

May 6, 2019

Via hand-delivery

The Honorable Diane Feinstein  
United States Senate  
331 Hart Senate Office Building  
Washington, DC 20510

RE: S. 906 – Driftnet Modernization and Bycatch Reduction Act

Dear Senator Feinstein:

We are participants in the experimental Deep-Set Buoy Gear (“DSBG”) fishery off the California Coast. A majority of us participate in, or have participated in, the drift gillnet fishery. We are writing to express our concerns regarding S. 906, the Driftnet Modernization and Bycatch Reduction Act. S.906 includes language which will phase-out the use of drift gillnets (“DGN”) to harvest swordfish and require the “...adoption of alternative fishing practices that minimize the incidental catch of living marine resources”. Our concern is based on the fact that while there is potential for alternative gear to be used in this fishery, currently there is no existing gear that can be substituted for the DGN gear and still allow fishermen to earn a living.

The Pacific Fishery Management Council (“PFMC”) is currently working towards authorizing Deep-Set Buoy Gear (“DSBG”), a swordfish gear type that was developed to provide west coast fishers with an additional gear option for use during periods of reduced landings. DSBG has been allowed to operate under an Exempted Fishing Permit (“EFP”) since 2015. As noted in the initial EFP application DSBG was designed to “...provide fishers with a complementary gear type that can be used in conjunction with harpooning ...and also compliment ongoing DGN activities.<sup>1</sup>”

Participants in the initial EFP had extensive experience targeting swordfish with DGN and harpoon gears and participated in the research trials so that they could expand domestic fishery options for the West Coast. This continues to be a priority for managers and the fishing community, as current restrictions limit summertime harvest off California waters, forcing markets to import swordfish even when the resource is available in local waters. The coupling of DSBG, harpoon and DGN techniques provides the tools needed to capitalize on this federal resource throughout the entire fishery season. This is critical given that different gear types have different seasons in which they work optimally.

Because DSBG landings peak in the months prior to that of the DGN fishery, our community has largely supported the advent and trial of new techniques, as they have the potential to augment and revitalize our declining fishery. Now that S. 906 proposes to phase out DGN and replace it with DSBG, we are concerned that this will further impact the viability of west coast swordfish operations all together. We are certain that the DGN market share will be filled with additional unregulated foreign-caught swordfish. As shown in 2018, increases in unregulated imports drives market price down, reduces domestic profitability and deters participation our US fisheries. Collectively, we feel that S. 906 will negatively impact local livelihoods, increase our reliance upon foreign fleets and decrease the productivity and of our west coast fishery.

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<sup>1</sup> See Page 2 - [http://www.pcouncil.org/wp-content/uploads/H3a\\_Att2\\_PIER\\_MAR2015BB.pdf](http://www.pcouncil.org/wp-content/uploads/H3a_Att2_PIER_MAR2015BB.pdf)

We are also concerned over the proposed transition of the traditional DGN fleet to a future DSBG fishery. Some of the DGN vessels are larger than those currently used in the DSBG fishery and many of them only fish for swordfish during the fall window in which DGN works optimally. We are troubled that the proposed transition will create an inequity among the fleet and negatively impact fishing operations and profitability. We feel that S. 906 is premature and should be contemplated only after it is demonstrated that DSBG can be profitable for the entire DGN community. Until then, we hope to continue to provide domestic west coast swordfish caught using highly regulated techniques that continue to operate in full federal and state compliance.

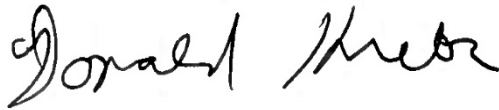
Sincerely,



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