



Governor Edmund G. Brown
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Senate President Pro Tem Kevin de León
State Capitol, Suite 205
Sacramento, CA

Speaker of the Assembly Anthony Rendon
State Capitol, Suite 219
Sacramento, CA

William Stelle, Regional Administrator
NOAA Fisheries, West Coast Region
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Dorothy Lowman, Chair
Pacific Fishery Management Council
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May 10, 2016

Dear Governor Brown, Senator de León, Assemblymember Rendon, Mr. Stelle, and Ms Lowman:

The world's oceans and marine ecosystems are facing a grave crisis due to impacts of industrial fishing activity^{i, ii, iii, iv}. Not only does industrial fishing have substantial impacts on both target species and bycatch species populations, but the effects on these populations can also have serious repercussions for the communities and ecosystems of which they are a part.

Drift nets and other gill nets are among the most potentially damaging industrial fishing methods, since they are massive nets that indiscriminately capture a wide range of target and non-target marine species and have some of the highest bycatch rates of any fishery in the world.^{vii}

Large-scale pelagic driftnets were outlawed in 1993 on the High Seas by the United Nation General Assembly,^{vii} which the US has implemented as a matter of policy.^{viii} On the US West Coast, the State of Washington State banned drift gill nets in 2001^{ix}, and Oregon abandoned its

drift gill net fishery program in 2009.^x Only here in California do we continue to maintain a drift gillnet fishery targeting swordfish and threatened thresher sharks. Given the decline in demand for high mercury swordfish and increasing regulations to reduce its impact, the fishery has declined in recent years. We believe it is now time to put an end to the use of drift gillnets in California.

The myriad reasons for phasing out this fishery include:

- Despite decades of increased regulations and decreasing effort and demand for swordfish, the California Driftnet Fishery remains one of the highest bycatch fisheries in the United States^{xi}.
- The California drift gill net fishery entangles more cetaceans than any other fishery along the US Pacific coast.^{xii} In the last ten years, an estimated 885 marine mammals have been killed. Observed takes of marine mammals include two Endangered sperm whales, which died after becoming entangled in driftnets in 2010 alone.^{xiii} (Based on the observer coverage rate, this gives rise to an estimate of 15.5 sperm whale entanglements for the entire fishery.) Over the period from 2007-2010, this fishery caught an annual average of 67.8 cetaceans. The second most damaging fishery averaged 1.4 individuals per year^{xiv}.
- Swordfish, the primary target species, make up only 12 % of the catch, while 65% of the catch is discarded directly overboard^{xv}.
- Between 2004 and 2014, 21% of the catch consisted of IUCN Red List species (9% was Near Threatened, 12% Vulnerable or Critically Endangered), including endangered leatherback sea turtles, sperm whales, shortfin mako sharks, bluefin tuna and smooth hammerheads^{xvi}.
- Red Listed Vulnerable thresher and mako sharks together make up 10% of the catch and are targeted, retained and sold, despite concern about the sustainability of their harvest^{xvii}. Vulnerable blue sharks make up 5% of the catch, but are discarded directly overboard^{xviii}.
- The megamouth shark was only discovered in 1976, and since then fewer than 70 specimens have ever been reported. Nearly 10% of all megamouth sharks ever reported globally were entangled in California's driftnets^{xix}.
- Although the creation of the Pacific Leatherback Conservation Area reduced mortality of leatherback turtles from 112 in the period 1990-2000, 12 leatherback turtles (and an estimated 5.76 loggerheads) are estimated to have been killed by California driftnets in the period 2004-2014. In particular, the Loggerhead and leatherback populations have declined by 80 - 95% in the last twenty years.^{xx} Recent studies suggest that even low fishing mortality may have a significant impact on the extinction risk for this population^{xxi xxii xxiii}.

