



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
1201 NE Lloyd Boulevard, Suite 1100
PORTLAND, OREGON 97232

March 31, 2023

Sent via email

Mr. Marc Gorelnik, Chair
Pacific Fishery Management Council
7700 NE Ambassador Place
Portland, OR 97220
marc@gorelniklaw.com

Dear Mr. Gorelnik:

By this letter, I am approving Amendment 6 to the Fishery Management Plan for West Coast Fisheries for Highly Migratory Species (HMS FMP). Amendment 6 authorizes deep-set buoy gear (DSBG) as a federally-permitted gear type for targeting swordfish in Federal waters offshore of California and Oregon. The action will assist in supporting a fleet of West Coast vessels that could increase the availability of locally-caught swordfish in the market. This action is intended to support a healthy domestic fishery with economic benefits for fishing communities, processors, restaurants, and consumers, while minimizing bycatch of protected species and non-target finfish.

The Pacific Fishery Management Council (Council) made final recommendations in favor of this action at its September 2019 meeting. The Council later revised its final amendment language in March 2021. These recommendations included establishment of a limited entry permitting program for DSBG fishing in the Southern California Bight, which is incorporated in the final regulations implementing Amendment 6. The Council, its advisory bodies, and stakeholders have also reviewed several stages of a detailed National Environmental Policy Act analysis of this action, which found that DSBG selectively targets swordfish with minimal interactions with protected species or non-target finfish.

On January 9, 2023, NMFS published a notice of availability of Amendment 6 ([88 FR 1171](#)). This began a decision timeline with a final deadline for approval, disapproval, or partial approval required by April 9, 2023. NMFS published a proposed rule with implementing regulations in the Federal Register on February 6, 2023 ([88 FR 7661](#)). NMFS published a final Environmental Impact Statement on March 3, 2023 ([88 FR 13443](#)). After considering public comments on the Amendment and proposed rule, we plan to publish a final Federal Register notice to implement the regulations in the coming weeks.

NMFS appreciates the Council's ongoing efforts to support a productive domestic swordfish fishery while minimizing interactions with non-target species.

Sincerely,

for Scott M. Rumsey, Ph.D.
Acting Regional Administrator

