

GROUND FISH MANAGEMENT TEAM REPORT ON PRELIMINARY REVIEW OF EXEMPTED FISHING PERMITS FOR 2015-2016 GROUND FISH FISHERIES

The Groundfish Management Team (GMT) reviewed the technical merit of two renewal exempted fishing permit (EFP) applications and one new application for 2015-2016 relative to the evaluation criteria in the Council Operating Procedure ([COP 19](#)) on EFPs. The following discussion focuses on the technical merits of the EFPs. The Council's final decision will have to consider the availability of overfished species relative to the 2015-2016 harvest specifications, among other things.

The Council will adopt set-aside amounts to be deducted from the annual catch limits (ACLs) or annual catch target (ACTs) under Agenda item H.10. The total set-aside amount will include the amounts reserved for EFPs approved under this agenda item. A table of requested impacts by species and EFP is included for reference; however, no species-specific discussion on appropriate EFP bycatch limits is included (Table 1).

A primary requirement of EFPs is the evaluation of fishing gear or management measures that can be transferred into regulation and eventually applied fleet-wide. EFPs that rely upon operator experience, skill, or abilities that cannot be harnessed through a regulation or readily replicated by other fishermen, fail to meet this requirement because the resulting bycatch rates may differ from those estimated in the EFP.

The applications for 2015-2016 EFPs submitted for the advance briefing book are renewals of EFPs issued for 2013-2014. Therefore, comments found in our 2011 statement ([Agenda Item E.3.b. Supplemental GMT Report, November 2011](#)) still apply. One additional application for a new EFP was included in the supplemental briefing book materials ([Agenda Item H.2.b., Supplemental Attachment 6](#)). The GMT had a great deal of discussion on that application. A summary of those discussions is summarized below.

The GMT had some additional discussions about the overall goals of the EFP program. The team notes that we have seen some EFPs applied for over multiple cycles. One of our concerns is how many times should an EFP be renewed, before either moving into the regulatory process or ending. The GMT had some discussion about if performance metrics should be put into COP 19 to address these questions. However, we do not see this as needing to be done immediately (i.e. this cycle), but we present these thoughts for future consideration.

EFP Renewals

Evaluation of an epibenthic trolled longline to selectively catch chilipepper rockfish (*Sebastes goodei*) off California – Kathy and Steven Fosmark

The goal of this EFP (Agenda Item H.2.a., Attachment 2) is to evaluate the effectiveness of a species-selective longline fishing technique; it fishes a gear designed to target abundant

chilipepper rockfish and avoid overfished species. This application is identical to the final application submitted to NMFS for their 2013-2014 EFP. Therefore, based on the previous review of the technical merits of the application, the applicants' responses to previous requests, and the previous issuance of this EFP, the GMT recommends that it go forward for public review.

The GMT notes that while the requested set-aside amounts are identical to what was requested for 2013-2014, the Council adjusted those set-asides in final action based on recommendations by the Groundfish Advisory Subpanel (GAP) ([Agenda Item E.3.b, Supplemental GAP Report, November 2011](#)). Many of the amounts they recommended were adjusted either up or down for consistency among EFPs and to ensure that set-asides encouraged focus on the intended target species and not associated species (see table below). The GMT also notes that the project could harvest, though in small amounts, other species for which set-asides have not been requested. For those species or species groups, the GMT recommends that trip/cumulative limits should apply for those species or species groups (e.g. open access trip limits would apply for vessels fishing commercially but not registered to a limited entry permit).

Yellowtail rockfish jig fishing off California – San Francisco Community Fishing Association

The GMT would like to extend thanks to Barbara Emley for coming to speak with us, for the presentation of results of their project to date, and for being available for questions.

The goal of this EFP (Agenda Item H.2.a., Attachment 4) is to evaluate the effectiveness of a species-selective commercial hook and line gear; it fishes jig gear designed to target abundant yellowtail rockfish and avoid overfished species. This application is identical to the final application submitted to NMFS for their 2013-2014 EFP. Therefore, based on the previous review of the technical merits of the application, the applicants' responses to previous requests, and the previous issuance of this EFP, the GMT recommends that it go forward for public review.

