

## **Deep-Set Buoy Gear Exempted Fishing Permit Reports**

Council Operating Procedure 20 requires exempted fishing permit (EFP) holders to submit a report describing data collected for the June Council meeting. Since consideration of EFPs including review of results was not scheduled for the June 2020 Council meeting, these reports are submitted in this Informational Report. The following EFP holders submitted reports:

1. Scott Breneman
2. Ron Ellis
3. John Ford
4. Johnny Foster
5. Daniel and William Fuller
6. Michael Graves
7. Steve Greyshock
8. Nicholas Haworth
9. Fred Hepp
10. Kent Jacobs
11. Ray Kennedy
12. Stephen Mintz
13. Nathan Perez
14. Tim Perguson
15. Pflieger Institute of Environmental Research
16. Ben and Jack Stephens
17. Matt White

## **Annual Preliminary Report**

Date: April 30, 2020  
Vessel: Circle Hook  
Permit Holder: Scott Breneman

### **Date Analysis:**

Fishing this year was successful for the majority of my trips. I was also able to do a joint trip with my limited entry fixed gear permit. On this trip I had to take 2 observers – one for each permit. That trip was successful on both fronts as well. Below is a summary of my trips:

- September 26, 2019 – 4 fish
- October 3, 2019 – 0 fish
- October 6, 2019 – 1 fish
- October 13, 2019 – 2 fish
- October 15, 2019 – 0 fish
- October 24, 2019 – 1 fish
- November 14, 2019 – 1 fish
- November 18, 2019 – 1 fish
- November 25, 2019 – 0 fish
- December 5, 2019 – 1 fish (\*dual trip with fixed year permit)

The ground fish I mainly target are often in the same areas as swordfish. It is therefore both possible and responsible fishing to target both species at the same time.

### **Observer Coverage:**

We have had observer coverage every trip – including 2 observers on the dual trip that we did. It is my opinion that the commercial rod and reel fisherman, doing the same fishery we are doing, should also have some kind of observation. If they are selling the fish to the same market, why do they not have the same regulation? They are allowed to keep the same number of fish we are, with limited oversight.

### **Sport Fishing Fleet:**

We have had conflict, multiple times, with sport fishing fleet/charter fleet interfering with gear, following/copying our fishing practices, selling illegally

caught fish to restaurants and dropping market price. I believe the council should limit the amount of swordfish per boat, to one per boat, to stop this disturbance.

***Bycatch and Depth Restrictions:***

I have seen and heard of multiple sport fishermen targeting swordfish, yet catching rockfish, different types of deep-water sharks, and other bycatch (skates, rays). Not sure of the depth restrictions of sport fishing, but seems questionable if you catch these deep-water fish while using rod and reel to target swordfish. Meanwhile, my bycatch has been zero.

***Social Media:***

We have been followed around, harassed, and put down on social media for executing our rights to be commercial fisherman by sport fisherman who have copied our methods and set up in between our fishing gear – interfering with our operations. I believe we need some kind of regulation outlining distancing requirements, which prohibit sport fisherman from coming near our commercial gear.

There are multiple websites (jdsbiggame.com, bloodydecks.com, fishdope.com, and multiple other chat rooms), which portray us as taking resources that they would prefer be available to their sporting desires with limited regulations. We have multiple organizations that govern what we do, and they only have one – fish and wild life.

**Costs:**

Costs are the same as last year.

- Gear \$12,000 (spent in 2018)
- Additional Gear \$3000
- Fuel \$400/trip
- Bait \$100/trip
- Crew Owner operated / 1 crew at \$300/day
- Interference by sports fisherman disrupting our gear ???

In addition to the above per trip delineated costs, other costs associated with the business are as follows: permits, multiple permit renewal fees, business license, fish tax, VMS, insurance, trucks, slip fees, etc.

**Market Price:**

As one of the handful of permit holders who owns my own market and restaurant, I am able to maximize my profit by marketing my own fish for a premium price. There is a following for locally-caught, sustainable, deep set buoy gear swordfish. At peak season, imported fish and illegally caught fish can kill the market and restaurants and drive the price below what it should be. I believe stricter regulations on the sport fishermen and rod and reel commercial fishermen should be enforced. It does affect the price and quality of the fish delivered.

I respectfully submit this report and am happy to answer any questions you may have. I look forward to continuing to fish this permit in 2020.

Thank you.

Scott Breneman  
[scott@westcaughtfishco.com](mailto:scott@westcaughtfishco.com)  
(949) 394-1904

West Caught Fish Company, Inc.  
Circle Hook Fish Company, Inc.  
Dory Fishing Fleet Market  
F/V Circle Hook

RON ELLIS

F/V DEFIANCE FINAL REPORT FOR  
DSBG 2019-20

I CAUGHT A TOTAL OF 69 SWORDFISH,  
A BROWN THRESHER, 1 ESCOLAR, 2 MAKO  
SHARKS AND 1 YELLOWFIN TUNA.

I WOULD LIKE TO SEE AN INCREASE  
IN THE AMOUNT OF GEAR THAT WE MAY  
SET NOT ONLY FOR FINANCIAL REASONS  
BUT ALSO TO INCREASE THE NUMBER OF  
HOOKS IN THE WATER AT ONE TIME SINCE  
I'VE FOUND IT HARD TO MAKE MOST OF  
THE LEADERS FISH RIGHT EXCEPT THE  
BOTTOM ONE. I THINK THAT WOULD BE AN  
EASY WAY TO CLOSER TO 30 HOOKS IN THE  
WATER IN A MUCH MORE PRODUCTIVE WAY  
AND WITHOUT WASTING AS MUCH BAIT.

I AM ALSO CONCERNED WITH THE  
AMOUNT OF POTENTIAL PERMIT NUMBER IN  
THE FUTURE. I HAVE SEEN A NUMBER OF  
OTHER FISHERIES DECLINE OVER THE YEARS  
DUE TO TOO MANY PERMITS AND PRESSURE  
ON THE RESOURCE. IT COULD ALSO HAVE A  
NEGATIVE IMPACT ON MARKETING ALSO MAKING  
IT THAT MUCH HARDER TO AFFORD TO GO  
FISHING.

OVERALL I AM HAPPY TO BE INVOLVED  
IN DSBG FISHING AND AM LOOKING FORWARD  
TO THE COMING SEASON.

RON ELLIS

*RE*

~~FOR SEEN~~

John Ford

I fished the DSBG this year in conjunction with the drift gillnet (DGN). I put the hooks where I thought I wanted to set the net. I decided on these spots due to satellite water temperature, actual physical water temperature, life on the surface and marks on the sonar. These observations have helped me locate swordfish and sellable bycatch to harvest in the past.

As I said I put the hooks in the same spot that I wanted to put my net. I thought of using the DSBG as a tester to see if there were swordfish or other marketable fish in the area. My thought was that if I catch a fish with the DSBG then I would try to put the net there and possibly come up with more fish.

Even though I caught zero fish with the DSBG my years of experience told me that I was in the right area and I should set my net anyway. I set the drift gillnet in the same area I fished with the DSBG and I spanked the fish.

One set worth mentioning on the 9 mile bank outside of san diego I saw another local boat I know well. This boat was actively fishing their DSBG. When I drove through their gear to get a look at the water temperature and the sonar I was impressed. It looked like a great area full of fish in the warm water. I put my DSBG around the area that the other local boat was fishing.

