

EXEMPTED FISHING PERMITS (EFPs): UPDATE AND NEW PROPOSALS

Situation: Exempted fishing permits (EFPs) allow fishing activities that would otherwise be prohibited. As an example, EFPs provide a process for testing novel fishing gears and strategies to substantiate methods for prosecuting sustainable and risk-averse fishing opportunities. The Council has signaled its intent to make greater use of EFPs in the new groundfish management regime of depth restrictions and widespread area closures to reduce harvest of overfished species. Preliminary discussions revealed potential drawbacks to the concept of EFP proliferation, including impacts to the current NOAA Fisheries Groundfish Observer Program. The Council should take this opportunity to further discuss these issues and recommend to NMFS a process and standards for restructuring the current EFP program to meet Council and Magnuson-Stevens Fishery Conservation and Management Act objectives of providing healthy and sustainable fishing opportunities.

The Council reviewed six state-sponsored groundfish EFP proposals for next year at its September meeting. The objectives and the expected catch of overfished groundfish species for each EFP were discussed (Attachment 1). As part of the Council's deliberations on setting 2003 groundfish management measures, a decision was made to cap the canary rockfish set-aside for all six EFPs in combination at 6.5 mt. The Council is tasked at this meeting with recommending 2003 EFPs and overfished species' caps for each EFP.

The Council has, in the past during the November meeting, approved an EFP allowing suspension of at-sea sorting requirements in the shoreside whiting fishery to allow portside sampling. The Council asked NMFS last November to do the final rulemaking for Groundfish Fishery Management Plan Amendment 10 to avoid having to annually approve an EFP enabling full retention in the shoreside whiting fishery. NMFS has not done this rulemaking yet, but plans to complete this task before the fishery begins next year. If workload preempts completion of this task, an EFP can be approved next March.

Council Action:

- 1. Consideration and discussion of EFP proposals, process, and standards.**
- 2. Recommend 2003 EFPs sponsored by the state agencies to NMFS.**

Reference Materials:

1. Set-asides (mt) of overfished West Coast groundfish species for 2003 EFPs (Exhibit G.6, Attachment 1).

Agenda Order:

- a. Agendum Overview
- b. Agency and Tribal Proposals
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Consideration of Proposals and Recommendations to NMFS

John DeVore
State and Agency Representatives

Groundfish Fishery Strategic Plan (GFSP) Consistency Analysis

The GFSP supports bycatch reduction efforts and development of selective fishing techniques. Council-approved EFPs are designed to gather information on methods to selectively harvest abundant species and determine bycatch rates of overfished and other groundfish species of concern. Any additional EFP applications will need to be reviewed for consistency with overall GFSP objectives.

PFMC
10/16/02