During development of the 2013-2014 terms and conditions for this project, NMFS revised the location of fishing slightly so that the depth restriction was defined by latitude/longitude coordinates and were enforceable (from 35 fm depth contour to the boundary line that approximates the 30 fm depth contour). NMFS also worked with Cordell Bank National Marine Sanctuary staff to delineate other discrete closed areas to protect hydrocorals. The GMT recommends that the proposed location of fishing and applicable maps and figures in Agenda Item H.2.a., Attachment 4 be updated, if appropriate.

The GMT notes that while the requested set-aside amounts are identical to what was requested for 2013-2014, the Council adjusted those set-asides in final action (see table below) for the same reasons as discussed above.

New EFP

Supplemental Application from Giuseppe Pennisi and Jiri Nozicka (F/V San Giovanni) which proposes to use electronic monitoring (EM) without an observer in the shorebased IFQ bottom trawl fishery

The GMT would like to extend thanks to Jiri Nozicka for coming to present their EFP proposal and for being available for questions.

This EFP ([Agenda Item H.2.a., Supplemental Attachment 6](#)) is intended to “allow PFMC, NMFS to advance in its development of the current Electronic Monitoring (EM) program for the groundfish fishery by allowing the current system to follow real, at sea data from limited number of vessel(s)”. Some on the GMT agreed that evaluating EM with and without observers on board may be necessary to tease out potential observer impacts to fishing behavior. It was also noted that the Pacific States Marine Fisheries Commission (PSMFC) may be testing this particular concern and this EFP may be a natural extension of PSMFC’s research. In discussion with Mr. Nozicka, he informed the Team that Mr. Dave Colpo from PSMFC had confirmed staff time to review the EM products that could come from the F/V San Giovanni. He also informed us that four other vessels expressed interest in participating in an EFP what would utilize EM.

The GMT did review the contents of this application based on the criteria and questions in [Council Operating Procedure 19](#). There are many of the EFP applications protocols and guidelines which have not been met including: submitting the application by the advanced briefing book deadline or two weeks prior to the Council meeting; completeness of the application; description of data collection methodology; information on the number of vessels participating, information on the infrastructure in place to administer, monitor, and analyzed the project; and coordinate with appropriate federal and state agencies, among others. During the presentation to the GMT, the applicants did provide more information and answered questions, however there is still information missing which prevents the GMT from fully evaluating the technical merit of the application.

It should be noted that this EFP application is not requesting any set-asides. All impacts will be accounted for with the vessel(s) IFQ and trip limits for non-IFQ species, so if this application/project were considered at a later date, it would not impact the EFP off-the-top set-asides being analyzed and accounted for in the biennial harvest specifications and management measures process.

It is also the GMT’s understanding that under the Electronic Monitoring (EM) agenda item at this meeting, the Groundfish Electronic Monitoring Policy Committee report will recommend that an EFP be explored to test EM, possibly beginning in 2014. If that recommendation is pursued, the GMT would encourage the applicants to work within that process, so that all EM EFPs are consistent and the results applicable across a larger swath of the fleet.

Therefore, the GMT recommends that this EFP moves forward within the EM pilot project process as this may help to align the goals of this EFP with the goals of the EM process. However, if the Council would like to move this EFP forward as part of the 2015-16 EFP

process, the GMT recommends that the applicants refine their project proposal and application and bring it back to the GMT in March 2014.

Progress reports on 2012 EFPs

The GMT reviewed the three progress reports submitted for 2013-2014 EFPs that are contained in the briefing book materials. The GMT would like to thank the EFP applicants for submitting the progress reports. We do not have any further comments on the content of the progress reports at this time.

The GMT has been notified that participants in the yellowtail 2013 EFP have encountered 2 yelloweye (16 pounds) out of their 3 fish (~23 pound) limit, and therefore have ceased fishing for this year so as to not exceed the limit. The EFP holders may be requesting additional set-aside for yelloweye rockfish for 2014 during inseason, and for their 2015-16 application. The GMT does not have a recommendation on changing the set-aside, we see that as a Council policy decision.