Both me and the other local boat caught nothing with the DSBG. I pulled my DSBG first and got ready to set the drift net because experience told me that there were fish in this area. While the other boat was pulling their DSBG I set my net between their buoys as there was lots of room and they were in the prime real estate. I deck loaded with swordfish and thresher sharks that next morning and made lots of money. I had to go in as my boat was full. I asked for a speedy offload as this area was closing in 2 days to DGN fishing. I got out the next day and spanked them again with the Drift Gillnet.

I still have caught ZERO swordfish or sellable bycatch on the DSBG in 2 seasons. This fishing evidence tells me that DSBG fishing gear is in no way a replacement,substitution, or alternative to Drift Gillnet fishing economically and not worth the unit effort.

## 2019 Deep Set Buoy Gear Summary Report for F/V Chula

We set 91 sets, 6 of those sets were combined with the link gear. So, on the days the link gear was used it was an average of 7 DSBG, plus 3 links. For a total of 3 swordfish on the linked gear and 138 swordfish total and less than 10 big eye thresher sharks released in good condition and 6 escolar with a little over 30 % observer coverage.

Our DSBG gear is at a depth of 1000 feet with a 40-foot leader and 1 16/0 circle hook with blue and green lights by the 8-pound weight on the main line.

This year we only used squid for bait.

Recommendations:

To be able to use 15-20 sets of Buoy gear and limit the number of hooks to 1 hook per set of buoy gear.

Or

15 sets of gear with 2 hooks each.

With more sets of gear, you could set your 10 sets that has been working and another 5 sets with different types of bait and or different depths to give a better idea of what's going on at the times of slow fishing.

We use 1 hook per set of gear to avoid the tangled mess 3 hooks make. So, we are only using 10 hooks a day and it makes it hard with all the expenses.

Johnny Foster  
F/V Chula

## **Summary of Deep-Set Buoy Gear Fishing activities for *F/V AUDAX* during 2019**

### **Executive Summary**

The exempted fishery permit (EFP) for Daniel and William Fuller to fish deep-set buoy gear (DSBG) targeting Swordfish in the southern California bight was approved in September 2018. Upon receiving approval *F/V Audax* was equipped with the necessary equipment to effectively participate in the fishery and 4 trips were conducted before the end of 2018. For the 2019 season improvements to the gear were made, which included construction of 2 additional pieces of gear (7 total), and a redesign of the hiflyers for better visibility and stowage.

Building on experiences in 2018, fishing during 2019 was conducted with seven sets of gear utilizing only one branch line per set. This allowed us to easily maintain contact with the gear per the requirements outlined in the EFP. Fishing a single branch line per gear set kept tangles to a minimum. After 14 trips during 2019 the crew is completely functional in all aspects of deployment, retrieval, and gear management protocol. Intentions are to increase to 10 total sets of gear for 2020 fishing activities.

Between August 24 and November 23, 2019, a total of fourteen 1-day trips were undertaken. The EFP requires having the first 10 fishing days observed and observers were carried during each of the first six trips of 2019 (four trips in 2018). The average trip duration was 13.00 hours (range: 11.00 – 16.00) and the average set duration was 4:48 hours (range: 1.03 – 10.05). A total of 692.6 hook hours were fished. For an absolute CPUE of 1 fish per 35.6 hours, or 1.62 fish landed per fishing day. Squid was the primary bait utilized, but bridled live mackerel were utilized in ~5% of sets. Recent experience indicates that mackerel can be an effective swordfish bait, and it appears that bridling mackerel to the hook greatly reduces the probability of tangling, improving bait presentation. For fishing during 2020, mackerel will be utilized in approximately 25% of sets.

### **Gear configuration**

Slight modifications were made to the gear for 2019 fishing operations. All seven spools were loaded with 925' of 2.5 mm mainline. Eight-pound lead weights were attached to the terminal end of the line with a longline snap. Branch lines consisted of 40' 1.8 mm monofilament, crimped to a standard longline clip on one end and a Mustad 3998 16/0 hook on the other. Two lights are attached to the mainline approximately 3 feet above the branch line snap. Once deployed, the float line and hi flyer is attached to the mainline with a longline clip. Deployment takes between 5 and 8 minutes depending on conditions.

No modifications were made to the construction of the buoy (float) line for 2019 fishing. While a bit cumbersome for stowage, the float line system is one piece and streamlined to minimize any possible entanglement issues. A longline snap was spliced to the terminal end of 3/8 in blue steel polypropylene rope, used to connect the float line to the main line. The other end of the rope is run through two 7-pound PVC floats (bite indicators) and knotted in such a way that the floats are approximately 30 inches apart and cannot slide up or down the line. A clove hitch is then tied around the mounting hole of a 45-pound non-compressible float. The license number and vessel identification are painted on the non-compressible float in bold black letters and are clearly visible per permit requirements. Finally, a stainless-steel carabiner was spliced inline to make for easy attachment to the hi-flyer. Additional yellow printed tags were attached to the float line to better identify the gear.

Hiflyers were modified for 2019 fishing activities to improve visibility and stowage. Due to the relatively small size and limited storage of the vessel, construction of easily stowable, yet highly visible hi-flyers is paramount. The final design was modular and consisted of a 12' section of 1-1/8" aluminum tubing and a 10' piece of 1" aluminum tubing. Where the 1" tubing would slide into the 1-1/8 tubing. The ultimate



configuration used was a total of 18' long. The modular design serves no purpose other than making transportation easier. Two 10-pound (7x14") PVC floats were slid over the 1-1/8" aluminum tubing with the bottom of the lowest float being approximately 5' above the bottom of the aluminum pole, where 5.5 pounds of lead is attached. A lightweight radar reflector was attached to the pole about 24" from the top, ultimately about 10' above the water. A strobe light is attached just below the radar reflector. A black flag is attached to the very top of the pole. This seems to give ample stability in most conditions and provided easy deployment and stowage. A rack to store the hiflyers was constructed along the starboard side of the vessel. This allows for easy, out of the way stowage for fishing other gears when warranted.

Efforts were made to improve bait presentation, such as sewing hooks into squid. However, this proved to be a time consuming and seemingly unnecessary endeavor. We saw no increase in the number of bites or the number of hooked fish when compared to baits with the hook simply pinned through. What does seem to improve hooking rate is sewing the head of the squid to the mantle. In instances where this was not done, sometimes the head would detach, and the fish seemingly lose interest. Several fish were caught on live mackerel. However, after our experience in 2018 where mackerel were hooked through the head and would subsequently tangle, in 2019 wax rigging floss was used to bridge the mackerel to the hook. This helped keep the mackerel alive and greatly diminished the frequency of tangles.

### **Observer Coverage**

Fourteen trips were undertaken 2019 and eleven of those were observed. The first six trips were observed as part of the requirement that the first 10 trips be covered. All additional covered trips were to maintain better than 30% coverage as required. The absolute observer coverage rate for 2019 was 77%.

### **Fishing Summary**

All fishing was conducted during daylight hours and gear pulled well before sunset. A total of 21 Swordfish were captured during 12 of the fourteen trips and 13 additional bites were observed and swordfish (or possibly other fish) not hooked. An additional 6 fish were hooked and identified as swordfish but not landed due to hook pulls. There was only one interaction with non-target species, a Mako shark which was released alive boat side. On October 18, a swordfish which had been tagged and released by the PIER group was recovered. The tag was removed and returned to the PIER group.

### **Fishery Interactions**

During 2019 fishing operations it was common to be fishing in relative proximity to other DSBG vessels. At no time was there any issue or conflict with any of those encountered and all interactions were professional. Generally, contact was either made by radio or directly boat side and efforts were made to ensure there was enough area for each boat to fish their gear.

