



MARINE MAMMAL COMMISSION

15 November 2016

Mr. Chris Fanning
National Marine Fisheries Service,
West Coast Region
501 W. Ocean Blvd, Suite 4200
Long Beach, CA 90802

Dear Mr. Fanning:

The Marine Mammal Commission (the Commission) has reviewed the National Marine Fisheries Service's (NMFS) *Federal Register* notice (81 Fed Reg. 71484) requesting comments on a new application for an Exempted Fishing Permit (EFP) to test the use of deep-set buoy gear (DSBG), which is used to fish for swordfish and other highly migratory species, off the U.S. West Coast. In addition, the notice announces NMFS's intent to extend two current DSBG EFPs for another two years. The Commission appreciates the opportunity to review the application and extensions. The Commission recognizes that NMFS has taken care to ensure that the application and extensions follows its National EFP Guidelines, and appreciates that NMFS is aware of the potential for the fishing conducted under these permits to take protected species. The Commission is encouraged that during EFP fishing with this gear, to date only two marine mammals (both northern elephant seals), have been caught and released unharmed. Nonetheless, the Commission agrees with NMFS that observer coverage on all EFP vessels should remain at 30% or greater, and that all EFP vessels must adhere to all regulations pertaining to the protection of marine mammals and other protected species. The Commission supports the issuance of the new EFP, and renewal of the existing, EFP permits.

If you or your staff has any questions, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebecca J. Lent".

FOR:

Rebecca J. Lent, Ph.D.
Executive Director