Beyond the impacts on threatened species, the fishery also captures significant numbers of relatively common species that threaten to have ecological impacts. For example, almost 50% of the catch is made up of ocean sunfish – the primary consumers of jellyfish in the region. Although mostly released alive, there is little available information on post-release mortality or population and impacts of the catch of an estimated 85,000 individuals in the last decade.

A growing body of scientific research shows us the fragile nature of the oceans, and the defaunation processes that currently threaten marine ecosystems. In this context, it is imperative to consider that the ecological impact of a marginal fishery that threatens species spanning the entire food web of the California coastal ecosystem along with several migratory species. The time is right to phase out the fishery in California as it has been ended worldwide.

WE THE UNDERSIGNED, CALL ON GOVERNOR BROWN, THE CALIFORNIA LEGISLATURE AND THE PACIFIC FISHERIES MANAGEMENT COUNCIL TO ACT PROMPTLY TO PROTECT THE ECOLOGICAL INTEGRITY OF CALIFORNIA'S COASTAL WATERS AND TO PHASE OUT THE USE OF DRIFT GILL NETS AND OTHER INDISCRIMINATE FISHING METHODS IN CALIFORNIA AND U.S. WATERS.

To this end, we also call on you to maintain the prohibition on the use of the similarly indiscriminate longline gear, and other gear with similar ecological impacts.

Sincerely,

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5. Brent R. Constantz, Ph.D., Associate Professor Department of Geological and Environmental Science, Stanford University
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27. Raymond Levitt, PhD, Kumagai Professor of Engineering, Director, Global Projects Center, Stanford University
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49. Natalie Ban, PhD., Assistant Professor, University of Victoria, Canada
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142. Cynthia LeDoux-Bloom, Ph.D., Senior Marine Scientist, ManTech International
143. Bill Bridgeland, PhD., Fish and Wildlife Biologist, US Fish and Wildlife Service
144. Patricia Zarate PhD, Research Associate, Pacifico Laud (Chile) and Pro Delphinus (Peru)
145. Herbert Curl, Ph.D., retired NOAA, Seattle Audubon Board member
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147. Christina (Tina) Swanson, Ph.D. Science Center Director, Natural Resources Defense Council
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184. Preston Brown, Watershed Biologist, Turtle Island Restoration Network
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186. Kristofer M. Robison, Staff Scientist, Colibri Ecological Consulting, LLC
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188. Chris Maxey, Director, Cape Eleuthera Foundation
189. Pete Oxford, Marine Zoologist and Senior Fellow International League of Conservation Photographers
190. Philipp LaHaela Walter, Research technician, Hawai'i Permanent Plot Network, (HIPNET)/Research Corporation of the University of Hawai'i
191. Geoff Patton, Ph.D., unaffiliated
192. Susana Navajas, Founder, Save the Sharks
193. Traci L. Kendall, Director of Research Training/Program Manager, Marine Mammal Physiology Project, Long Marine Laboratory, UC Santa Cruz
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195. Tommy Cutt, Chief Conservation Officer, Loggerhead Marinelife Center, Juno Beach, Florida.

196. Charles Manire, D.V.M., Director of Research and Rehabilitation, Loggerhead Marinelife Center, Juno Beach Florida
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249. Andrea Kaufman, Volunteer with Stewards of the Coast and Redwoods, Volunteer with Farallones Marine Sanctuary Association Beach Watch
250. Richard Fortmann, Citizen scientist, FMSA Beach Watch
251. Julie Bitnoff, Volunteer, Beach Watch, Farallones Marine Sanctuary Association
252. Rich Trissel, Volunteer, GFNMS Beach Watch
253. Richard Matzinger, Beach Watch volunteer wildlife surveyor, Farallones Marine Sanctuary Association
254. James Grant, Volunteer Beach Watch Program, Farallones Marine Sanctuary Association
255. Nancy Trissel, Beachwatch volunteer
256. Steven Trott, Projects Manager, Watamu Marine Association.
257. Marie Kazan-Komarek, Volunteer, Gulf of the Farallones Marine Sanctuary Beachwatch Program

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