During 2019, building on knowledge and experience gained by the DSBG fishery, numerous recreational vessels were commonly in the area. It appeared that in many instances recreational boats would use DSBG vessels and fishing gear as a marker for where to fish. In most instances this was not an issue, however, we did have one fish get tangled with recreational gear. Fortunately, the recreational angler was cooperative, and we were able to untangle and land the fish. There were several instances where hooked fish were swimming near the surface and the recreational vessels were notified to be sure to not run between the fish and buoys as the fish might be shallow enough to foul their propeller. This was an issue on September 20, 2019 when a particularly strong fish was swimming aggressively near the

surface. There were numerous schools of bluefin tuna in the area with many skiffs and yachts chasing spots of bluefin around at high speed, and unfortunately one vessel ran between the buoy and fish, subsequently cutting the mainline. The mainline had the telltale signs of a propeller cut.

### **Considerations for 2020**

For 2020 fishing activities, we intend to fish the 10 set of gear allowed under the EFP. With the experience we have gained during the previous 2 years of fishing we are confident that we can maintain contact without issue. While we still consider a tracking device to be important, satellite or otherwise, cost is a major drawback, and the value is not there unless a company develops a more affordable unit. More trials with bait types and the rigging of baits will be continued in 2020. It is possible that mackerel may be nearly as effective as squid in certain scenarios, and they are considerably less expensive. Also, we are considering fishing more than one hook per gear set, but conditions will dictate when and how that will be employed.

Although late 2018 and early 2019 were spent setting up boat to safely contain maintain <all ten available pieces> and deploy and retrieve gear/fish, my boat was not running to the speed it has in the years past . After quite a few attempts on the repair , with limited success on results , my confidence for offshore travel was low.I've since had a marine mechanic find and fix a problem that i missed, - ill be testing it soon.

I was able to make two trips offshore in search of swords. One was aboard Fishtail searching towards SBI in great looking conditions/water but unfortunately no sword came aboard. The other run was onboard the Defiance as Rons crew. The first of the four days away, found us with only one smaller sized unit hitting the deck. The last day of our run saw all out mayhem, with 4 bigger rigs hitting the baits and then hitting the ice. All fish caught in the afternoon and all fish in were in a particular area. Incredibly exciting to see most of the hi flyers you dropped off were now in a completely different place or pattern then the last place you or the g p s observed them . . one went towards mexico another fish went off towards the north and yet another looked like it was going to go to japan maybe for more sushi....

It lived up to what Ron had been describing as to what he'd been seeing happen for a month or so prior. unlike his previous attempts for months before and about a year after leaving his home port up in sunny/windy Santa Barbara . he made some changes and is being rewarded for his hard work and efforts.

One or two things i would like to express as my concerns would be that an overload of permitted vessels would skew and demolish areas that attract these fish. it would be a darn shame to see this budding fishery turned into something ugly. Overcrowding wouldn't be the only issue one would have to look at while making these future permits available to everyone The sport fish sector and their two fish limit per person deal is a concern of mine. One fish trip per boat would fill their freezers for a year and it would be less likely for some of them to sell extra fish. always remember there is no fish like the Swordfish. questions or concerns please feel free to contact - Michael Graves 805 705 6053

In connection with the 2019 Deep-set Buoy Gear EFP report.

At the end of September 2019 we began fishing at the back side of Anacapa Island, 6 miles out. We were only out three days that trip. The first day resulted in a gear breakdown and no fish was caught. The third day 1 sword fish was caught using live mackerel as bait. Our gear was at approximately 1200ft deep when the fish struck the line at approximately 3pm. He kept heading southwest for about 3.5 hrs before he was landed. In the process of cleaning the fish we found no stomach contents. The swordfish weighed in at 160 lbs and was sold for \$6 per pound. The buyer was only able to purchase 1 fish that week. Unfortunately at that time, because of health issues, I had to stop fishing.

I am 69 yrs old, with 44 years of commercial fishing. I have fished swordfish on both the east and west coast. On the west coast I fished from 1973-1985. In 1977 I was one of the original fisherman that started landing sword fish with shark drift nets. We were targeting Thresher Shark when we realized we could catch a substantial number of swordfish also using a shark drift net. That opened up to us a whole new fishery. But needless to say, there was a small amount of by-catch. Mostly blue shark and sunfish.

While my primary fishery now is light boat squid fishing, it is possible to combine both fisheries in a single day. Light boats are primarily used at night and sword fishing can be done during the day.

I look forward to using more of deep-set buoy fishing gear this year. I do feel that this is a viable fishery even though there is still much to learn. Plus, on a positive note, Santa Monica Seafood has agreed to buy as much product as I can produce.

In the future if there is a workshop available for additional training for crew members to operate please let me know. It would be extremely helpful. And if there is anything else I can do to help please feel free to contact me at anytime

Sincerely,

Steve Greyshock  
Owner/Operator Emma Ray  
Forest Howlett  
Light Boat relief Captain  
949-355-9411

Nicholas Haworth

F/V Elizabeth H.

### Bouy Gear Report

For the 2019 season we conducted 15 sets, during those sets we caught 40 swordfish and 6 Bigeye Thresher. We concluded the season with approximately 36% observer coverage.

We seemed to learn a little from last year, which helped us catch a few more fish. But like always the price was too low. Sometimes we managed to get above \$5 dollars a pound but most often times it was less.

I still hope one day we are able to fish more gear, 15 – 20 buoys would be easily managed if you use the proper gear.

As far as linked gear, I have set to set it up on the Elizabeth H. as it is too expensive.

To conclude, I love fishing buoy gear, but there's not enough money in it and now there is too many sport fishers.

## **2019 Exempted Fishing Report Swordfish Deep-set Buoy Gear**

**Fred Hepp, F/V Plumeria**

After getting my feet wet last year with this new type of fishing gear I was eager to have a big year in 2019. However due to some mechanical issues I had to deal with a few setbacks. We made three 2-day trips this year behind Santa Cruz Island and we caught 1-180# sword and a bigeye thresher. We fished 10 sets of gear with a blue or green light attached. We never saw another commercial buoy gear boat but did see a couple sport fishing boats. As usual after setting gear I am visually looking for finning swordfish all day while monitoring the gear. It's a complimentary fishery to harpooning swordfish even though I did not get a harpoon fish this year.

This year we had an excellent salmon season so we got a late start to buoy gear fishing. Our first trip was august 24-25 fishing backside of Santa Cruz Island we made a set each day with 10 pieces of gear, each with 1 hook, baited with squid and a blue or green light attached fishing approximately 1000' depth. We had no bites or lost baits. Water temp was warm 72-73 and green. Interesting to me we saw several marlin which is not good news for swordfish usually.

I lost my next two months due to back to back mechanical issues a real disappointment!

I got back out for two trips in November, fished November 10-11 again on backside of Santa Cruz Island. First day set all 10 pieces of gear, each with 1 hook and squid, and a light for no fish. Second day we set all 10 pieces again and had a bigeye thresher and a swordfish approximately 180#. This trip we had a really nice observer with us. Second trip in November was November 23-24 again we set both days on backside of Santa Cruz Island. Neither day did we detect a bite however conditions were nice.

December up here had lots of northeast winds blowing out of Ventura giving me only single day options to fish and I did not think it was going to be financially viable along with questionable weather so I did not fish. I did hear the fishing was decent further south but I am not in a position to run that far. Wish I could of put in more effort this year but wasn't in the cards.

