

FINAL ADOPTION OF EXEMPTED FISHING PERMITS (EFPs) FOR 2009

Exempted fishing permits (EFPs) provide a process for testing innovative fishing gears and strategies to substantiate methods for prosecuting sustainable and risk-averse fishing opportunities. Applications for EFPs proposed for 2009 that were preliminarily recommended for consideration by the Council in June are provided as Agenda Item I.6.a, Attachments 1 through 5.

The first proposed EFP is designed to test a trolled longline strategy to selectively harvest abundant chilipepper rockfish off central California. While this EFP was adopted for 2008, it has not been implemented and is again considered for 2009.

The second proposed EFP, sponsored by The Nature Conservancy, Environmental Defense, the California Department of Fish and Game (CDFG), and others, seeks to test hook-and-line and trap gears in central California using limited entry trawl permits purchased by The Nature Conservancy. This EFP was also adopted for 2008, but was only implemented shortly before the September briefing book deadline. The Council had requested a report of results from 2008 EFP activities, which is anticipated as a supplemental attachment given the late start of fishing under this EFP this year.

The third EFP, sponsored by the Recreational Fishing Alliance and the Golden Gate Fishermen's Association, seeks to test the use of recreational hook-and-line gear to catch underutilized chilipepper rockfish, yellowtail rockfish, and slope rockfish on Commercial Passenger Fishing Vessels (CPFVs) within and seaward of the non-trawl Rockfish Conservation Area (RCA) in waters off California north of Pt. Conception. The sponsors of this EFP proposed in June to add a yellowtail rockfish targeting strategy to this EFP using floated, long leaders, but the Council recommended removing this element and maintaining the chilipepper and slope rockfish targeting elements. This EFP was also recommended for 2008 but, as of the September briefing book deadline, had yet to be implemented. A report of 2008 activities under this EFP is provided (Agenda Item I.6.a, Attachment 6), which states that fishing activity under this EFP has not begun.

The fourth EFP, sponsored by the Oregon Chapter of the Recreational Fishing Alliance, seeks to test floated, long leader gear to selectively harvest yellowtail rockfish within the RCA in waters off Oregon. Early testing of this gear in open waters off Oregon this year indicates a higher than anticipated catch of widow rockfish. The sponsors are therefore proposing a larger EFP total catch limit for widow rockfish than that proposed in June.

The fifth EFP, sponsored by the Recreational Fishing Alliance and the Golden Gate Fishermen's Association, seeks to selectively harvest federally managed flatfish on CPFVs within and seaward of the non-trawl RCA in waters off California north of Pt. Conception. The Council stipulated in June that the EFP sponsors need to continue to work with CDFG staff to tighten up the specifications and design elements of this EFP before recommending it for next year.

Under this agenda item, the Council will review these EFP applications, consider public and advisory body comments, and consider recommending the 2009 EFP applications to the National Marine Fisheries Service (NMFS) for 2009 implementation.

Council Action:

Consider EFP applications for 2009 and provide final recommendations to NMFS.

Reference Materials:

1. Agenda Item I.6.a, Attachment 1: Application for an EFP sponsored by Steve Fosmark entitled, "Evaluation of an epibenthic trolled longline to selectively catch chilipepper rockfish (*Sebastes goodei*)."
2. Agenda Item I.6.a, Attachment 2: Application for Issuance of an EFP to Fish Trawl Permits with Longline, Trap, Pot, and Hook-and-line Gear in a Community Based Fishing Association off the Central California Coast.
3. Agenda Item I.6.a, Attachment 3: Application for an EFP sponsored by the Recreational Fishing Alliance and the Golden Gate Fishermen's Association Entitled, "Recreational Rockfish Catch Composition in the Rockfish Conservation Area Using Gear-Based Harvest Controls."
4. Agenda Item I.6.a, Attachment 4: List of Requested Changes and Application for an EFP sponsored by the Recreational Fishing Alliance Entitled, "Oregon Recreational Yellowtail Rockfish EFP."
5. Agenda Item I.6.a, Attachment 5: Application for an EFP sponsored by the Recreational Fishing Alliance and the Golden Gate Fishermen's Association Entitled, "Recreational Flatfish Catch Composition Within Defined Areas of the Rockfish Conservation Area."
6. Agenda Item I.6.a, Attachment 6: Report on RFA/GGFA Deepwater Rockfish EFP.
7. Agenda Item I.6.a, Supplemental Attachment 7: Progress Report on the 2008 Morro Bay/Port San Luis Exempted Fishing Permit.

Agenda Order:

- a. Agenda Item Overview
- b. Agency and Tribal Comments
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Adopt Final Recommendations for 2009 EFPs

John DeVore

PFMC
08/21/08