

DEEP-SET BUOY GEAR AUTHORIZATION – FINAL ACTION

The Council has been considering measures to authorize a fishery targeting swordfish with deep-set buoy gear (DSBG) since March 2016. It adopted a range of alternatives and identified its preliminary preferred alternative in November 2018. In June 2019, the National Marine Fisheries Service (NMFS) presented a draft analysis of the biological impacts of a prospective DSBG fishery ([Agenda Item J.6.a, NMFS Report 1](#)). For this meeting, at which the Council is scheduled to take final action on its proposal, NMFS has submitted a preliminary draft environmental impact statement (PDEIS) to inform the Council decision (Agenda Item I.4.a, NMFS Report 1) that expands the analysis of affected components of the human environment. NMFS also submitted a brief report for the advance briefing book (Agenda Item I.4.a, NMFS Report 2) outlining the contents of the PDEIS and additional work that will be completed before it is published as a DEIS for public comment, slated for 2020. A central issue under consideration is a limited entry permit program for vessels fishing with DSBG in the Southern California Bight.

NMFS also plans to submit two supplemental reports. The first report is intended to further explore potential economic impacts of the action alternatives under a scenario of declining catch-per-unit-effort (CPUE) with increasing effort. The second report is intended to address Scientific and Statistical Committee comments and suggestions following their review of NMFS' preliminary biological analysis in June 2019, as noted above (see [Agenda Item J.6.a, Supplemental SSC Report 1](#)). Comments NMFS intends to address include evaluating the differential effects of standard versus linked buoy gear and using a distribution of potential levels of fishing effort instead of a fixed value to assess impacts.

A supplemental Highly Migratory Species Management Team (HMSMT) report will contain analysis responding to the Council's request for information on the effect of the number of limited entry permits and the potential for gear conflict among DSBG users in the Southern California Bight. This supplemental report will also include an evaluation of how the Council and NMFS have taken into account the factors enumerated in the Magnuson-Stevens Act at §303(b)(6) relevant to establishing "a limited access system for the fishery in order to achieve optimum yield."

In addition to taking final action by identifying its preferred alternative, the Council needs to adopt commensurate amendments to the Fishery Management Plan for West Coast Fisheries for Highly Migratory Species (HMS FMP). Attachment 1 contains proposed changes, labeled Amendment 6. Changes are only necessary in Chapter 6 of the FMP (management measures) so this chapter is excerpted in the attachment. The proposed changes are based on the Council's preliminary preferred alternative. This draft language was reviewed and edited by the HMSMT at its August 7-8 meeting. If the Council's final preferred alternative differs from its preliminary preferred alternative the Council should also indicate what corresponding changes need to be made to the FMP. The Council should provide guidance on whether such changes are so substantive that a second revision of FMP text should be brought back for additional review and comment at a future meeting or guidance to staff at this meeting is sufficient.

Council Action:

Adopt a Final Preferred Alternative for Deep-Set Buoy Gear Fishery Authorization and Associated Fishery Management Plan Amendment Language.

Reference Materials:

1. Agenda Item I.4, Attachment 1: Draft changes to the HMS FMP (Amendment 6).
2. Agenda Item I.4.a, NMFS Report 1: Amendment 6 to the Fishery Management Plan for West Coast Highly Migratory Species Fisheries: Authorization of Deep-set Buoy Gear, Preliminary Draft Environmental Impact Statement.
3. Agenda Item I.4.a, NMFS Report 2.
4. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

- I.4 Deep-Set Buoy Gear Authorization – Final Action Kit Dahl
- a. Reports and Comments of Management Entities and Advisory Bodies
 - b. Public Comment
 - c. **Council Action:** Adopt a Final Preferred Alternative for Deep-Set Buoy Gear Fishery Authorization and Associated Fishery Management Plan Amendment Language

PFMC
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