If you need more info on location of sets it is in logbook generally we fished latitude 33'54" by 119.3 west longitude. Of note on our last trip in November we tried to fish up off Santa Rosa Island but due to rough weather came back to lee side of Santa Cruz.

Thanks

Fred Hepp

F/V Plumeria

## Patricia J.2019 year end summary

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Kent Jacobs and Toni Gomez

We fished a total of 109 days setting the DSBG in 2019. We had an observer on board for a total of 31 days. We started fishing June 9<sup>th</sup> the last fishing day of the year was December 21<sup>st</sup>; we caught a total of 158 Swordfish for the year. Out of the 158 fish seven were harpoon fish, 151 were caught with DSBG.

The size and quality of the fish were great; only 20 fish dressed out under 100 pounds and of those 5 were less than 80 pounds. Our largest fish dressed out at 340 pounds. We were able to provide Catalina Island with fresh Swordfish all season long; we also sold fish to Santa Monica seafood and J&D seafood in San Pedro. I have a fisherman's retail license to sell to the general public and we sold 4 Swordfish and 1 Thresher shark, we kept 2 small Swordfish for personal use.

We have been able to distinguish better between a swordfish and a shark on the line and were able to safely release 2 thresher sharks ,1 Mola Mola sunfish, 2 blunt nosed sharks and 1 Elephant seal, this was our first encounter with an Elephant seal , it was on the line for 5 hours with the strike indicator buoy up looking similar to a Swordfish not showing itself, we put extra weight on the line at dark and the seal came to the surface we were able to back the boat up very close without the seal seeming to be bothered by us, we got within 5 feet of the seal and it said close enough[yes it made a loud verbal noise] I could see the hook in its lip and cut the leader line, it made a sound of relief and dove down casually, we use a black iron circle hook so they rust away in a short amount of time, we were happy that for the size of an animal like the Elephant seal the release went very smooth.

We kept and sold 1 Thresher shark, hooked in the tail and we could not revive it, and 1 Blue shark that didn't survive, we sold it for a dollar a pound. We somehow managed to hook a small hake that ended up being eaten down to just a skeleton, that explains many of the half eaten baits, we also caught a clear in color squid with big, the size of a quarter black eyes, it had some light colored spots that I imagine change color down deep, we had an observer on board at the time so they took it to Scripps to be examined. We have caught just the tentacles of the same variety before so it was good to see the whole thing; these also eat the baits, good to know.

All the observers were a pleasure to have aboard although I don't see the need for the coverage; this DSBG fishery is looking to be a very low by catch with an even lower mortality rate. This is our second year fishing the DSBG, plus we did it for 1 year attached to the boat before we got our permit. We continue to learn more technique,



We did not experience any problems with any other commercial fishing boats, or any sport fishing boats but as the season progressed there were more and more sport boats “deep dropping” for Swordfish sometimes with more than 20 boats in a 3 -6 mile area! They started doing this around September and it went crazy, hopefully fish and game will cut the daily swordfish sport catch limit down to 1 fish a day, week, month? Swordfish is a big fish, how much can a sport fisherman eat? I know they were selling to restaurants, fish and game needs to enforce that issue.

Hopefully the DSBG permits given out in the future will be minimal and to previous commercial Swordfishers to keep both the Swordfish population and the price at market healthy.

We had 2 boats on separate occasions run over our DSBG, one cut off the flag and it floated 2 miles away from the buoys both flag and buoys were recovered and repaired with no loss. The other ran over the gear at the indicator buoy and cut the line we lost the line and 1 buoy and most likely a fish, it took me until the end of the day to figure out had happened, we were having a good day, ended up with 4 fish we were busy with all the gear, a small boat had engine problems a couple miles past us and the coast guard showed up and tried to assist them until vessel assist showed up and towed them in. At the end of the day we pulled the set of gear closest to where they were and white buoy and all the line were gone! The only way the gear could have been cut at the location it was cut would be if a fish was on and the white buoy was “UP”. It must have gotten super wrapped up in there propeller for them to be disabled, I since go and investigate any time a boat stops near our gear, I always wonder if when they got back to their marina and had a diver go down and check out their problem if he found a Swordfish at the end of the line? Both cases the boats were traveling at high rates of speed 30 plus miles an hour in a boat with poor visibility afternoon white caps and both had a inflatable dingy in front of their windows, I hope they learned a lesson, our DSBG with a tall pole with a radar reflector, a large flag a, large bright orange buoy plus 2 more bright orange buoys is way more visible than a person in a kayak would be.

We had around 50 swordfish get away to fight again.

I hope to fish this fishery until the end of my career and pass it down to our future generations,

Thank you Kent Jacobs, Toni Gomez and the crew Jake, Mike and Harold

My report for DSBG for this year is decidedly unimpressive.

This fishery is challenged in this western Santa Barbara area by weather and water temperature.

As a lobster fisherman primarily, the payoff for DSBG is questionably viable. I had one fishing day this past year, with no production. Prices have dropped substantially on swordfish so the \$8.50 per pound that was widely touted has diminished to \$5-5.50 lb

Ten hooks, which are the practical number to run without significant tangling, are kind of a joke.

Whereas, I would like to remain active in this fishery, depending on weather conditions and water temperature, I am not overly optimistic for viability in this area.

Sincerely,  
Ray Kennedy  
FV Rainman

Dear Members of the Council:

My name is Stephen Mintz and I am reporting on my 2019 - 2020 DSBG and DS-Link Gear fishing activities.

This was really my 1st season of actually putting a substantial amount of effort into trying to catch enough Swordfish and, or, marketable bycatch. I fished a total of 46 days using both methods of fishing effort. We landed 85 Swordfish, mostly under 100 # average, plus 1 100# Mako, 2 Escolars, and 2 Brown Threshers which were released alive. I believe that out of the 46 days fishing, we had an NOAA Observer on board 35 days.

My total gross for all that effort was \$53,466.10. That may add up to over \$1,000. per day but, there are a lot of expenses. I had 2 crew because I just had Hip Surgery plus the observer so grocery bill was from \$500 -\$700 per trip. Sorry, I don't have my exact totals but probably used around 100 gallons of fuel per day @ approximately \$3.20 per gallon plus oil so I ended up with a \$15,000 fuel bill. Also, couple cases of squid at \$135.00 per case, a case of mackerel at \$65.00, plus ice which we got for free from Santa Monica but tipped their employees about \$50 per trip for all the extra work they had to do to help.

Now, better order more gear, few more strobes, more leaded material, need more of this and that for the Link gear, a more improved puller for winding up the fish and fighting them...Not for sure how much you spend but this is an expensive fishery expense wise to participate in, to not catch that many, and not many big ones for us. Definitely, without a doubt, a joke compared to less expense, much more productive " Drift Gill-Net " fishery.

In my opinion, fishing in the Swordfish Fishery since 1975, this is a Glorified Harpoon Fishery, attractive for small boat, day fishers and yachts. Many of which have no way to take care of what they catch like refrigerating them or using ice, so they return to port and dump their catch to their nearest Restaurant which takes away that sale to our main buyer, the really 1 and only, Santa Monica Seafood. So for us serious commercial fisherman, trying to participate in this fishery, it's not something we can depend on for making a living. Too many expenses, limited amount of buyers for high dollar product, and a big impact on juvenile Swordfish with little or no bycatch. If you don't catch a Swordfish, nothing goes down the hatch.

Back to the Drift Net for me on trying to make a buck. We have bycatch to sell, bigger Swordfish, not to mention more of them (commercial quantities) and nowhere near the expenses. Plus, a more reasonable price to the consumer so more average families can afford to enjoy a Swordfish dinner. Thank you.

