet LOA and vessels 26-55 feet LOA without superstructure. The current west coast regulations (50 CFR 660.21(c)(2)(iii)) exempt large vessels ( $\geq 55$  feet LOA) from the streamer requirements when a National Weather Service Gale Warning (sustained winds of 34 to 47 knots) is in effect. The National Weather Service Small Craft Advisory for the west coast (sustained winds 21 to 33 knots) could provide a similarly standardized and broadcast threshold for smaller vessels.

## **GMT Recommendations**

The GMT recommends the Council:

- consider allowing an exemption for vessels fishing south of 36° N. latitude for all vessels, including those 55 feet and greater length overall (LOA), with the possibility to reconsider, if new data indicates there is a need

- **consider allowing an exemption of the streamer line requirement for vessels of all lengths when fishing in state waters, with the possibility of extending to deeper depths (e.g. 75 fathoms) when modifications to the non-trawl RCA are revisited**
- **consider the night setting requirement for floated mainline gear for boats 55 feet and greater LOA, and**
  - **encourage industry, especially smaller boats, continue to work with researchers, such as those at SeaGrant, to design enforceable floated mainline configurations that can sink within the streamer line zone**
- **establish a weather safety exemption of Small Craft Advisory for vessels 26-55 feet LOA with superstructure and Gale Warning for vessels greater than 55 feet LOA and vessels 26-55 feet LOA without superstructure.**

PFMC  
06/19/19