November 7, 2006

Chairman Donald Hansen
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 101
Portland, Oregon  97220-1384

Re:  Proposed Exempted Fishing Permits

Dear Chairman Hansen and Members of the Council:

On behalf of the Natural Resources Defense Council, the Pacific Marine Conservation Council and The Ocean Conservancy and more than 1.5 million members and activists we represent, we would like to express our support for approval of the four exempted fishing permit (EFP) applications for 2007 fisheries, with minor clarifications.

All four applications (Item D.4. a, Attachments 1-3, and Item D.4.c Public Comment) would provide valuable information on fishing practices that show creativity and promise as clean, low-impact ways to fish for groundfish. All four applications appear to meet appropriate standards. They provide 100% observer coverage. And they restrict catch of vulnerable species to low levels that stay within, as a whole, the amounts the Council previously set aside for this purpose and scorecard reserves (or in the case of Item D.4.c., well below the catch of recently bought-out permits). All the proposals could help inform choices about future management measures designed to lower bycatch while allowing fishing for healthier stocks.

The proposal to “Replace Trawling with Fixed Gear Fishing off the Central Coast of California” (Item D.4.c Public Comment) has an additional advantage. Allowing willing fishermen to switch from trawl gear to lower impact gears has long been considered a measure with significant bycatch reduction potential. Amendment 18 contains bycatch reduction measures such as flexibility to switch gears and creation of greater opportunities to fish with cleaner gears (Amendment 18, Section 6.5.3.3). This EFP provides a chance to try out such measures in practice, learn more about how to best structure a gear-switching program, begin to assess its benefits, and identify and mitigate potential adverse impacts.

This EFP, furthermore, provides a testing ground for gear switching thanks to unique conditions that would be very difficult for the Council to create without resources that are very hard to come by (e.g. the recent buyout of trawl permits in Morro Bay). This is an
opportunity that offers conservation benefits, clear advantages for fishermen in the area, and useful information for the Council’s planning purposes.

The alternative to approving this EFP, in contrast, would be a loss on all those counts. The development of a rule to permit or encourage gear switching could take a couple of years and is not currently scheduled. That means that fishermen who want gear flexibility are unlikely to have a chance to try it out soon without going through an EFP. We believe this EFP provides the right kind of safeguards for a useful experiment with gear switching, on a considerably quicker timetable than would otherwise be possible.

We suggest minor clarifications to the proposal under Item D.4.c before it is finalized:

1. Clarify on p. 2 paragraph 3 the maximum number of participants (estimated to be 10 on p. 5, not 23 as stated here).
2. Clarify on p. 4, Section F that while vessels used for trawl, hook and line and pot fishing are eligible for this permit, trawling is not an acceptable fishing practice under this permit.

We understand that these EFPs have been submitted to public review and/or significant consultation with affected parties. We also support making any changes needed to ensure that the allowances in these EFPs stay within OYs based on more recently available information for species like canary. For all these reasons and with that caveat, we urge you to approve these EFPs.

Sincerely,

Karen Garrison
NRDC

Peter Huhtala
Pacific Marine Conservation Council

Meghan Jeans
The Ocean Conservancy