I am presently out at sea but when I return after May 1, I can provide exact fuel costs, average #'s per Swordfish, and any other information if of necessity or curiosity to back up what I say.

Thanks again,

Stephen R Mintz

Nathan Perez  
F/V Bear Flag 2  
March 29, 2020

# DSBG 2019

## Fishing summary and report

During the 2019 Deep Set Buoy Gear (DSBG) season, we were able to catch 117 swordfish. Three swordfish were released alive and well due to being too small for market. Fishing efforts should be increased via more sets of gear (20) per boat. Increasing the amount of gear per boat will help fishermen be successful in landing more swordfish (possibly twice as much) and able to have a sustainable, profitable living. The key is to increase the amount of gear per boat, **not** the amount of fishing vessels. Too many fishing vessels will cause territorial conflict, as well as marketing conflict, creating less profit and also create a larger carbon foot print. Vessel's on the east coast are already fishing 20 sets of DSBG. Most boats fishing DSBG will be able to carry the extra gear and actively tend the gear while fishing without any problems.

With the number of recreational deep drop fishing boats we have seen this past season, we can anticipate that there will be more conflict between sport boats and commercial boats. There needs to be guidelines and regulations for this new sport fishing for swordfish. I suggest that recreational boats are limited to one swordfish per vessel per day to avoid illegal sales of swordfish from the recreational fleet. Once they have reached their limit of one swordfish per day, they will not be able to continue fishing swordfish, making the fishing grounds less crowded. Recreational boats drift faster than a piece of deep set buoy gear. I have seen sport boats drift through sets of gear and hook up on swordfish, instead of the commercial gear. Therefore, I suggest that there be a required mandatory minimum distance for recreational boats deep-dropping from commercial fishermen. This would help to avoid recreational boats drifting through a commercial fisherman's set, potentially taking fish from them and causing conflict.

I hope you find this summary beneficial to the research and development of this fishery.

Sincerely,  
Nathan Perez

**Tim Ferguson**

**2019 Report E.F.P. Deep Set Buoy Gear Permit. F/V ESPADA**

Hello, my name is Tim Ferguson, I'm a holder of the E.F.P. Deep Set Buoy Gear Permit. F/V ESPADA.

I have not had the opportunity to fish much this last year, due to several different reasons. But we did get some fishing time in using DSBG and did catch a few swordfish, with no by catch at all. Working with the DSBG method has been a learning curve for us as well others I'm sure, but we have all figured it out, and it does work. With setting, drift, retrieval time, baiting, and setting up boat, and building gear. All comes with expenses, \$15,000 to \$20,000 plus for some.

One thing that seems to be holding true in this new fishery, is that one or two hook per line sure cuts down on tangling of the line and time. We have also complied to make our gear streamline. So we don't catch anything unwanted, seems to be working.

That's why I would like to be able to fish more than 10 sets, bring it up to 15 and maybe 20. This could also help make it more profitable. Also be able to fish during night time, with the radar reflectors and strobes and other tracking devices available. I don't see any problem in this being done.

The observers on board are no problem and the program is good, since it got funding. On a couple occasions, they were not available at the time when we wanted to go for the day. This is an issue for me as my home port in Dana Point.

We are close to some of good fishing grounds when conditions are right, and can have the gear in the water fishing within an hour at times. Sometimes when the weather and things are right. It would and could be an advantage to be able to just go out and fish for the day and be able to drop a few sets of gear, all on a moment's notice. (All logged of course). There are many times when we see, in the morning, that the weather is in our favor for the day, and it would be good to go, now !!! But we are stuck at the dock and cannot go fish, because of the notice that we must give in advance to comply with the rules and regulations. Many times the fish are there, and not the next day. It would be great, to make the appropriate phone calls and be able to go fishing on that moment's notice, now. That's our window!!!

There have been numerous times we have been out harpoon fishing and conditions are right, with life, birds, bait, good meter marks, and you just know fish are there. Or we have just harpooned a swordfish in a good area like that, we are going to be there for a while, so why not drop a couple sets of the DSBG in the water ? Would be interesting if fish caught deep and on the surface in the same area.

The gear is on the boat and most likely ready to go! Cannot use it. We can't because of these rules and regulations. This has happened to me many times. Of course it would all be logged and documented.

I do understand the need of rules and regulations, as I have, and will always abide by them. But it is frustrating they just hold us back and keep us tied to the dock, when conditions are right for the day to be able to go fishing. And the wind is going to blow the next day. There goes your window, could of been a good day.

This new way of fishing for swordfish has caught on with the private sport fishing and is getting more popular by the day. There are internet clubs and sites pushing deep set dropping for sport swordfish and they do catch a few, somehow this guys are selling their catch.

They do not take care of the fish once caught, weight in whole #s not cleaned. Hours after being caught. I know the fish is not dressed out properly, not put on ice or refrigerated holds. Not what we want to happen to this fishery.

There have been a few of these guys dropping their gear in between and close to commercial gear. This happen to me up off of Newport Ca. He pulled up his gear and left, but not too far. I see it could get pretty nasty if we get tangled, as they are moving around fighting these fish covering a lot of area with a rod and reel, sometimes for hours, or vice versa with some of us commercial guys. Some of these guys are fishing sport and sell commercial ? They are not in compliance with commercial boat rules and regulations that we must meet. Yet they deep drop for swordfish, This is infuriating as a commercial fisherman's point of view.

So with that being said, I believe that this EFP should stay in place for a while, or a limited entry fishery thing, until there is more data overall. I heard that that this happened down off of San Diego. Hopefully this can all be worked.

Soon I hope that this virus thing will pass and we can all get back to a normalized life.  
Stay well, have faith,

Thank You  
Tim Perguson

## Pacific Fisheries Management Council Summary Report

### 2015-2019 PIER Deep-Set Buoy Gear and Linked Buoy Gear EFP Updates

Preliminary Summary- May, 2020

Prepared by: Chukey A. Sepulveda, PhD & Scott A. Aalbers, MS

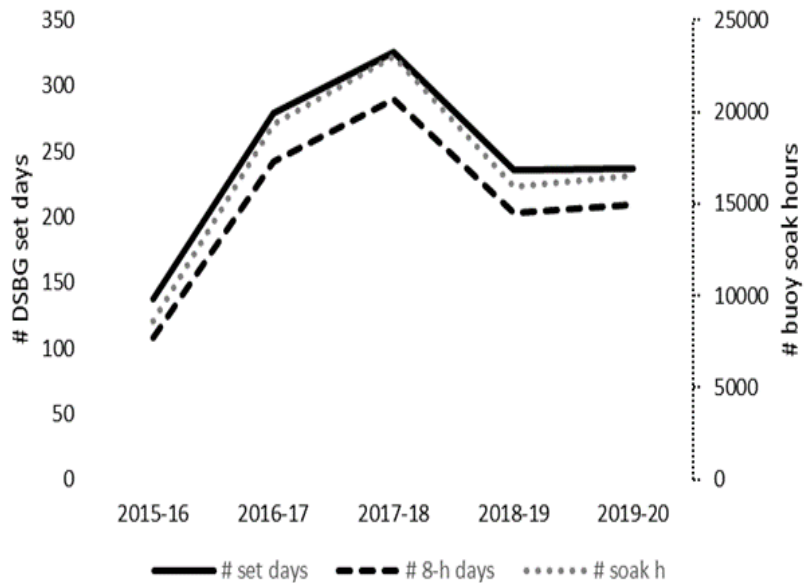
Affiliation: Pflieger Institute of Environmental Research, PIER

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**PIER EFP background and progress to date:** PIER has managed two groups of cooperative fishers operating under exempted status to test both deep-set buoy gear (DSBG; 2015-19) and linked buoy gear (LBG; 2018-19) off the California coast. To standardize gear among vessels, both DSBG and LBG configurations were designed and assembled by the EFP manager. Fishers were also trained on gear deployment, responsibilities as EFP participants and rationale behind different bycatch mitigation features. Configuration characteristics were detailed in the initial EFP submission and based on gear development work conducted during NOAA sponsored research trials (2011-19). Cooperative fisher training sessions were performed with all team members onboard both the PIER research vessel as well as respective team-member vessels. All cooperative fishers were issued vessel logbooks, EFP documentation and observer staffing protocols prior to the initiation of fishing activities. Vessels were mandated to carry NOAA certified observers following provisions and observation rate criteria outlined by the West Coast Regional Observer Program.

