

DISCUSSION PAPER FOR CONSIDERATION OF THE DRAFT  
SWORDFISH FISHERY MANAGEMENT AND MONITORING PLAN

In 2014, the Pacific Fishery Management Council (Council) Council began to develop a Swordfish Fishery Management and Monitoring Plan (SMMP) that was intended as a roadmap for transitioning the drift gillnet fishery (DGN) participants to the use of other gear types. The SMMP was broadened to reflect the Council's intent to look at all feasible gear types for targeting swordfish with a goal of bycatch reduction, including DGN. In June 2014, the Council agreed on a list of policy objectives intended to guide management of the West Coast swordfish fishery with the dual goals of reducing bycatch while maintaining or enhancing its economic viability ([See Agenda Item E.2](#) and Council Decision Summary). Elements of the SMMP appeared in Highly Migratory Species Management Team (HMSMT) Reports for the March and June 2015 Council meetings which also included alternatives and analyses for proposed actions for bycatch reduction in the DGN fishery.

At the [June 2018](#) Council meeting, the Council recommended revisions to the draft SMMP, including recommendations from National Marine Fisheries Service ([NMFS](#)) and the Highly Migratory Species Management Team ([HMSMT](#)) and HMS Advisory Subpanel ([HMSAS](#)). Council staff incorporated these comments and restructured the document for possible adoption for public review ([Agenda Item H.6, Attachment 1](#)). In [September 2018](#), the Council revisited and revised the draft SMMP with the suggested edits by the Highly Migratory Species Management Team (HMSMT, [Agenda Item H.6.a](#), Supplemental [HMSMT Report 1](#)) and recommended holding the SMMP in draft form until it was ready to schedule further revisions or adoption of the plan.

When the Council adopted the draft SMMP, it also was developing the deep-set buoy gear (DSBG) fishery for swordfish and discussed the DGN fishery transition. The Council also developed a draft schedule for review of proposed DGN performance metrics and scoped the development of a shallow-set longline fishery (SSL) beyond the U.S. Exclusive Economic Zone (EEZ) (outside 200 miles) (See the [September 2018 Meeting Record](#)). The schedule focused on DSBG fishery authorization, which the Council finalized in March 2021. The Council also scoped an FMP amendment to authorize a SSL fishery in [November 2019](#), but decided not to schedule further consideration of a range of alternatives. Instead, the Council asked the HMSMT to analyze the following issues in support of the SMMP and report back to the Council:

- 1) Analyze effort, catch, and bycatch in subsets of Hawaii shallow-set longline observer data for potential action area delineations.
- 2) Document all sources of swordfish supply to the U.S. West Coast, including both foreign and domestic (west coast and Hawaii) caught.
- 3) Estimate related conservation impacts to characterize the relationship between domestic and foreign sources of swordfish supply and the potential to mitigate conservation impacts and reduce the Nation's seafood trade deficit through increased west coast production.

At its June 2022 Council meeting in Vancouver, WA, the Council scheduled a discussion of the draft SMMP for this meeting to consider further development.. The Council indicated that the HMSMT did not need to complete the analytical tasks listed above for discussion at this meeting, and expressed a preference for the HMSMT to prioritize their analyses in support of the ongoing Council consideration of hard caps for the drift gillnet fishery.

Council staff prepared this discussion paper to assist in Council deliberations on next steps for the draft SMMP (Agenda Item I.5, Attachment 2) which draws correlations between the SMMP and the HMS FMP and highlights outstanding policy questions proposed by the Council’s HMSMT in 2018. Council staff also pose questions and potential pathways regarding the optimum utilization of the SMMP within the context of the HMS FMP.

It's important to note that NMFS refers to the Council's stated goals in the SMMP in supporting documents for exempted fishing permits (EFPs) and other Council actions and uses Sections 3 and 4 of the SMMP and Council discussion of those elements to inform cumulative impact assessments and to support internal workload planning ([Agenda Item H.6.a, Supplemental NMFS Report 1, September 2018](#)).

The Council has identified several policy and fishery issues over the years and could consider the development of a workload checklist to use as it sets its priorities for all HMS fishery actions, similar to what is done for groundfish fishery management (See [Workload Prioritization Process](#) and Table 1 and 2 of [GMT Report 1](#)). Under the prioritization process, the Council periodically reviews all fishery management actions and annually considers revisions of its priorities.

The SMMP’s stated intent is to “not only facilitate implementation of the actions described below in Section 3 but to also provide an administrative record on the Council’s vision for a sustainable swordfish fishery.” A workload-prioritization-type process could create the record the Council seeks and provide a transparent and continuous opportunity to discuss and prioritize HMS actions.

