

## FINAL EXEMPTED FISHING PERMIT APPROVAL

In June 2014, the Council directed staff to distribute a letter soliciting Exempted Fishing Permit (EFP) proposals to test gear types or methods that could serve as an alternative to using drift gillnets (DGN) to catch swordfish in the west coast Exclusive Economic Zone (EEZ), or to test different approaches to contemporary DGN fishery management practices. Initially, a revised schedule of September-November meetings was advertised for the Council to review and make recommendations on EFPs. Because the Council received only one proposal in September 2014, and some potential applicants said they had not had enough time to develop the proposal, the deadline was extended to February 9, 2015, with the expectation that the Council would make recommendations on EFP issuance at this meeting.

Five proposals were received by the deadline and are attached. These are:

- Attachment 1: To conduct pelagic longline fishing within the west coast Exclusive Economic Zone (EEZ) in order to both determine if this gear is economically viable, and to determine the composition and amount of bycatch; Pete Dupuy, John Gibbs, and David Haworth
- Attachment 2: Exempt fishery proposal application for deep-set buoy gear; Pflieger Institute of Environmental Research (PIER)
- Attachment 3: Exempted fishing permit application to test alternative gears and/or new approaches or methods for targeting swordfish; Timothy and Laura Ferguson
- Attachment 4: Highly Migratory Species Exempted Fishing Permit Application to Test Buoy Gear; Stephen R. Mintz
- Attachment 5: Preliminary exempted fishing permit application: alternative swordfish target fishing methods and gears; The Alliance of Communities for Sustainable Fisheries (ACSF)

Council Operating Procedure (COP) 20 describes proposal contents and criteria for evaluating any EFP proposals. In addition, the HMSMT developed supplemental evaluation criteria at the request of the Council (see [Agenda Item E.3.b, HMSMT Report, June 2014](#)). COP 20 calls on the Highly Migratory Species Management Team (HMSMT) and HMS Advisory Subpanel to initially review EFP proposals for consistency with the goals and objectives of the HMS Fishery Management Plan. If a proposal includes a significant scientific component that would benefit from Scientific and Statistical Committee (SSC) review, the HMSMT may refer the application to the SSC for additional review. However, because of the compressed timeline of only one Council meeting, the SSC will be given the opportunity to review all the proposals.

Swordfish fisheries typically occur off the west coast from late summer through the following winter. (In the 10 years 2005-2014, 96 percent of swordfish landings occurred between August and March, according to PacFIN landings data.) Since the Council has called for proposals to test alternatives gears and methods relative to the California DGN fishery for swordfish getting the EFPs issued by August 2015 is desirable.

The Council action is to make recommendations to NMFS on EFP issuance. National Marine Fisheries Service will then conduct its own review of the applications based on requirements

pursuant to the Magnuson-Stevens Act at [50 CFR 600.745\(b\)](#), the National Environmental Policy Act, the Endangered Species Act, the Marine Mammal Protection Act, and other applicable law. Endangered Species Act and Marine Mammal Protection Act evaluations are conducted on a case-by-case basis.

**Council Action:**

**Approve Final Recommendations for Exempted Fishing Permits in 2015-16 West Coast Highly Migratory Species Fisheries.**

Reference Materials:

1. Agenda Item H.3.a, Attachment 1: Pete Dupuy, John Gibbs, and David Haworth EFP Application.
2. Agenda Item H.3.a, Attachment 2: Pfleger Institute of Environmental Research (PIER) EFP Application.
3. Agenda Item H.3.a, Attachment 3: Timothy and Laura Ferguson EFP Application.
4. Agenda Item H.3.a, Attachment 4: Stephen R. Mintz EFP Application.
5. Agenda Item H.3.a, Attachment 5: The Alliance of Communities for Sustainable Fisheries (ACSF) EFP Application.

Agenda Order:

- a. Agenda Item Overview Kit Dahl
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Approve Final Recommendations for Exempted Fishing Permits in 2015-16 West Coast Highly Migratory Species Fisheries

PFMC  
02/12/15