**DSBG EFP Fishing Effort (2015-2019):** Despite cooperative fisher interest in DSBG deployments above Point Conception, all DSBG fishing effort to date continues to be focused from the Channel Islands (~34°N) to the Mexican border out to ~100 nautical miles (~120°W). Set activity and locations continue to be influenced by proximity to home port and market price. Similar to past seasons, fishing sets were patchily distributed in 2019 with effort clumped into small areas of regional productivity. During the 2019-20 fishing season, 237 DSBG sets were performed by five vessels, bringing the total number of DSBG sets performed under the PIER DSBG EFP to 1,216 (Figure 1). In 2019-20 there were a total of 56 trips with a mean trip duration of 4.2 days. Since 2015, more than 11,900 pieces of DSBG have been deployed under the PIER DSBG EFP, with just one piece lost due to engine problems during the 2016 season. DSBG fishing effort by the PIER EFP team increased slightly to 16,323 soak hours in 2019 compared to 15,939 soak hours during the 2018 fishing season, for a total of approximately 83,450 soak hours (Figure 1).

**DSBG Catch:** Since 2015, the PIER DSBG EFP has landed 1,831 swordfish during 1,059 standardized 8-hr fishing days. Overall, swordfish have comprised over 88% of the catch. Bigeye thresher sharks were the second most common species caught during the EFP, accounting for approximately 9% of the total catch (Figure 2). Other marketable species caught during the EFP trials include opah, escolar and mako sharks. Non-marketable catch has made up less than 1% of total catch.



**Figure 1.** PIER DSBG-EFP effort over the 2015-2019 seasons.

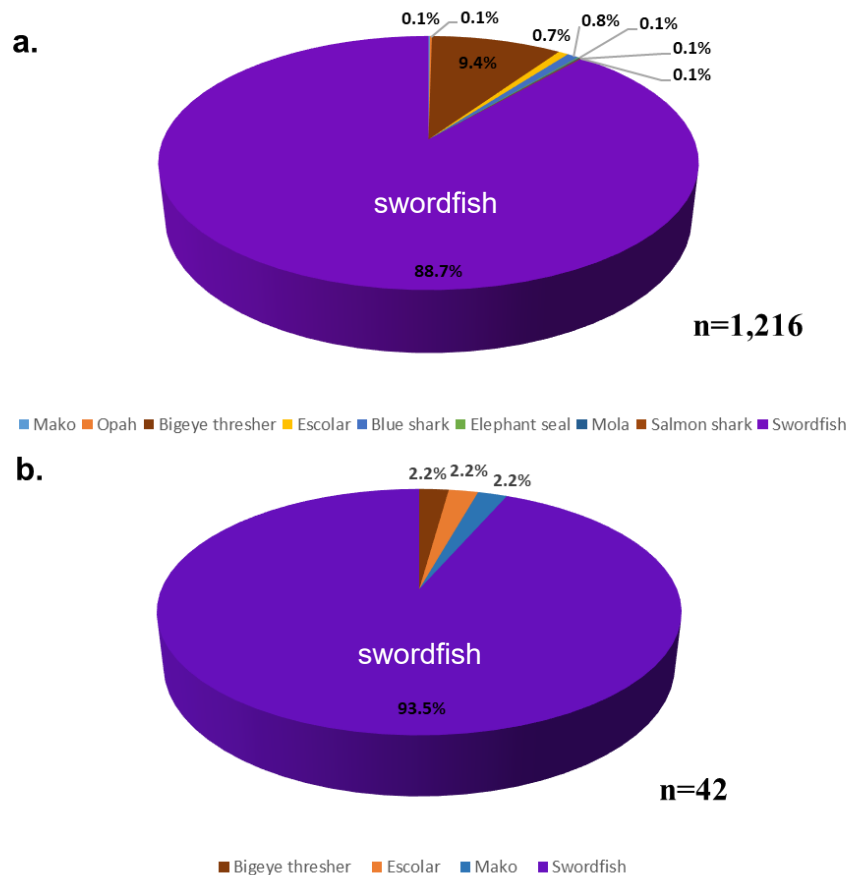
Target catch rates have varied by vessel and year, with mean annual catch rates ranging from 1.27 to 1.95 swordfish per standardized 8-hr set day (non-standardized catch rates range from 1.03 to 1.71 swordfish per day). In 2019 the average annual catch rate for all five DSBG EFP vessels combined was 1.94 swordfish per standardized day. The maximum annual catch rate for any one vessel was 3.25 swordfish/ standardized fishing day. Average daily catch rates in 2019 were similar to 2016 and 2017 catch rates and higher than both the 2015 and 2018 seasons.

**EFP Observation:** Observation of the PIER-DSBG EFP was initially (2015-2018) staffed and coordinated by PIER. In 2018, responsibility for observer coordination shifted to the NOAA West Coast Regional (WCR) Observer Program. Because observer placement during the 2019-2020 season was managed by the WCR, observation rates and specifics were not reported on in this summary. However, as with previous seasons, all EFP vessels continue to perform check in and out procedures (with NOAA, CDFW, and PIER) and vessels continue to furnish PIER with detailed daily activity logs. To more accurately assess non-observed trips, catch and bycatch were reported daily to PIER via a mandatory call in procedure and verified through observer, logbook and landings records. Since 2016, all swordfish catch was also tracked using traceability collar tags on each fish. The collar tagging has received positive feedback from markets and processors.



## Linked Buoy Gear

**Overview:** LBG was designed to facilitate fishing in rough conditions or from less maneuverable vessels that do not want to worry about tracking individual pieces of DSBG. LBG also provides fishers with the capacity to fish across a wider range of depths compared to DSBG. Hook depths, catch composition and bycatch mitigation features (i.e., rapid descent rates, strike detection, gear servicing) for LBG are comparable to that of DSBG.



**Figure 2.** Catch composition for (a.) 1,216 deep-set buoy gear and (b.) 42 linked buoy gear sets conducted under the PIER DSBG-EFP from 2015-2019.

**LBG EFP Fishing Effort (2018-19):** Exempted LBG trials commenced in September of 2018 following EFP issuance through the NOAA west coast region. Upon approval, PIER assisted with training, rigging and outfitting of three cooperative vessels with LBG equipment. The delayed start of the LBG EFP coincided with an already suppressed swordfish market, resulting in a low price for initial LBG landings (See market dynamics below). The low price-point coupled with reluctance to switch over from DSBG to LBG mid-season likely contributed to the reduced effort reported during the first season.

