

Chuck Bonham, Director
California Department of Fish and Wildlife
1416 9th Street CA 95814
Director@wildlife.ca.gov

August 3, 2016

Dear Director Bonham:

We write to express our concern regarding recent actions taken over the management of highly migratory species fisheries at the Pacific Fishery Management Council (Council) under the leadership of representatives from the California Department of Fish and Wildlife (Department) and to request an update on the Department's plan to authorize deep set buoy gear.

As representatives of the recreational fishing community and the public interest in healthy ocean ecosystems, we have long been concerned over the use of indiscriminate commercial fishing gear such as drift gillnets and longlines off the California coast. We were encouraged by the Council's recent actions toward advancing the authorization of deep-set buoy gear in March including an amendment by the Department which broadened the potential geographic scope of the fishery. That's why we were perplexed as to why the Department's position changed so drastically at the June meeting.

In November 2015, the Council stated its intent to "move forward rapidly" with the authorization of deep-set buoy gear.¹ Then, at their March meeting, the Council unanimously voted to move forward with developing a range of alternatives for authorizing deep-set buoy gear.² However, in June, through a motion prepared by the Department,³ the authorization of deep-set buoy gear was, for all intents and purposes, halted. This came as a surprise given the Department submitted a report at the March meeting stating that "CDFW is supportive of moving forward with analysis and regulatory development to authorize use of the gear under the Highly Migratory Species Fishery Management Plan, recognizing it will not be possible to resolve all unknowns surrounding a new fishery that has yet to exist." While the June motion was made under the guise of needing more information before authorizing buoy gear, it was not clear what data was lacking that could not be answered by results from the five years of research already conducted or dealt with through the permitting process. We are concerned by this turn of events and are looking to better understand the Department's plan in regards to phasing out drift gillnets and authorizing deep-set buoy gear.

¹ November 2015 Council Meeting Decision Summary Document, p. 3, available at <http://www.pcouncil.org/wp-content/uploads/2015/11/1115decisions.pdf> ("The Council also recognized the promise of deep-set buoy gear (DSBG) to be an economically viable low/no bycatch gear for catching swordfish. For that reason, the Council expressed its interest to move forward rapidly to authorize DSBG under the Highly Migratory Species Fishery Management Plan while considering the need for a permitting regime to regulate use of this gear.")

² Agenda Item F.3, March 2016, available at http://www.pcouncil.org/wp-content/uploads/2016/03/F3_CouncilAction_MAR2016.pdf

³ Agenda Item D.5, June 2016, available at http://www.pcouncil.org/wp-content/uploads/2016/06/D5_CouncilAction_JUN2016.pdf

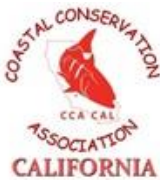
Recreational anglers are a large economic driver in the State of California and have a vested interest in protecting the marine environment and the open ocean ecosystem. As stewards of our ocean fisheries, we take pride in fishing sustainably. That's why we have been supportive of the development of deep-set buoy gear that can effectively catch swordfish and other highly migratory species without the bycatch of sensitive marine life such as striped marlin and leatherback sea turtles. Over the past several years, the recreational community actively voiced support of the Council's authorization of deep set buoy gear. The Council received letters of support for deep set buoy gear from thousands of recreational fishermen, fishing clubs and businesses and dozens of our members and representatives attended Council meetings to provide public comment.

Deep-set buoy gear was specifically developed for the West Coast using data from tagged swordfish. The gear allows fishermen to quickly drop hooks below the thermocline to catch swordfish at depth during the day. This innovative approach was supported through the National Marine Fisheries Service's Bycatch Reduction Engineering Program and California's Ocean Protection Council and has undergone extensive research, development and experimental fishing.

We are particularly disconcerted with the Department's willingness to advocate for West Coast based longline fisheries while delaying action on a low impact gear that can effectively target swordfish with minimal bycatch. California has long been opposed to pelagic longline fisheries and has gone so far as ban their use inside the exclusive economic zone (EEZ) and prohibit the landing of swordfish caught by California-based vessels using pelagic longlines outside of the EEZ.

We request a meeting with your offices to discuss these matters further.

Sincerely,



Bill Shedd
Chairman
Coastal Conservation
Association California



Mike Leonard
Ocean Resource Policy Director
American Sportfishing Association



Jason Schratwieser
Conservation Director
International Game
Fish Association



Theresa Labriola
West Coast Fisheries Director
Wild Oceans

cc:

Heidi Taylor, NOAA, Sustainable Fisheries Division, Highly Migratory Species Branch
Gerard DiNardo, NOAA, Southwest Fisheries Science Center, FRD Division Director