It may be prudent to examine the goals of the SMMP and the HMS FMP for consistency or duplication. The SMMP goals are specific to swordfish management in that the goals “will be achieved through a variety of mitigation and management measures outlined in this SMMP” (See Section 3 of the SMMP and below). The current goals of the SMMP (See Section 2, Purpose of the Plan) are:

1. Minimize protected species bycatch to the extent practicable in the swordfish fishery through mitigation, gear innovation, and individual accountability.
2. Minimize unmarketable and prohibited finfish catch to the extent practicable in the swordfish fishery through mitigation, gear innovation, and individual accountability.
3. Support the economic viability of the swordfish fishery so that it can meet demand for a fresh, high quality, locally caught product and reduce reliance on imported seafood.
4. Promote and support a wide range of harvest strategies for swordfish off the West Coast.

The goals in Section 2.2 HMS FMP are similar to the goals of the SMMP. However, they are more general. Section 6 also describes management measures (e.g., Fishery Monitoring, Bycatch Monitoring and Minimization, and Fishery-Specific Conservation and Management Measures, etc.) that will achieve or support the goals of the HMS FMP.

General goals in of the HMS FMP that are similar to the SMMP are:

1. Provide a long-term, stable supply of high-quality, locally caught fish to the public.
2. Minimize economic waste and adverse impacts on fishing communities to the extent practicable when adopting conservation and management measures.
3. Provide viable and diverse commercial fisheries and recreational fishing opportunity for highly migratory species based in ports in the area of the Pacific Council's jurisdiction, and give due consideration for traditional participants in the fisheries.
4. Minimize bycatch and avoid discard and implement measures to adequately account for total bycatch and discard mortalities.

There is reasonable consistency between the goals of the SMMP and those described in the HMS FMP. The Council could incorporate the swordfish fishery specific SMMP goals into the HMS FMP along with any other pertinent information of the SMMP to enhance Section 6 of the HMS FMP.

Appendix A of the SMMP describes fisheries that target swordfish including information on vessel operations and fishery statistics, although some landing statistics and information regarding the status of the DGN fishery could be updated. If the SMMP is to be finalized as an action plan, it may be prudent to recognize the need for periodic update of this appendix or to reference the HMS stock assessment and fishery evaluation document where this information is accessible to all readers on an annual basis.

HMSMT Report 1 ([Agenda Item H.6, HMSMT Report 1](#)) included modified SMMP text and provided other considerations for developing Council policy and priorities. However, there are some outstanding questions from that report that the Council may want to consider as it continues to develop swordfish fishery actions and modifications to the SMMP:

1. Does the Council wish to consider a reduction of latent DGN permits (See Section C1 and C2 of SMMP) and use the Federal limited entry permit as a tool to encourage utilization of other swordfish gear types?
2. Does the Council want to revisit SMMP section E.2 and the intent of developing longline fisheries inside the West Coast EEZ?
3. Consider adding an action item (or expanding the purpose of the plan) specific to EFPs and its desire to encourage and support future EFPs for new gears to target and harvest swordfish.

In addition, Council staff pose some key questions for consideration:

1. The Council is revisiting the development of drift gillnet hard caps. How does this action affect the SMMP? If the no action is taken, what would be the next steps for the DGN fishery monitoring?

2. Under the transition program in California, all remaining state DGN permits will be revoked on January 31, 2024. The Council recommended the creation of a federal DGN permit for the fishery. Will any remaining vessels be allowed to continue fishing under the federal permit?
3. How does the Council envision future implementation of the fishery under the Federal permit? Should the fishery to continue under hard cap management or should the Council develop a permit transition program?
4. The original FMP authorized SSSL<sup>1</sup>; however, the [final rule](#) that implemented the FMP prohibited the use of SSSL gear. Should the Council revisit the development of a SSSL fishery and amend the FMP to authorize the fishery?
5. The largest component of west coast swordfish landings comes from vessels fishing SSSL with a Hawaiian permit. Should the Council engage in the management of this fishery along with the Western Pacific Fishery Management Council? If so, how?
6. Authorization of DSBG is moving forward but as evidenced by EFP applications, there is interest in variations on the gear type to make it more feasible for higher volume. The long-term economic viability of the gear remains an open question. Should the Council also continue to consider longline methods in concert with DSBG?

These are big questions, and it is not anticipated that the Council is prepared answer them at the September meeting. Rather, the intent is to highlight such policy questions because they may drive further development of the swordfish fishery and consideration of its policies. As a starting point, Council staff proposes the following potential options for moving forward:

- Schedule further scoping and discussion at a future Council meeting to update and revise the SMMP to guide swordfish fishery development and management.
- Finalize the goals of the SMMP and update the actions listed in the SMMP.
- Consider eliminating the SMMP and incorporate the goals and some portions of the SMMP into the HMS FMP to guide swordfish fishery development and management.
- Consider development of a planning process focused on the scheduling of HMS fishery management issues and policy decisions at future Council meetings.

PFMC  
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<sup>1</sup> Originally the FMP would have allowed the use of longline gear to target swordfish with shallow sets east of 150° W. longitude and north of the equator. However, as a consequence of the ESA section 7 consultation for the FMP, the use of shallow sets to target swordfish was prohibited in all waters beyond the EEZ (in addition to the general prohibition on the use of pelagic longline gear inside the West Coast EEZ). This prohibition does not apply to vessels fishing under a western Pacific longline limited entry permit.