PIER-LBG EFP effort was also limited in 2019, primarily because of health and crew issues aboard two of the three vessels participating in the EFP. In response to the reduced effort in 2019, PIER expanded LBG training and helped outfit three additional vessels outside of the PIER EFP group. Crew training exercises were also performed aboard both the PIER research vessel as well as

cooperative fisher vessels (i.e. *F/V Chula*, *F/V D.J.* and *F/V Bear Flag*). In 2020 we have also reached out to an additional three vessels with current LBG permits in hopes of increasing set activity.

Since September of 2018, four EFP vessels have made a total of 42 LBG sets under the PIER LBG EFP. A total of 367 LBG sections containing 1,100 baited hooks have been deployed between Santa Cruz Island and the Mexican border. Seventy-six percent of LBG sets consisted of a full complement of 10 LBG sections, which include 30 baited hooks, while the remaining 10 set days included a combination of both DSBG and a partial complement of between 3 and 7 sections of LBG.

**LBG Catch:** LBG catch has consisted primarily (93%) of swordfish. Additional catch encountered during the trials include bigeye thresher shark, mako shark and escolar (Figure 2). All LBG catch was marketable and no catch was released or discarded. Current comparison of catch rates between LBG and DSBG are premature due to (1) the limited number of LBG EFP sets performed to date, (2) the learning curve associated with the new geartype, and (3) lack of a full season for comparison (DSBG has been the predominant gear used during the early season). As of this report initial daily swordfish catch rates on LBG are similar to those using DSBG. We believe these data to be preliminary given that catch rates during LBG trials aboard the PIER research vessel have increased steadily since 2015, suggesting that EFP catch rates will increase with gear experience. Differences in gear configurations, crew familiarity and other variables between LBG and DSBG also confound comparisons. To promote increased LBG effort during the 2020 fishing season, PIER will continue to train and assist non-PIER-EFP vessel captains and crew.

**Market Dynamics:** During both the 2018 and 2019 seasons, initial market price (price at the beginning of the season) was lower than previous years. This likely occurred because markets anticipated increased volume from a larger DSBG fleet. In 2019, fishers experienced a slightly protracted season, with market price and demand remaining more stable throughout the season. For some fishers, this fueled DSBG effort later into the fall months. Contributing factors for this likely include the reduced DGN effort and landings observed in 2019, as well as the continued development of DSBG markets and product demand. Some EFP team members continue to comment on price and demand declines during periods in which landings from other fisheries increase. Observations made to date suggest that any large-scale changes in west coast swordfish volume, whether they are domestic (i.e., DGN or HI Longline or EFP Longline) or from foreign imports, seem to negatively impact market demand, price and revenues.

**EFP Outreach:** Throughout the EFP trials, PIER has worked with cooperative fishers to communicate EFP progress, summarize logbook data, place observers on vessels, and provide routine reports to HMS managers. In addition, PIER has continued to refine gear design (DSBG and LBG), assess stock structure and address other research questions that relate to swordfish and other HMS species, including the post-release survivorship of bigeye thresher sharks captured on DSBG and LBG. PIER will continue to provide updates to the community, PFMC, and the HMS Management Team & Advisory Subpanel throughout the duration of DSBG and LBG EFP trials.

Dr. Tracy, Chairman Anderson, PMFC, HMSMT, HMSAS  
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Dear Dr. Tracy, Chairman Anderson, PMFC, HMSMT, HMSAS

PFMC, HMSHT

This is the 2019 annual report for DSBG fishing efforts under the EFP issued to Ben and Jack Stephens pertaining to the F/V Tres Mujeres (33ft. trawler) and DEA (24ft. trailerable skiff)

### **Tres Mujeres**

In 2019 F/V Tres Mujeres engaged in 64 days of fishing effort using standard DSBG combined with other gear types to target primarily swordfish and any other marketable species. 64 sets were made using 10 pieces of gear each day for each set (some were hauled and re-set). Each piece mainly used a single hook at bottom of gear configuration. Out of a total 640+ pieces set, only 6 pieces used a 2 hook configuration (1 at 200m and other at 300m). No fish were either hooked nor landed on the 2 hook configuration. Squid was the primary bait used on 95% of the pieces of gear. The only other bait used was mackerel.

During the 64 total days fished, 19 days were with observable coverage which amounted to 30%. Labor cost of observers was covered by NMFS. Over those 64 days 58 swordfish and 3 Escolars were landed. 7 swordfish and 1 other specie (2 Big-eye brown threshers) were released alive. Other gear (Harpoon and Rod&Reel) used in conjunction with the DSBG resulted in 1 Swordfish, 1 Mako shark, and 1 Yellowfin Tuna.

The **Gross** revenue for fish landed:

DSBG swordfish - \$35,641.30 (\$614.50 average price per fish)

Harpoon swordfish – \$1,853.00 (\$8.5 per lb.)

Mako – \$488.50

Escolar – \$22.50

Total revenues for DSBG activity/days fished – \$38,005

Primary **second** year operating expenditures were approximately \$28,246 which included the basic fuel & oil, bait, tackle, crew, food (observer included).

\*Total second year **Revenues (all species): \$38,005 (\$593 per fish average price)**

\*\*Total Second year **Operating Expenditures: \$28,246**

## **DEA**

In 2019 F/V DEA engaged in 22 individual days of fishing effort using traditional DSBG targeting swordfish. 22 sets were made using 10 pieces of gear each day. A total of 220 pieces were set, each piece used a single hook at bottom of gear configuration.

During the 22 total days fished, there were 7 days of observable coverage which amounted to 32% coverage. Labor Cost of observers was covered by NMFS. For those 22 days, 34 swordfish were landed and 8 swordfish and 3 brown threshers were released alive.

The **Gross** revenue from swordfish was \$23,205 and \$0 for other species.

Overall primary **second** year expenditures were \$15,059 which included the basic fuel & oil, bait, tackle, crew, food (observer included).

\*Total second year **Revenues: \$24,260 (\$714 per fish average price)**

\*\*Total second year **Operating Expenditures: \$15,059**

*\*NOTE: revenues were not nearly as high as projected due to both smaller than average size of fish landed and market price lower than expected.*

*\*\* NOTE: Expenditures do not account for the overall cost of operations. This does not represent operational cost like safety equipment and inspections, boat repairs, slip and insurance fees or 1<sup>st</sup> year gear start-up cost depreciated.*

In analyzing the data from both vessels and comparing their efficiency and effectiveness from a longer fishing season than 2018, it can be determined there is no significant difference between operating a 33 ft. vessel compared to a 24ft. vessel while targeting swordfish using DSBG. Although, it can be noted that if timed right (weather conditions, fishing within a day range of the coastal ports where infrastructure supports commercial fishing), a small trailerable vessel could be comparable to a larger multi-day vessel. Though, because both vessels operated from the same port fishing much of the same grounds, it is difficult to make a complete comprehensive conclusion as to which vessel is more efficient. Additionally, due to more days fished by the larger vessel (some days just searching) the overall economic viability should be looked at after a longer period of time in order to get a better cost analysis of operations.

Based upon percentage catch record, the potential might exist for using a small trailerable vessel the entire coast of California, but because the SCB has consistently more favorable weather conditions the window of opportunity may be limited by that factor alone.

Moving forward, we would like to continue to pursue fishing the standard DSBG in 2020 in order to record further data that will help determine the economic viability of using standard DSBG to target swordfish using both larger multi-day vessels vs. 1-2 day smaller fishing vessels.