GMT Recommendations:

- 1. The two renewal applications are essentially identical to what was reviewed and approved for 2013-2014, therefore the GMT recommends forwarding them for public review.**
- 2. The GMT recommends that this EFP moves forward within the EM pilot project process as this may help to align the goals of this EFP with the goals of the EM process. However, if the Council would like to move this EFP forward as part of the 2015-16 EFP process, the GMT recommends that the applicants refine their project proposal and application and bring it back to the GMT in March 2014.**

Table 1. Proposed Impacts on Overfished Species by Applications for 2015-2016 EFPs, in Metric Tons

	Species	Fosmark	SFCFA	San Giovanni	Total EFP Requests	2014 Council approved set-asides
Overfished Species	Bocaccio	3.000	3.000	Covered with individual quota for IFQ species and trip limits for non-IFQ species	6.000	6.000
	Canary	3.000	3.000		6.000	1.500
	Cowcod	0.015	0.015		0.030	0.020
	Darkblotched	0.100	0.100		0.200	0.200
	POP	-	-		0.000	0.000
	Yelloweye	0.023	0.023		0.046	0.020
	Petrale	-	-		0.000	0.000
Non-Overfished Species	Lingcod N of 42° N lat. (OR & WA)	-	-		-	0.000
	Lingcod S of 42° N lat. (CA)	0.500	0.500		1.000	2.000
	Pacific Cod	-	-		0.000	0.000
	Sablefish N. of 36° N lat.2	3,000	3,000		6.000	0.000
	Sablefish S. of 36° N lat.	-	-		0.000	0.000
	Dover Sole	-	-		0.000	0.000
	English Sole	-	-		0.000	0.000
	Arrowtooth Flounder	-	-		0.000	0.000
	Starry Flounder	-	-		0.000	0.000
	Other Flatfish	-	-		0.000	0.000
	Chilipepper S. of 40° 10' N lat.	200.000	200.000		400.000	210.000
	Splitnose S of 40° 10' N. lat.	1.500	1.5		3.000	3.000
	Widow	9.000	9.000		18.000	18.000
	Yellowtail N of 40° 10' N. lat.	-	-		0.000	0.000
	Shortspine Thornyhead N. of 34° 27' N. lat.	-	-		0.000	0.000
	Shortspine Thornyhead S. of 34° 27' N. lat.	-	-		0.000	0.000
	Longspine Thornyhead N. of 34° 27' N. lat.	-	-		0.000	0.000
	Longspine Thornyhead S. of 34° 27' N. lat.	-	-		0.000	0.000
	Minor Slope Rockfish N. of 40° 10' N. lat.	-	-		0.000	1.000
	Minor Slope Rockfish S. of 40° 10' N. lat.	1.000	1.000		2.000	2.000
	Minor Shelf Rockfish N. of 40° 10' N. lat.	-	-		0.000	3.000
	Minor Shelf Rockfish S. of 40° 10' N. lat.	1.000	1.000	2.000	31.000	
	Black Rockfish N. of 46° 16' N. lat. (WA)	-	-	0.000	0.000	
	Black Rockfish S. of 46° 16' N. lat. (OR & CA)	1.000	1.000	2.000	3.000	
	Pacific Whiting	1.000	1.000	2.000	2.000	
	Cabazon N. of 42° N. lat. (OR)	-	-	0.000	0.000	
	Cabazon S. of 42° N. lat. (CA)	-	-	0.000	0.000	
Shortbelly	-	-	0.000	0.000		

California Scorpionfish	-	-	0.000	0.000
Longnose Skate	-	-	0.000	0.000
Other Fish e	1.000	1.000	2.000	3.000

- = **no impacts requested**

a values taken from 2009 EFP statement, with an increase in widow to account for new stock assessment

b non-overfished non-target species are roughly 2 bi-monthly OA trip limits for each of 4 vessels

c all impacts will come from quota pounds of applicants, except for non-IFQ species

d there are yelloweye impacts in attachments 1 and 2 however they round to less than 0.1 mt (0.023 mt for each one, totaling 0.045 mt)

e 1.0 mt put in as a place holder