As an endnote we would like to point out that 2019 commercial DSBG fishing season was significantly impacted by the influx of sport/recreational fisherman. As the season progressed and more and more recreational fisherman participated in the "Deep Drop" fishing (due to one particular commercial fisherman from Newport and his operation who sold CF techniques), we noticed the catch ratio go down and small fishing grounds became highly competitive with a concentration of recreational fishing vessels. This opened up the door for a whole host of conflicts:

1. Recreational vessels setting gear in close proximity to CF resulting in gear conflict and competition for same concentration of fish selecting multiple baits.
2. Recreational gear's surface footprint (horizontal line attached to their gear) extends upward of ½ mile behind their vessels. This becomes a danger to both navigation and entanglement of protected marine species which CF are scrutinized for and have to fish a vertical line with minimum surface footprint (usually less than 5 yards).
3. Often there is a > 10:1 ratio of Rec vessels to CF vessels. Each rec. vessel fishes 2-3 lines and can bring aboard 2 fish **per** angler. (some vessels have 6+ anglers. = 12+ fish harvested a day). This leads to overfishing by recreational anglers and opens the door for illegal sales of fish and does NOT promote a sustainable fishery.
4. Recreational vessels using illegal harpoons to assist in landing their fish and use on surface swimming Swordfish and Bluefin Tuna (as observed by federal observer).

This DSBG method/fishery was designed and tested within the commercial swordfishing fleet to help **augment** the harpoon and DGN fisheries. It should be kept solely as a commercial fishing method/fishery.

Please accept the attached letters which were drafted to the council last year (May 2018) but never sent. One outlines what were potential problems (now current problems) and suggestions for a sustainable fishery. The other letter outlines suggestions for new regulation within the DSBG fishery which could help participants be more productive and efficient. Additionally, a PowerPoint was created to document some of the 2019 recreational fishing activity and support the need for immediate action of a change in regulations for recreational fishing.

Dave Stephens

Ben Stephens

Jack Stephens

F/V Tres Mujeres & F/V DEA

## **LIL JACK 2019 - DSBG FISHING REPORT**

Unfortunately, due to mechanical issues that took approximately 45 days to resolve during the peak of swordfish landings, I was only able to fish a total of ten days in the 2019 calendar year with 100% observer coverage. I fished eight days on my vessel Lil Jack and two days on the vessel Circle Hook, with one trip not counted because a total of six pieces of gear did not technically soak for more than four hours. On this particular day I had three of the six pieces with fish on them at the same time. I elected to remove the remaining pieces of gear to concentrate on the other three with fish. This was the day our hydraulic reel failed due to a manufacturing defect. We subsequently attempted to hand line the remaining fish and gear and repairs following this incident took 7 days to resolve.

Final totals on my vessel Lil Jack:

- 7 missed bites
- 2 lost fish
- 1 lost fish unidentified
- 1 swordfish that pulled a hook just under the surface
- 1 released bigeye thresher approximately 300 pounds

Final totals for participation on the vessel Circle Hook:

- 2 swordfish landed
- 2 missed bites in 2 trips

Trips on both vessels were between three and twenty miles from the beach. On the vessel Circle Hook our trips were in the vicinity of the 209. Both vessels deployed gear in areas where we had a good deep scattering layer giving us the greatest chance of success. We deployed 5-9 pieces of gear within less than a three mile footprint. We had zero gear conflicts with other commercial & sport fisherman on all of the trips. On the Lil Jack we successfully deployed and retrieved up to three baits without tangles and we used squid as bait. Most of the time we fished up to two baits per line between 700-1200 ft. of water. Having bites on flashing green, flashing blue and disco colored lights.

With the use of Terrafin, Eco Cast and my new updated Furuno Fish Finder, I was able to pinpoint areas with favorable fishing conditions. In fact, on three separate occasions I believe our gear was bit while we were still deploying it as it was sinking. In these certain instances it was very noticeable as the line went slack and stopped sinking. In my opinion the majority of the missed bites were due to rigging the circle hook by loop connection instead of stiff rig configuration. A critical element is taking the time to rig your baits properly. While most captains prefer to use a zip tie to secure the bait to the hook and send it out, I believe this leads to more missed bites as the head of the squid can get knocked off and the fish quickly loose interest and move on. I take the time at home to properly rig and freeze baits, as it takes me approximately 5-7 minutes to rig each bait. To put our ten sets of gear with two baits per line takes me around 2.5 hours to rig. Because of this I try to avoid rigging baits on the water to maximize my fishing time.

As a new participant in the DSBG EFP I would like to express a few concerns regarding the development of this new fishery:

1. Sport Fishing Limits – I am proposing a limit of one swordfish per vessel per day instead of the two per person rule. My reasoning is to limit the potential of illegally sold swordfish by the sport fishing community. These illegally sold fish can hurt existing established markets and effectively hurt the market price. This problem is already occurring with the bluefin tuna and has been taking place for the last few years. As an avid sport fisherman myself, I truly believe that one 100-200 pound fish is sufficient per person for daily limit.
2. Charter Boats – Technically they are considered a commercial activity and should be forced to purchase a commercial swordfish permit to participate in the fishery. An example is the ocean enhancement fee for charter vessels. They must also have a highly migratory species permit and have all catches logged properly to document catches for the quota. Commercially we pay for the right to access this fishery and why should they be any different?



3. Establish a gear proximity rule for the sport fishing community. Reducing possible conflicts.
4. Concerns Regarding the Proposed 300 Boat Fleet - Two boats fishing off the coast of Monterey last year effected the swordfish price for everyone else for a short period of time.
5. Not authorizing a Limited Entry Fishery could eventually have the potential to affect the profitability of the DSBG fishery if the council fails to act. I disagree with the idea of open fishery above Point Conception.
6. Certain commercial vessels in the fleet are turning off their federally mandated A.I.S. vessel tracking systems and this has been going on for the last few years. These vessels are over 65 feet and mandated by the Coast Guard to comply according to the Cost Guard rules. How can boats be allowed to participate in this fishery when they are not in compliance with the mandated laws? I'm trying to understand why it is not enforced but written as law.

### **Conclusions:**

The new gear type is an effective way to supplement the harpoon fishery by reducing the chances of contact with unwanted bycatch and protected species. In my limited experience with this fishery I have discovered that certain areas under certain conditions can be very productive while others are not. Identifying areas with proper water, bottom structure and other forms of life can help you identify such areas. I do disagree with the some of the data that notes swordfish do not school up and are solitary in nature. I also believe areas with basking swordfish events can sometimes be a major indicator of what could possibly be happening below the surface at times. In my experience this past year, I have come to the conclusion that there are three bodies of fish pushing into the SCB. One from the West, one from the Southwest and one pushing straight up the coastline from Baja. I am almost positive that current tagging data and studies support my theory also. With rumors of productive fishing efforts off the Monterey coast last year that had a direct effect on market prices. I disagree with the PFMC to allow legislation that allows for an open fishery above the SCB. With fishing

activity and success above the SCB, there could be a potential to hurt the artisanal fleets participation in this fishery. This could hurt the established markets, driving the price down even further. It is my understanding that this gear type was originally created for use by the artisanal fleet initially, but now has been adopted by the larger vessels using the LBG. This rising activity directly effects the very fisherman the gear was originally developed for. My question is how can allowing an open access fishery above the SCB be good for the DSBG and LBG fishery? As I would like to better understand the council's methodology on coming to this conclusion.

Thank you for your time and for my ability to participate in the DSBG fishery. Looking forward to the season ahead.

Best,

Matt White

F.V. Lil Jack - Dana Point Harbor, CA

DFW# 32648